I would like the following concerns to be considered by the U.S. Department of Energy before allocating money to the H.E.C.A. project:

The major pollution problem in our county is not CO2. In fact, CO2 is the best fertilizer for the crops we grow. CO2 is plant food and is necessary for the survival of anyone who eats plants or animals. On any given year the southern San Joaquin Valley has the worst air in the nation. PM 10, PM 2.5, Black Carbon, S02, VOC, NOx, and other particulate matter are some of the pollutants that help contribute to this ranking. This project adds to the amount of these pollutants that are in our valley on any given day; increasing the likelihood that our children will suffer from asthma or other diseases and that our crops will have yield reductions. The fact that HECA will be using emission credits to offset these pollutants does not actually change the amount of these pollutants in the air if the credits come from facilities that are already effectively shut down, idled, or are operating outside of the southern valley.

HECA says that they will be producing 1,000,000 tons of nitrogen fertilizer per year and have stated to me and other members of the community that they will have a 45 day supply of this fertilizer on the site at all times. They have told me and other members of the community that roughly 50% of this fertilizer will be ammonium nitrate and 50% will be liquid Urea. Ammonium nitrate is an explosive material. It is the same material used by Timothy McVeigh in the 1995 Oklahoma City bombing. McVeigh used 5,400 lbs. of ammonium nitrate to blow up the Federal building in Oklahoma City. This plant will have 123,287,671 lbs. of ammonium nitrate on site; roughly 22,800 times the potential explosive energy as the 1995 Oklahoma City bombing. The ammonium nitrate will be sitting next to another explosive, compressed hydrogen. Remember that despite all safety precautions accidents still happen. This poses an enormous danger to the surrounding area. HECA will also have to truck off 52 loads of ammonium nitrate a day at 52,000 lbs. a piece. That means that every day for the life span of the plant, 52 trucks will be hitting the open roads with 9.6 times the potential explosive energy as the 1995 Oklahoma City bombing. This poses a serious national security threat, especially with the Midway substation roughly seven miles from the facility. The U.S. Department of Energy does not need blood on its hands if an accident or terrorist act occurs as a result of this project.

We will be taking some of the “greenest” farmland in the state out of production to build this plant. One of the attributes making this farm land so “green” is that the farmland the plant will sit on is irrigated by water that is largely gravity fed. The amount of California Aqueduct water that is used to irrigate this land is minimal. This means less carbon fuel emissions from lift pumps, less impact on threatened fish species, and less impact on endangered species dispersed by the footprint of the Aqueduct. If “going green” is the goal, shouldn’t these things be considered?

According to multiple ground contour and elevation maps, the footprint for the HECA project sits lower in elevation than land deemed “Swamp” and “Overflowed Land” by the 1888 Miller-Haggin Agreement. This agreement also establishes a plan to drain and isolate land and then states that “it is expressly understood and agreed, that no party to this contract will claim any damage resulting from the breaking of such reservoir, levees or other works.” In the early 1900’s the United States Department of the

Interior Bureau of Reclamation entered into the "CONTRACT AMONG THE UNITED STATES OF AMERICA AND NORTH KERN WATER STORAGE DISTRICT, BUENA VISTA WATER STORAGE DISTRICT, TULARE LAKE BASIN WATER STORAGE DISTRICT, AND HACIENDA WATER DISTRICT," this contract states that "All rights of the Districts… under the above-mentioned Miller-Haggin Agreement…are hereby recognized by the United States." In 2007 the U.S. Army Corps of Engineers released the Isabella Dam Consensus Report. The report ranked the Isabella dam among the 6 highest risk and highest priority dams in America. The dam was later raised to the highest priority. There should be no federal funding for a project that is in a federally established flood plain/lakebed below a dam that is federally recognized as the highest risk in the United States. It has been brought to my attention that the U.S. Army Corps of Engineers estimated the cost of fixing the dam at roughly $500,000,000. If this administration wishes to rebuild America's infrastructure it would be much better served spending its $400,000,000 repairing the dam. The Kern River is the fastest falling river of its size in the United States. This means that it has more potential energy per mile than any other river of its size in the United States. The U.S. Department of Energy could re-allocate these funds to rebuild our dam, or a series dams and improve on our hydro-electric production creating truly "green" energy while re-establishing our water storage capacity.

All forms of nitrogen stored at the facility add to the damage caused by a flooding event. A flood would disperse the nitrogen (a known ground water pollutant in the southern San Joaquin Valley) throughout the lakebed and contaminate our ground water supply.

The "Brackish" water used at the plant is not brackish by local farming standards. From the Buena Vista Water Storage District supplied reports that I have seen, the water that is to be used is almost entirely under the 5 dS/m threshold needed to irrigate a fully productive pistachio orchard. These numbers come from peer reviewed studies performed by the University of California. Even if this water was actually brackish, it has not been quantified. We do not know if there is enough "Brackish" water for the life of the project. What we do know, is that this project will increase the use of water in our area causing an unnecessary burden on our already depleting ground water supplies.

What will happen if the users of the CO2 decide not to or are unable to use it for some reason? A list of possible reasons include: depletion of the oil as a resource in the nearby fields, lower oil prices that cause production shut downs, natural disasters, and miss calculations in the ability to sequester the CO2.

Our county already produces more electricity and fossil fuels then it consumes. Most scientist who look at the economic viability of a "green" or "organic" world agree that in order to achieve such goals local production of natural resources is necessary. It is generally agreed that this is achieved by producing a communities necessary inputs within a 90 mile radius. We have achieved this as related to energy production in Kern County. While most communities do not want projects like this in their back yard in Kern County we cannot afford the burden of another project like this on our backs.

HECA has told me and other members of the community they will be borrowing money from Japan to build this project. Why is it that the Japanese government is loaning money to this project that will be

repaid with interest while the U.S. will be granting money that will never be repaid? Our national debt is a huge concern and this project will only add to it.

HECA has told members of our community that they intend to build and then "flip" this project. As soon as they are done building the project, they are going to seek a buyer for it. If HECA truly believes in the viability of this project they should stand by it and see it through its productive lifespan. The community that has been here in many cases for four or more generations will be dealing with the consequences of this project for its indefinite future.

HECA has told me and other members of the community that they were approached by the U.S. Department of Energy and asked to use the $400,000,000 previously proposed for use by B.P. and Rio Tinto; who abandoned the project over profitability concerns. They said that this money could be accurately characterized as "use it or lose it money." Taking into account the above mentioned concerns, this is an egregious example of government spending of tax payer dollars gone bad. In the wake of Solendra and other botched "green energy" ventures, I do not think that the U.S. Department of Energy needs another black-eye from a project like this.

Thank you for considering these concerns

Beau Antongiovanni