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*Comment Received From: Kern County Planning and Natural Resources Department
Submitted On: 2/23/2023
Docket Number: 21-AFC-02*

Document Description Kern County Planning and Natural Resources Department Comments - County Response to Willow Rock Energy Sto

Additional submitted attachment is included below.

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
Email: planning@kerncounty.com
Web Address: <http://kernplanning.com/>



**PLANNING AND NATURAL
RESOURCES DEPARTMENT**

**Planning
Community Development
Administrative Operations**

February 23, 2023

FILE: Gen. Corr., Map 231
Hydrostor Willow Rock Energy Storage Center Project
WO#: PP22149

California Energy Commission – Permit Division
Attn: Leonidas Payne
715 P Street
Sacramento, CA 95814

RE: Hydrostor Willow Rock Energy Storage Center – County Response to Willow Rock Energy Storage Center Data Request Response 1 Workshop Responses (TN# 247494) and Requested Conditions of Approval (21-AFC-02)

California Energy Commission Representatives:

The Kern County Planning and Natural Resources Department has reviewed the Willow Rock Energy Storage Center Response to California Energy Commission (CEC) Data Request DR77, docketed on November 16, 2022. This Department believes that confirmation of necessary findings for a Conditional Use Permit, to enable CEC staff to make findings consistent with the County's zoning designations, are more appropriate coming from the Board of Supervisors after environmental evaluation of the proposed project is complete and the CEC Staff Assessment is released for review.

The Planning and Natural Resources Department has consulted with various County departments to prepare appropriate conditions of approval to mitigate a variety of impacts that, in our experience, will occur on our environment and community members. Attached is a list of requested conditions of approval that are being included in our recommendation to the Kern County Board of Supervisors to consider support for the project. Staff notes the following specific issues regarding these conditions:

1. Staff has identified the 3-4 years of hard rock excavations and related truck traffic and noise as the primary impact on health, safety, and quality of life to surrounding communities. Specific conditions as mitigation have been carefully formulated and represent non-negotiable requests to the Commission.
2. The applicant has indicated they may request that Sweetser Road be made private to reduce the costs of road improvements. Such a request would normally involve a summary road vacation presented to the Kern County Board of Supervisors. A preliminary evaluation and discussion with the Kern County Public Works department resulted in non-support for removing the public access easement. Sweetser Road is shown on the Kern County General Plan circulation element as a major corridor for the area. As large scale commercial solar has been permitted and constructed in the area, other potential transportation corridors have been removed. Sweetser Road is one of the only remaining corridors in the Willow Springs/Rosamond Specific Plan.
3. Kern County is the site of over 100 mining operations including the largest open pit Borates mine in California (Rio Tinto, US Borax), the last hard rock gold and silver mine (Golden Queen Soledad Mine,) as well as three of the largest aggregate and concrete operations in California.

Kern County is, as well, the designated delegated authority for the implementation of SMARA (Surface Mining and Reclamation Act) and has extensive experience with hard rock excavation, blasting and other related activities. Staff is unaware of any experience the California Energy Commission has with such types of projects and we ask that you respect our expertise and our carefully crafted list of requested conditions.

4. To date, the applicant has not submitted the zone change application for the intended use which need an industrial general plan designation, zoning, and Conditional Use Permit. Staff has, however, considered the industrial use when formulating the requests conditions and these would be the conditions recommended for any Conditional Use Permit in an industrially zoned property for this specific use.

Thank you for the time and thoughtful consideration you are making on this project. We look forward to the incorporation of our requested conditions into your CEC Staff Assessment.

Should you have any questions, please contact me at (661) 862-8957 or slaytonk@kerncounty.com.

Sincerely,



Katrina A. Slayton
Division Chief, Advanced Planning

Cc: Hydrostor Willow Rock A- CAES, LLC
Attn: Curt Hildebrand
400 Capital Mall, Suite 3000
Sacramento, CA 95814

Kern County Fire Dept. – Fire Chief
Kern County Public Works Dept. – Director

Willow Rock Energy Storage Project by Hydrostor

KERN COUNTY REQUESTED CONDITIONS OF APPROVAL:

1. All necessary building permits must be obtained.
2. The method of water supply and sewage disposal shall be as required and approved by the Kern County Environmental Health Services Department.
3. A plan for the disposal of drainage waters originating on-site and from adjacent road rights-of-way shall be approved by the Kern County Public Works Department - Building & Development - Floodplain, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.
4. Associated flood hazard requirements shall be incorporated into the design of the project to include elevating and/or flood protecting structures subject to the approval of the Kern County Public Works Department – Building & Development – Floodplain.
5. The applicant shall provide a public access easement and irrevocable offer of dedication for the following alignments as required by the circulation element of the Willow Springs Specific Plan Tehachapi:
 - A. Willow Springs Road – 55 feet from the centerline of the road
 - B. Sweetser Road – 90 feet total; 45 feet from the centerline of the road for both sides.
6. All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Section 19.08.225 and Section 19.80.030.C of the Kern County Zoning Ordinance and Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
7. Prior to commencement of any construction, the applicant shall pave to Type B Standards (60 feet wide w/ paved shoulders, including appropriate structural sections for heavy truck traffic) to Kern County Public Works standards and satisfaction the entire length of Sweetser Road from the entrance at Tehachapi Willow Springs Road past APN 315-081-20. Ensure that all drainage issues are addressed and if necessary, install curb and gutter or a drainage channel with paved driveway crossings for any existing homes that take access from Sweetser Road. Repair all damage at the end of facility construction to the satisfaction of Kern County Public Works.
8. Execute an agreement with the Kern County Public Works Department for the review of the structural sections of Tehachapi Willow Springs Road and any other Kern County Roads for the route for disposal of excavated rock. Rebuild the route to ensure the appropriate structural section for the heavy truck traffic of excavation estimated to be continuous for 3-4 years. The agreement shall provide for the following:
 - A. Rebuild the entire route to the appropriate standard. Video the entire length at the beginning of each year of construction and provide a schedule for yearly repair of damaged sections to

ensure the complete integrity of the route to Kern County standards after completion of full excavation. Always maintain safe surface and conditions of road for traveling public.

9. Fire flows, access and fire protection facilities shall be as required and approved by the Kern County Fire Department.
10. Provide funding for a fully equipped Urban Search and Rescue (USAR) Unit, including necessary equipment for use in Eastern Kern County, and staffing costs during the construction phase and agreements to pay for emergency response if the USAR is not delivered before construction begins. The applicant shall provide the following to address the unique emergency service issues on the project:
 - A. The applicant shall, within 180 days after approval of the project by the California Energy Commission, provide a lump sum of \$1,500,000 (\$1.5 million) to the Kern County Fire Department for the USAR.
 - B. Within 60 days of Kern County Fire taking delivery of the USAR, the first lump sum payment for the first year of staffing shall be made to the Kern County Fire Department in the amount of \$2,300,000 (\$ 2.3 million) and made annually until the final Certificate of Occupancy is issued by Kern County or as authorized by the CEC.
 - C. If construction begins and the new USAR has not been delivered, then the applicant shall sign an agreement with the Kern County Fire Department agreeing to the reimbursement of costs for responding to incidents at the site. Such an agreement will terminate once the USAR is delivered, and the staffing annual payment is made.
11. Encouragement of Local Hire – Prior to the issuance of any building permits on the project property, the project operator shall encourage all contractors for the project to hire at least 50 percent of their workers from the local Kern County communities. The project operator shall provide to the contractors a list of training programs that provide skilled workers and shall require the contractor to advertise locally for available jobs, notify the training programs of job availability, all in conjunction with normal hiring practices of the contractor. The project operator shall submit a letter detailing the hiring efforts, prior to commencement of construction.
12. Sales Tax Provision – The project proponent/operator shall work with the County to determine how the use of sales and use taxes from construction of the project can 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, and registering this address with the State Board of Equalization. As an alternative to the aforementioned process, the project proponent/operator may make arrangements with Kern County for a guaranteed single payment that is equivalent to the amount of sales and use taxes that would have otherwise been received (less any sales and use taxes actually paid); with the amount of the single payment to be determined via a formula approved by Kern County. The project proponent/operator shall allow the County to use this sales tax information publicly for reporting purposes.
13. Provide the Kern County Planning and Natural Resources Department the location of all properties accepting excavated rock in unincorporated Kern County and amounts. All appropriate permits shall be obtained for the locations identified to stockpile or otherwise utilize the rock. Any provision of rock to Kern County Public Works for use in road construction or operations shall be at no cost to the

county for either the materials or the trucking and shall only be stockpiled at an approved Kern County Public Works location.

14. The Kern County Planning and Natural Resources Department shall be provided cell phone and office numbers and e-mails for the Project Construction Manager, Senior Company Executives, and Lead contact for the California Energy Commission Environmental Compliance Consultant.
15. Kern County Planning and Natural Resources Department, Kern County Fire Department and Kern County Public Works Department shall all be notified by e-mail for the following milestones;
 - A. Commencement of any road construction
 - B. Moving equipment for Grading onto the site
 - C. Beginning of any blasting or excavation
 - D. Filing of the retention pond
 - E. Completion of excavation
 - F. Completion of facilities
16. Prior to commencement of any construction, where adjacent to property zoned for residential purposes or that contains an existing residence, a six- (6-) foot-high solid masonry or rock wall or combination berm + wall to equal six (6) foot high barrier shall be constructed between the proposed development and the adjacent property and continuously maintained in good condition.
17. Prior to commencement of any construction, where adjacent to property zoned for residential purposes or that contains an existing residence, whether vacant or occupied, the following noise attenuation measures shall be instituted:
 - A. Placement of a temporary sound attenuation wall(s) placed at the optimal distance to the sensitive receptor, as determined by an acoustical expert.
 - B. Modification of equipment to reduce noise impacts.
18. The use shall not generate noise that exceeds an average 65 dB Ldn (24 hour median) between the hours of 7:00 a.m. and 10:00 p.m., and shall not generate noise that exceeds 65 dB, or which would result in an increase of 5 dB or more from ambient sound levels, whichever is greater, between the hours of 10:00 p.m. and 7:00 a.m. Noise level measurements shall be taken at the exterior of the closest residential dwelling within the boundary of the affected residential district(s) with sound level meter using an A-weighted network (scale) and, where practical, the microphone shall be positioned five (5) feet above the ground and away from reflective surfaces. Public complaints alleging violation of this standard may be required to submit documentation of actual noise level measurements. The Director of the Kern County Planning and Natural Resources Department, in consultation with the Kern County Public Health Services Department/Environmental Health Division, may authorize deviations or exceptions to the standards contained in this subsection and may require noise attenuation measures in conjunction with such authorization.
19. Compliance with the Kern County Dark Sky Ordinance (Chapter 19.81 – Outdoor Lighting – Dark Skies) is required for both construction and operations.
20. All exterior lighting shall be directed away from adjacent properties and roads. The lighting standards shall be equipped with glare shields or baffles. Light fixtures shall be maintained in sound operating conditions at all times.

21. A comprehensive landscaping and irrigation plan shall be approved by the Planning Director in accordance with the requirements of Chapter 19.86 of the Zoning Ordinance. A minimum of 5 % of the developed area shall be landscaped and continuously maintained in good condition. Landscaping shall be installed or bonded for prior to occupancy of the building or site. Given the remote nature of the project site, as an alternative requirement the project may contribute the equivalent cost of the landscaping to the Kern County Parks and Recreation District, school or other non-profit organization in Kern County.
22. If the required parking area contains more than ten spaces, a minimum of 5 percent of the interior parking area shall be landscaped, with trees planted at a ratio of one tree per six parking spaces placed at a minimum of 65-foot intervals. Minimum tree size shall be fifteen (15) gallon container. An irrigation system adequate for maintenance of the landscaping shall be installed. Parking area landscaping, if necessary, shall be in accordance with Section 19.82.090 of the Zoning Ordinance and may be used in the calculation of total landscaping requirements. Landscaping shall be installed or bonded for prior to occupancy of the building or site.
23. The development shall comply with any requirements of the East Kern Air Pollution Control District.
24. To control fugitive PM emissions during construction, prior to the issuance of grading or building permits and any earthwork activities, the project proponent shall prepare a comprehensive Fugitive Dust Control Plan for review by the Kern County Planning and Natural Resources Department. The plan shall include all EKAPCD-recommended measures, including but not limited to, the following:
 - a. All soil being actively excavated or graded shall be sufficiently water to prevent excessive dust. Watering shall occur as needed with complete coverage of disturbed soils areas. Watering shall take place a minimum of three times daily where soil is being actively disturbed, unless dust is otherwise controlled by rainfall or use of a dust suppressant.
 - b. Vehicle speed for all on site (i.e., within the project boundary) construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site. Signs identifying construction vehicle speed limits shall be posted along onsite roadways, at the site entrance/exit, and along unpaved site access roads.
 - c. Vehicle speeds on all offsite unpaved project-site access roads (i.e., outside the project boundary) construction vehicles shall not exceed 25 mph. Signs identifying vehicle speed limits shall be posted along unpaved site access roads and at the site entrance/exit.
 - d. All onsite unpaved roads and offsite unpaved public project-site access road(s) shall be effectively stabilized of dust emissions using water or EKAPCD-approved dust suppressants/palliatives, sufficient to prevent wind-blown dust exceeding 20 percent opacity at nearby residences or public roads. If water is used, watering shall occur a minimum of three times daily, sufficient to keep soil moist along actively used roadways. During the dry season, unpaved road surfaces and vehicle parking/staging areas shall be watered immediately prior to periods of high use (e.g., worker commute periods, truck convoys). Reclaimed (non-potable) water shall be used to the extent available and feasible.

- e. The amount of the disturbed area (e.g., grading, excavation) shall be reduced and/or phased where possible.
- f. All disturbed areas shall be sufficiently watered or stabilized by EKAPCD-approved methods to prevent excessive dust. On dry days, watering shall occur a minimum of three times daily on actively disturbed areas. Watering frequency shall be increased whenever wind speeds exceed 15 mph or, as necessary, to prevent wind-blown dust exceeding 20 percent opacity at nearby residences or public roads. Reclaimed (non-potable) water shall be used to the extent available and feasible.
- g. All clearing, grading, earth moving, and excavation activities shall cease during periods when dust plumes of 20 percent or greater opacity affect public roads or nearby occupied structures.
- h. All disturbed areas anticipated to be inactive for periods of 30 days or more shall be treated to minimize wind-blown dust emissions. Treatment may include, but is not limited to, the application of an EKAPCD-approved chemical dust suppressant, gravel, hydro-mulch, revegetation/seedling, or wood chips.
- i. All active and inactive disturbed surface areas shall be stabilized, where feasible.
- j. Equipment and vehicle access to disturbed areas shall be limited to only those vehicles necessary to complete the construction activities.
- k. Where applicable, permanent dust control measures shall be implemented as soon as possible following completion of any soil-disturbing activities.
- l. Stockpiles of dirt or other fine loose material shall be stabilized by watering or other appropriate methods sufficient to reduce visible dust emissions to a limit of 20 percent opacity. If necessary and where feasible, three-sided barriers shall be constructed around storage piles and/or piles shall be covered by use of tarps, hydro-mulch, woodchips, or other materials sufficient to minimize wind-blown dust.
- m. Water shall be applied prior to and during the demolition of onsite structures sufficient to minimize wind-blown dust.
- n. Where acceptable to the fire department and feasible, weed control shall be accomplished by mowing instead of disking, thereby leaving the ground undisturbed and with a mulch covering.
- o. All trucks hauling dirt, sand, soil, or other loose materials shall be covered or shall maintain at least six inches of freeboard (minimum vertical distance between top of the load and top of the trailer) in accordance with California Vehicle Code Section 23114.
- p. Gravel pads, grizzly strips, or other material track-out control methods approved for use by EKAPCD shall be installed where vehicles enter or exit unpaved roads onto paved roadways.
- q. Haul trucks and off-road equipment leaving the site shall be washed with water or high-pressure air, and/or rocks/grates at the project entry points shall be used, when necessary, to remove soil deposits and minimize the track-out/deposition of soil onto nearby paved roadways.

- r. During construction paved road surfaces adjacent to the site access road(s), including adjoining paved aprons, shall be cleaned, as necessary, to remove visible accumulations of track-out material. If dry sweepers are used, the area shall be sprayed with water prior to sweeping to minimize the entrainment of dust. Reclaimed water shall be used to the extent available.
- s. Portable equipment, 50 horsepower or greater, used during construction activities (e.g., portable generators) shall require California statewide portable equipment registration (issued by CARB) or an EKAPCD permit.
- t. The Fugitive Dust Control Plan shall identify a designated person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures, as necessary, to minimize the transport of dust off site and to ensure compliance with identified fugitive dust control measures. Contact information for a hotline shall be posted on site should any complaints or concerns be received during working hours and holidays and weekend periods when work may not be in progress. The names and telephone numbers of such persons shall be provided to the EKAPCD Compliance Division prior to the start of any grading or earthwork.
- u. Signs shall be posted at the project site entrance and written notifications shall be provided a minimum of 30 days prior to initiation of project construction to residential land uses located within 1,000 feet of the project site. The signs and written notifications shall include the following information: (a) Project Name; (b) Anticipated Construction Schedule(s); and (c) Telephone Number(s) for designated construction activity monitor(s) or, if established, a complaint hotline.
- v. The designated construction monitor shall document and immediately notify EKAPCD of any air quality complaints received. If necessary, the project operator and/or contractor will coordinate with EKAPCD to identify any additional feasible measures and/or strategies to be implemented to address public complaints.

25. To control NO_x and PM emissions during construction, the project proponent/operator and/or its contractor(s) shall implement the following measures during construction of the project, subject to verification by the County:

- a. Off-road equipment engines over 25 horsepower shall be equipped with EPA Tier 4 or higher engines, unless Tier 4 construction equipment is not locally available.
- b. All equipment shall be maintained in accordance with the manufacturer's specifications.
- c. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes.
- d. Notification shall be provided to trucks and vehicles in loading or unloading queues that their engines shall be turned off when not in use for more than 5 minutes.
- e. Electric equipment shall be used to the extent feasible in lieu of diesel or gasoline-powered equipment.
- f. All construction vehicles shall be equipped with proper emissions control equipment and kept in good and proper running order to substantially reduce NO_x emissions.

- g. On-road and off-road diesel equipment shall use diesel particulate filters (or the equivalent) if permitted under manufacturer's guidelines.
 - h. Existing electric power sources shall be used to the extent feasible. This measure would minimize the use of higher polluting gas or diesel generators.
 - i. The hours of operation of heavy-duty equipment and/or the quantity of equipment in use shall be limited to the extent feasible.
26. To minimize personnel and public exposure to potential Valley Fever–containing dust on and off site, the following control measures shall be implemented during project construction:
- a. Equipment, vehicles, and other items shall be thoroughly cleaned of dust before they are moved off site to other work locations.
 - b. Wherever possible, grading and trenching work shall be phased so that earth-moving equipment is working well ahead or downwind of workers on the ground.
 - c. The area immediately behind grading or trenching equipment shall be sprayed with water before ground workers move into the area.
 - d. In the event that a water truck runs out of water before dust is sufficiently dampened, ground workers being exposed to dust shall leave the area until a truck can resume water spraying.
 - e. To the greatest extent feasible, heavy-duty earth-moving vehicles shall be closed-cab and equipped with a HEP-filtered air system.
 - f. Workers shall receive training in procedures to minimize activities that may result in the release of airborne *Coccidioides immitis* (CI) spores, to recognize the symptoms of Valley Fever, and shall be instructed to promptly report suspected symptoms of work-related Valley Fever to a supervisor. Evidence of training shall be provided to the Kern County Planning and Natural Resources Department within 5 days of the training session.
 - g. A Valley Fever informational handout shall be provided to all onsite construction personnel. The handout shall, at a minimum, provide information regarding the symptoms, health effects, preventative measures, and treatment. Additional information and handouts can be obtained by contacting the Kern County Public Health Services Department.
 - h. Onsite personnel shall be trained on the proper use of personal protective equipment, including respiratory equipment. National Institute for Occupational Safety and Health–approved respirators shall be provided to onsite personal, upon request. When exposure to dust is unavoidable, provide appropriate NIOSH-approved respiratory protection to affected workers. If respiratory protection is deemed necessary, employers must develop and implement a respiratory protection program in accordance with Cal/OSHA's Respiratory Protection standard (8 CCR 5144).
27. At the time of project implementation, a COVID-19 Health and Safety Plan should be prepared in accordance with the Kern County Public Health Services Department and Kern County Health Officer mandates. A copy of the COVID-19 Health and Safety Plan shall be submitted to the Kern County Planning and Natural Resources Department for review and approval.

28. Prior to the issuance of grading permits, a one-time fee shall be paid to the Kern County Public Health Services Department in the amount of \$3,200 for Valley Fever public awareness programs.
29. No more than 14 days prior to commencement of ground disturbing, the project proponent shall cause a preconstruction survey to be performed by a qualified biologist to ensure that no special status wildlife and/or plant species have occupied the property. Said survey shall also entail an evaluation for nesting birds. Any occupied nests, including burrowing owl nests in burrows, shall not be disturbed during the nesting season or until a qualified biologist determines that young and/or eggs are no longer present. The results of the survey shall be summarized in a written report that shall include site-specific recommendations, if found necessary. A copy of the biota report shall be submitted to the Kern County Planning and Natural Resources Department for transmittal to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service, where applicable.

If any special status species are found, including but not limited to the Desert Tortoise, Burrowing Owl, Swainson's Hawk, or Joshua Tree, the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service shall be contacted, where applicable, regarding the need to obtain any permits or approval from those agencies. Where acceptable to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service, exclusion zones shall be established and maintained until all construction activities are completed unless said agencies prefer that any affected special status species be removed and/or relocated in accordance with said agencies adopted guidelines or standard procedures.

30. All signs shall comply with the signage regulations of the applicable base zone district and with Chapter 19.84 of the Zoning Ordinance.
31. All signs shall be approved by the Director of the Kern County Planning and Natural Resources Department prior to installation.
32. All vehicle parking and maneuvering areas, including any necessary off-site connections, shall be surfaced with one of the following: three inches of decomposed granite, three inches of compacted rock dust, three inches of gravel, or three inches of material of a higher quality. All required surfacing shall be continuously maintained in good condition.
33. Standard vehicle parking spaces shall be 9 feet by 20 feet or larger in size and shall be designated by white painted stripes. A maximum of 20 percent of the required parking spaces may be designated compact spaces and shall be 8 feet by 16 feet or larger in size.
34. Concrete wheel blocks or a six-inch raised A.C. Curb shall be installed at each parking space that abuts a structure or property line.
35. The applicant shall submit and obtain approval of a vector control plan from the Kern County Public Health Services Department – Environmental Health Division.
36. Any business which stores hazardous or toxic chemicals as a normal part of its business shall fill a Business Plan with the Kern County Public Health Services Department – Environmental Health Division.

37. If any previously unknown oil, gas or injection wells are discovered, work in the area of discovery shall be stopped and the Department of Conservation, Division of Oil, Gas, and Geothermal Resources, Bakersfield Office contacted by the project proponent to obtain information on the requirements of, and approval to perform, remedial operations implemented prior to resumption of work in the area of discovery.
38. If any previously unknown archaeological or cultural resources are discovered, work in the area of discovery shall be stopped and a qualified archeologist contacted to evaluate the find. A copy of the archaeologist's evaluation shall be submitted to the Kern County Planning and Natural Resources Department upon its issuance and any measures recommended by the archaeologist shall be implemented prior to resumption of work in the area of discovery.
39. If development has not commenced within five (5) years of the approval, the approval shall become null and void and of no effect, unless an extension has been granted upon written request for an extension before the expiration of the five-(5-) year period.

Aaron Duncan
Fire Chief & Director of Emergency Services

Fire Department Headquarters

**5642 Victor Street • Bakersfield, CA 93308 • www.kerncountyfire.org
Telephone 661-391-7000 • FAX 661-399-2915 • TTY Relay 800-735-2929**



To: Planning and Natural Resources
Re: California Energy Commission – Docket # 21-AFC-02
Willow Rock Energy Storage Project by Hydrostor
Rosamond, unincorporated Kern County.

The Kern County Fire Department has jurisdiction over response to the location of the Willow Rock Energy Storage Project by Hydrostor in the incorporated area of eastern kern at Willow Springs near the community of Rosamond.

The Fire Department will provide all necessary review of building and operation plans to ensure fire prevention and safety issue are addressed. However, the project provides a unique challenge for emergency response given the geographic location in the desert area of Kern County.

The proposed project will result in an up to 3000 foot deep hard rock cavern the size of two football fields being excavated over 3-4 years for the purpose of energy storage. This is a unique situation for emergency response and potential rescue and requires the use of a fully staffed Urban Search and Rescue Unit. (USAR)

The USAR Unit is a "toolbox on wheels" equipped with heavy lifting, core drilling, search, shoring and other specialized equipment. Urban Search and Rescue involves the location, rescue, and initial stabilization of victims trapped in confined spaces. The unit also specializes in and carries equipment to support rope rescue, high angle rescue, trench rescue, entanglement emergencies, heavy equipment accidents and flood/swift water rescue. The USAR exceeds the capabilities of a ladder truck, it has significantly more rescue equipment and is staffed with firefighters that require specific rescue training and certification in a multitude of disciplines. Firefighters call the USAR for their expertise when people are trapped in; a building collapse, a mine, on top of a windmill or tower, grain or nut silos, under semi-trucks, inside heavy machinery, or other complicated and high hazard situations.

The closest staffed USAR unit is at Kern County Fire Station 52, located at 312 Taft Highway, Panama Road and State Highway 99, 69 miles one way over mountain highways.

The route for bringing the unit either by State Highway 58 over the Tehachapi Mountains or alternatively done Interstate 5 through the Grapevine area and then through LA County on State Highway 138, will be delayed for weather conditions of snow and high winds in either case.

The department, in consultation with the Kern County Planning and Natural Resources Department, has determined the following conditions for the project to ensure onsite safety during both construction and operations. The USAR unit takes a year or more to build and needs to be delivered and ready to use by the time excavation begins. Funding for staffing also needs to be provided as currently the Fire Department budget cannot accommodate any new staffing for this new equipment until the project is built and provides property tax revenues to the Fire fund.

1. Provide funding for a fully equipped Urban Search and Rescue (USAR) Unit, including necessary equipment for use in Eastern Kern County, staffing costs during construction phase and agreements to pay for emergency response if the USAR is not delivered before construction begins. The applicant shall provide the following to address the unique emergency service issues on the project:
 - A. The applicant shall, within 180 days after approval of the project by the California Energy Commission, the applicant shall provide a lump sum of \$1,500,000 (\$1.5 million) to the Kern County Fire Department for the USAR.
 - B. Within 60 days of Kern County Fire taking delivery of the USAR, the first lump sum payment for the first year of staffing shall be made to the Kern County Fire Department in the amount of \$2,300,000 (\$ 2.3 million) and made annually until the final Certificate of Occupancy is issued by Kern County or as authorized by the CEC.
 - C. If construction begins and the new USAR has not been delivered, then the applicant shall sign an agreement with the Kern County Fire Department agreeing to the reimbursement of costs for responding to incidents at the site. Such an agreement will terminate once the USAR is delivered, and the staffing annual payment is made.



Aaron Duncan
Fire Chief

