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August 2, 2013

150.3 Environmental

John Heiser
California Energy Commission
Dockets Unit, MS-14
Docket No. 8-AFC-8A
1516 Ninth Street
Sacramento, CA 95814-5512

Re: Preliminary Staff Assessment/Draft Environmental Impact Statement for
the Hydrogen Energy California Project (HECA)

Dear Mr. Heiser:

The Kern County Water Agency (Agency) would like to thank you for the opportunity to comment on the Preliminary Staff Assessment (PSA)/Draft Environmental Impact Statement (DEIS) for the Hydrogen Energy California (HECA) Project (Project).

The Agency was created by the California State Legislature in 1961 to contract with the California Department of Water Resources for State Water Project (SWP) water. The Agency has contracts with water districts throughout Kern County to deliver SWP water. The Agency also manages and/or is a participant in multiple groundwater banking projects, including the Kern Water Bank (KWB), Pioneer Property and Berrenda Mesa banking projects. Therefore, the Agency is uniquely qualified to provide comments on the Project.

Comment 1: The PSA/DEIS inaccurately describes land use in the vicinity of the Project.

Adjacent to the Project site are two groundwater banking projects – the West Kern Water District North Well Field and the Kern Water Bank. However, the Project description does not include a description of adjacent groundwater banking facilities in its discussion of “Current and Adjacent Land Use” (Page 3.1-5). Additionally, Figure 5 labels these facilities as farmland.

Additionally, the Land Use Section (Section 4.6) of the PSA/DEIS states “Lands to the east, south, and west of the project site are under petroleum exploration and production...” (Page 4.6-7). However, lands to the east of the Project site are predominantly groundwater banking facilities. Groundwater banking projects are integral to water management in Kern County. Additionally, these facilities

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have the potential to be impacted by the Project. Therefore, the PSA/DEIS should be amended to accurately describe the location of nearby groundwater banking projects, and the potential impacts to these facilities from the Project's construction and operation.

Comment 2: The potable water supplier is misidentified.

The PSA/DEIS identifies the potable water supplier as "Kern Water District" (Page 4.6-5). This should be corrected to "West Kern Water District."

Comment 3: The PSA/DEIS does not include sufficient analysis of the potential impacts to water conveyance facilities and groundwater recharge projects from Project emissions, including fugitive emissions.

The PSA/DEIS includes a discussion of the public health risk associated with the dermal, inhalation and soil exposure of Toxic Air Contaminants (TACs) that are likely to occur in emissions released from the Project site. However, the Public Health Section (Section 4.8) of the PSA/DEIS does not discuss the public health risk associated with the potential contamination of water conveyance facilities and/or groundwater banking projects in the vicinity from "fallout" of TACs. Additionally, Agency staff could not find sufficient information in the PSA/DEIS to determine the total area that may be impacted by TACs in order to assess which water facilities, beyond the immediate Project vicinity, may be impacted.

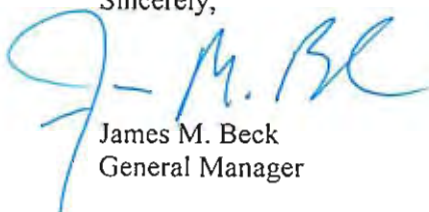
Additionally, the Soil and Surface Water Section (Section 4.10) of the PSA/DEIS does not include a discussion or analysis of potential surface water contamination from the Project's emission of TACs. The water conveyance and groundwater banking facilities located in the vicinity of the Project site, as well as throughout Kern County are integral to supplying water for agricultural, as well as municipal and industrial purposes throughout Kern County. Preserving the quality of water is of the utmost concern for the Agency. Therefore, the PSA/DEIS should include analysis and discussion of the potential impacts to surface and groundwater supplies via contamination of water conveyance and groundwater banking facilities by emissions containing TACs.

Comment 4: The Project's use of groundwater has the potential to increase overdraft in the Kern County subbasin.

California Energy Commission (CEC) staff have identified the Project's potential to increase groundwater overdraft in the Kern County subbasin (Page 4.15-3). Agency staff share this concern, and are supportive of CEC staff's recommendation for additional analyses prior to approval of the Project.

If you have any questions, please contact Lauren Bauer of my staff at (661) 634-1411.

Sincerely,



James M. Beck
General Manager



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