

DOCKETED

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Project Title:	Hydrogen Energy Center Application for Certification Amendment
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Document Title:	CEC's Response to Kern County Board of Supervisors' Request to Delay Public Workshops for the HECA Project
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CALIFORNIA ENERGY COMMISSION

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September 11, 2013

Lorelei H. Oviatt, AICP, Director
Kern County Planning and Community Development Department
2700 "M" Street, Suite 100
Bakersfield, CA 93301-2323

Regarding: Kern County Board of Supervisors' request to delay public workshops for the Hydrogen Energy California (HECA) project (08-AFC-8A)

Dear Ms. Oviatt:

The California Energy Commission welcomes the participation of Kern County in the power plant licensing process and appreciates that the needs of your constituents are your primary focus. Thank you for the letter on behalf of the Kern County Board of Supervisors expressing concerns about the timing of the September workshops due to the constraints of farmers who live near the project site and wish to participate in the project review. Chairman Weisenmiller has asked me to respond to you on his behalf.

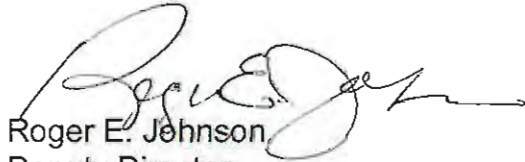
As noted in your letter of August 21, 2013, public participation is a cornerstone of the Energy Commission's power plant licensing process, as is transparency. Public input is also an important part of the NEPA process for the U.S. Department of Energy (DOE). Thus Energy Commission staff, in coordination 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 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 applicants, 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 the Kern County Fair and harvesting time. Due to this conflict, staff has decided to hold additional PSA 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, has 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 Kern County and its staff in this project review. We hope that the schedule suggested above can work for everyone and help in some way to alleviate the concerns expressed in your August 21, 2013 letter.

Respectfully,



Roger E. Johnson
Deputy Director

Siting, Transmission and Environmental Protection Division

Cc: Chair Weisenmiller
Kern County Clerk of the Board