

DOCKETED

| | |
|-------------------------|--|
| Docket Number: | 23-AFC-03 |
| Project Title: | Black Rock Geothermal Project (BRGP) |
| TN #: | 251547 |
| Document Title: | Notice of joint site visit and hearing |
| Description: | N/A |
| Filer: | Kristine Banaag |
| Organization: | California Energy Commission |
| Submitter Role: | Commission Staff |
| Submission Date: | 8/9/2023 10:33:50 AM |
| Docketed Date: | 8/9/2023 |

CALIFORNIA ENERGY COMMISSION

715 P Street
Sacramento, California 95814
energy.ca.gov

CEC-70 (Revised 7/2022)



*APPLICATION FOR CERTIFICATION
FOR THE:*

Morton Bay Geothermal Project

Docket No. 23-AFC-01

*APPLICATION FOR CERTIFICATION
FOR THE:*

Elmore North Geothermal Project

Docket No. 23-AFC-02

*APPLICATION FOR CERTIFICATION
FOR THE:*

Black Rock Geothermal Project

Docket No. 23-AFC-03

En español: <https://efiling.energy.ca.gov/GetDocument.aspx?tn=251541>

**NOTICE OF JOINT PUBLIC SITE VISITS,
JOINT ENVIRONMENTAL SCOPING MEETING AND INFORMATIONAL
HEARING, AND COMMITTEE ORDERS**

PLEASE TAKE NOTICE that the Committees¹ appointed by the California Energy Commission (CEC) to conduct proceedings on the applications for certification (AFC) of the Morton Bay

¹ On May 31, 2023, the CEC adopted orders appointing the following committees:

- For Morton Bay, Commissioner Noemí Gallardo as Presiding Member and Commissioner Andrew McAllister as Associate Member. (TN 250451.)
- For Elmore North, Commissioner Gallardo as Presiding Member and Commissioner McAllister as Associate Member. (TN 250452.)
- For Black Rock, Commissioner Gallardo as Presiding Member and Chair David Hochschild as Associate Member. (TN 250454.)

Geothermal Project,² Elmore North Geothermal Project,³ and Black Rock Geothermal Project,⁴ (collectively, Proposed Projects), which are described below, hereby schedule the following two events, each of which will jointly relate to the three Proposed Projects: (1) Joint Public Site Visits, and (2) a Joint Environmental Scoping Meeting and Informational Hearing, to be held as follows:⁵

TWO EVENTS ON THURSDAY, AUGUST 31, 2023

Both events are free and open to the public

Spanish interpretation will be available for persons attending in-person and remotely.

1:45-4:00 p.m.

Joint Public Site Visits Bus Tour of Proposed Project Sites

(Wheelchair accessible)

In-person only:

Bus boards at 1:45 p.m. and departs at 2:00 p.m. from Calipatria High School, 601 W. Main Street, Calipatria, CA.

Bus will return to pick-up location at conclusion of tour.

Attendees must board the complimentary bus on time to attend.

See Attendance Instructions below for how to make required reservations.

5:00-8:00 p.m.

**Joint Environmental Scoping Meeting
and Informational Hearing**

In-person and via Zoom

In-person at:

Calipatria High School Library

601 W. Main Street, Calipatria, CA 92233

(Wheelchair accessible)

Remote Access via Zoom™:

[Click here to join the August 31, 2023, 5:00 p.m. Environmental Scoping Meeting and Informational Hearing](#) or visit <https://zoom.us/>,

² The AFC and all filed documents related to the Morton Bay proceeding are available via the "Docket Log (23-AFC-01)" link on the [Morton Bay proceeding's web page](#) at <https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbgp>. The AFC comprises many separate documents filed in the docket beginning April 18, 2023, e.g., Volume 1 is TN 249723.

³ The AFC and all filed documents related to the Elmore North proceeding are available via the "Docket Log (23-AFC-02)" link on the [Elmore North proceeding's web page](#) at <https://www.energy.ca.gov/powerplant/steam-turbine/elmore-north-geothermal-project-engp>. The application comprises many separate documents filed in the docket beginning April 18, 2023, e.g., Volume 1 is TN 249737.

⁴ The AFC and all filed documents related to the BRGP proceeding are available via the "Docket Log (23-AFC-03)" link on the [Black Rock proceeding web page](#) at <https://www.energy.ca.gov/powerplant/steam-turbine/black-rock-geothermal-project-brgp>. The AFC comprises many separate documents filed in the docket beginning April 18, 2023, e.g., Volume 1 is TN 249752.

⁵ See Cal. Code Regs., tit. 20, § 1709.7(a).

webinar ID: **891 8251 6001** and passcode: **299262**

See Attendance Instructions below on how to participate in the above events.

Please note that the Committees aim to begin promptly at the start times and the end times are an estimate. The events may end sooner or later than the time indicated depending on various factors.

A quorum of commissioners may participate, but no votes will be taken.

Agenda

Please see agenda attached at the end of this notice.

Background

On April 18, 2023, the CEC received the following three AFCs seeking to construct and operate geothermal electrical generating and related facilities southeast of the Salton Sea, near the cities of Niland and Calipatria, in unincorporated Imperial County, California:

- Morton Bay Geothermal LLC, an indirect, wholly owned subsidiary of BHE Renewables, LLC, filed an AFC to construct and operate the Morton Bay Geothermal Project (Morton Bay).
- Elmore North Geothermal LLC, an indirect, wholly owned subsidiary of BHE Renewables, LLC, filed an AFC to construct and operate the Elmore North Geothermal Project (Elmore North).
- Black Rock Geothermal LLC, an indirect, wholly owned subsidiary of BHE Renewables, LLC, filed an AFC to construct and operate the Black Rock Geothermal Project (Black Rock).

The Proposed Projects would use geothermal resources to provide renewable electricity.

The CEC has exclusive jurisdiction to license the Proposed Projects pursuant to Public Resources Code section 25500. The CEC found that all three project sites are capable of providing geothermal resources in commercial quantities in accordance with Public Resources Code section 25540.1.⁶ On July 26, 2023, the CEC found that the AFC for each Proposed Project contains the information required under Public Resources Code section 25520 and California Code of Regulations, title 20, sections 1704 and 1709 and Appendix B, and thus, the AFCs are complete,⁷ commencing a 12-month licensing approval process pursuant to Public Resources Code, section 25540.2.

⁶ The Orders finding commercial quantities of geothermal resources can be found in the respective dockets at TN 250451 for Morton Bay, TN 250452 for Elmore North, and TN 250454 for Black Rock.

⁷ The Orders finding each Application for Certification complete can be found in the respective dockets at TN 251219 for Morton Bay, TN 251220 for Elmore North, and TN 251221 for Black Rock.

Project Descriptions

This section includes a summary of each of the three Proposed Projects.⁸ The Proposed Projects share several common characteristics. All three Proposed Projects are located in unincorporated Imperial County and within the Salton Sea Known Geothermal Resource Area. The Proposed Projects would share certain project elements including up to nine onsite and offsite laydown and parking areas, two construction crew camps, and up to four borrow pits located throughout the region. Each Proposed Project would interconnect to the Imperial Irrigation District (IID) electric transmission system at the same new IID switching station located near the northwest intersection of Garst Road and West Sinclair Road. The external freshwater source for the Proposed Projects would be IID canal water supplied by existing IID agricultural irrigation canals.

The AFC for each Proposed Project contains the engineering and environmental details of the Proposed Project. Please refer to the section "Availability of Documents" below for information on how to electronically access the AFCs and all other related documents submitted to the CEC Docket Unit. In addition, copies will be distributed to the public agencies that would normally have jurisdiction but for the CEC's exclusive authority to certify sites and related facilities. If you need assistance in accessing an application or any other project document, please contact the Public Advisor at public.advisor@energy.ca.gov or (916) 957-7910.

A. Morton Bay

Morton Bay is a proposed geothermal electrical generating facility with a maximum continuous rating of approximately 157 megawatts (MW) gross and an expected net output of approximately 140 MW. Morton Bay would be located on 63 acres of a 160-acre parcel in unincorporated Imperial County bounded by McDonald Road to the north, Davis Road to the east, and Schrimpf Road to the south. The town of Niland is approximately four miles northeast of the project site and the town of Calipatria is approximately seven miles southeast. The project site is currently vacant, and it is zoned mostly Open Space/Recreational within the Imperial County Geothermal Renewable Energy Overlay Zone (S-1-G) with ancillary features on parcels zoned Medium Industrial with a Geothermal and Pre-Existing Allowed/Restricted Overlays (M-2-G-PE), General Agricultural/Rural with a Geothermal Overlay (A-2-R-G), and Heavy Agricultural with a Geothermal Overlay (A-3-G).

The Morton Bay Geothermal Project would require, among other things, construction of the following features: one steam turbine generator system; geothermal fluid processing systems; two cooling towers; 20 wells (including production and injection wells) and 12 well pads; pipelines; a 230-kiloVolt (kV) substation; a 3.2-mile transmission line (approximately 34 poles); six emergency standby diesel-fueled engines (five generators and one fire water pump); and related features. The

⁸ The information in this section is based on the AFC documents, TN 249723 for Morton Bay, TN 249737 for Elmore North, and TN 249752 for Black Rock.

external freshwater source would be IID canal water. Average water needs from the IID canal are estimated at 150 acre-feet per year during construction and 5,560 acre-feet per year during full plant operation. Potable water would be supplied through a reverse osmosis system or an equivalent system, and/or delivered through a commercial water service.

B. Elmore North

Elmore North is a proposed geothermal electrical generating facility with a maximum continuous rating of approximately 157 MW gross and an expected net output of approximately 140 MW. Elmore North would be located on approximately 63 acres of a 160-acre parcel in unincorporated Imperial County bounded by an unnamed dirt road to the north, Cox Road to the west, Garst Road to the east, and West Sinclair Road to the south. The town of Niland is approximately six miles northeast of the project site and the town of Calipatria is approximately six miles southeast. The project site is on land that is zoned Heavy Agriculture with a Geothermal Overlay (A-3-G). The project site is currently used for agricultural purposes and includes land designated as Prime Farmland and Farmland of Statewide Importance.

The Elmore North project would require, among other things, construction of the following features: one steam turbine generator system; geothermal fluid processing systems; two seven-cell cooling towers; 21 wells (including production and injection wells, which are located off the main project site) and 13 well pads; production pipelines from the wells to the main project site; a 230-kV substation; a 0.5-mile transmission line; a brine pond; six emergency standby diesel-fueled engines (five generators and one fire water pump); and related features. Average water needs from the IID canal are estimated at 150 acre-feet per year during construction and 6,480 acre-feet per year during full plant operation. Potable water would be supplied through a reverse osmosis system or an equivalent system, and/or delivered through a commercial water service.

C. Black Rock

Black Rock is a proposed geothermal power plant with a maximum continuous rating of approximately 87 MW gross and an expected net output of approximately 77 MW. Black Rock would be located on a 55-acre portion of a 160-acre parcel in unincorporated Imperial County bounded by McKendry Road to the north, Boyle Road to the east, and Severe Road to the west. The town of Niland is approximately eight miles to the northeast of the project site and the town of Calipatria is approximately six miles southeast. The project site is zoned Heavy Agriculture with a Geothermal Overlay (A-3-G). The project site is currently used for agricultural purposes and includes land designated as prime farmland and farmland of statewide importance.

Black Rock would require, among other things, construction of the following features: one steam turbine generator system; geothermal fluid processing systems; one seven-cell cooling tower; 12 wells and seven associated well pads (including production and injection wells, which are located

off the main project site); production and injection pipelines from the wells to the main project site; a 230 kV substation; an approximately 2.2-mile transmission line that would run from Black Rock northeast to the new IID switching station; a brine pond; five emergency standby diesel-fueled engines (four generators and one fire water pump); and related features. Average water needs from the IID canal are estimated at 150 acre-feet per year during construction and 1,125 acre-feet per year during full plant operation. Potable water would be supplied through a reverse osmosis system or an equivalent system, and/or delivered through a commercial water service.

Purpose of the Joint Environmental Scoping Meeting and Informational Hearing

The CEC's power plant licensing process considers all relevant engineering and environmental aspects of a proposed project. The CEC uses a certified regulatory program pursuant to Public Resources Code section 21080.5 to analyze the potential environmental impacts associated with a proposed project,⁹ as required by the California Environmental Quality Act (CEQA).¹⁰ The licensing review provides a public forum allowing the applicants, CEC staff, governmental agencies, adjacent landowners, and members of the public to learn about a proposed project, discuss its advantages and disadvantages, and to propose changes, mitigation measures, and alternatives as necessary.

The Joint Environmental Scoping Meeting and Informational Hearing scheduled in this Notice provides an opportunity for members of the community in the vicinity of the Proposed Projects and other interested members of the public to learn about and understand the Proposed Projects and the CEC's AFC process. The public will be able to obtain information, identify areas of environmental concern to be addressed during the environmental review of the Proposed Projects, and offer comments.

During the Joint Environmental Scoping Meeting and Informational Hearing, the applicants will explain their plans for constructing and operating the Proposed Projects and related facilities. CEC Staff will describe CEC Staff's role and responsibilities in reviewing the AFCs and engaging with agencies, the public, and Tribes to inform this review. The CEC's Public Advisor will describe how the parties, interested persons, and the public can participate in the licensing process conducted by the Committees and the decisions made by the CEC.

The Committees will allow questions to the applicants and CEC Staff from any person regarding the Proposed Projects. Please see the Agenda for the Joint Public Site Visits, and Joint Environmental Scoping Meeting and Informational Hearing attached to this Notice for more information.

⁹ Cal. Code Regs., tit. 14, § 15251(j).

¹⁰ Public Resources Code, § 21000 et seq.

Public Participation

The CEC invites members of the public and other interested parties to participate either on an informal basis, or more formally by becoming an intervenor in the proceedings. Both types of participation allow written and oral comments. At the informal participation level, written and oral comments are considered by the Committee and are part of the record, but are not part of the formal evidentiary record. Intervenors have the right to introduce evidence into the evidentiary record and cross-examine the other parties' witnesses.

NOTICE OF CLOSED SESSION DELIBERATION

Government Code section 11126(c)(3) allows a state body to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct. The commissioners assigned to the committees overseeing the Morton Bay AFC, Elmore North AFC, and Black Rock AFC may adjourn to closed session at any point during the meeting and may conduct multiple closed sessions as necessary.

ORDERS REGARDING PROPOSED SCHEDULE AND ISSUES IDENTIFICATION REPORT

Pursuant to California Code of Regulations, title 20, section 1709.7, the Presiding Member hereby **ORDERS:**

- By August 17, 2023, for each project, CEC Staff shall file a proposed schedule for conducting the certification process and an Issues Identification Report summarizing the major issues identified to date and what additional information is necessary to resolve them.
- By August 24, 2023, for each project, applicants shall file responses to CEC Staff's proposed schedule and Issues Identification Report.
- Applicants shall deliver presentations at the Joint Environmental Scoping Meeting and Informational Hearing describing each Proposed Project.
- Staff shall deliver a presentation at the Joint Environmental Scoping Meeting and Informational Hearing describing CEC Staff's role and responsibilities in reviewing the AFCs and engaging with agencies, the public, and Tribes to inform this review.
- At the Joint Environmental Scoping Meeting and Informational Hearing, Applicant and CEC Staff shall indicate whether anticipated responses to CEC Staff's data requests would resolve issues of concern raised in CEC Staff's Issues Identification Report.

Proceeding Schedule

Pursuant to California Code of Regulations, title 20, section 1709.7(c), the Presiding Member shall establish the schedule for the prehearing phase of each of the proceedings no later than 15 days after the Joint Environmental Scoping Meeting and Informational Hearing.

Attendance Instructions

Joint Proposed Projects Public Site Visits Bus Tour

Attendees must register in advance with the CEC Public Advisor **on or before 5 p.m., August 24, 2023**. Click this link to register to attend the in-person bus tour:

<https://caenergycommission.quorum.us/event/14698/> or contact the CEC Public Advisor by email publicadvisor@energy.ca.gov or phone (916) 957-7910 to register.

Joint Environmental Scoping Meeting and Informational Hearing

This event is being conducted as a hybrid event with attendance available to the public in-person or via Zoom.

In-Person Attendance Instructions

In-person participants may join the event at the Calipatria High School Library, 601 W. Main Street, Calipatria, CA 92233 (Wheelchair accessible).

Zoom Remote Access Instructions

Remote participants may join via Zoom, by internet, or phone.

- **[Click here to join the August 31, 2023, 5:00 p.m. Environmental Scoping Meeting and Informational Hearing:](#)**

<https://energy.zoom.us/j/89182516001?pwd=bUdLMDRmb2V4VTJzbjQ0dStPdDFyUT09>

Zoom may also be accessed at <https://zoom.us/join>.

To join, enter the Webinar ID **891 8251 6001** and the Password **299262**.

- **To Join by Telephone:** Call toll-free at (888) 475-4499 or toll at (669) 219-2599. When prompted, enter the Webinar ID **891 8251 6001** and Passcode **299262**

Zoom Closed Captioning Service: At the bottom of the screen, click the Live Transcript CC icon and choose "Show Subtitle" or "View Full Transcript" from the pop-up menu. To stop closed captioning, close the "Live Transcript" box, or select "Hide Subtitle" from the pop-up menu. If joining by phone, closed captioning is automatic and cannot be turned off. While closed captioning

is available in real-time, it can include errors. A more accurate transcript will be docketed and posted as soon as possible after the event concludes.

Zoom Spanish Interpreting Services: Open the Zoom meeting. In the “Navigation” panel, click “Settings,” then click the “Meeting” tab. Under “In Meeting (Advanced),” click “Language Interpretation” toggle to enable/disable. If a verification dialog displays, click “Enable” or “Disable” to verify the change. If the option is grayed out, it has been locked and you will need to contact your Zoom admin. Click “Mute Original Audio” to reduce background noise.

Zoom Difficulty. Contact Zoom at (888) 799-9666 ext. 2 or contact the CEC’s Public Advisor at publicadvisor@energy.ca.gov or (916) 957-7910.

Public Comment

Verbal Comments:

A public comment period will be provided during the Joint Environmental Scoping Meeting and Informational Hearing. Depending on the number of members of the public seeking to make a comment or ask a question, the Hearing Officer may adjust the total time allotted for public comment and the time allotted for each comment.

If participating via Zoom’s online platform, use the “raise hand” feature to indicate you would like to make a comment. The Public Advisor will open your line to speak. Please restate and spell your name for the record; indicate if you have an affiliation and begin your comments.

If participating by telephone, press *9 to “raise your hand” and *6 to mute/unmute. The Public Advisor will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking then restate and spell your name for the record, indicate if you have an affiliation, and begin your comments.

Written Comments:

Written comments on any of the Proposed Projects may be submitted electronically by visiting the CEC’s web page for the proceeding, linked below in the “Availability of Documents” section, and then selecting the “Submit e-Comment” link. Otherwise, written comments may be submitted for posting on the proceeding docket by emailing them to the Docket Unit at docket@energy.ca.gov, or mailing them by U.S. Mail to:

**California Energy Commission
Docket Unit
715 P Street, MS-14
Sacramento, CA 95814**

For all comments, please include the proceeding name and docket number in the subject line and on the cover page, for example, "Morton Bay Geothermal Project, docket # 23-AFC-01."

Please note: Written and oral comments, attachments, and associated contact information (e.g., your address, phone, e-mail, etc.) will become part of the public record with access available via internet search engine.

Public Advisor Assistance

For questions about how to participate in the above events or to request interpreting services or other reasonable modifications and accommodations, contact the Public Advisor at publicadvisor@energy.ca.gov or by phone at (916) 957-7910. Requests for interpreting services, reasonable accommodations, and other modifications should be made as soon as possible and at least five days in advance. The CEC will work diligently to meet all requests based on the availability of the service or resource needed. Additionally, the Public Advisor may upon the request of public participants who may be absent during the public comment period, neutrally and publicly relate those participants' comments to the Committees on their behalf. If you are interested in this service, please email concise comments before the start of the Joint Environmental Scoping Meeting and Informational Hearing to the Public Advisor. Comments submitted after the Joint Environmental Scoping Meeting and Informational Hearing starts, will be filed in the docket for the proceeding.

Availability of Documents

All documents filed in these proceedings, including a full and formal transcript of the Joint Environmental Scoping Meeting and Informational Hearing rendered by a professional court reporter, will be posted in the respective dockets for each proceeding by selecting the following:

- The "Docket Log (23-AFC-01)" link on the [Morton Bay proceeding's web page](#) at <https://www.energy.ca.gov/powerplant/steam-turbine/morton-bay-geothermal-project-mbgp>, or scan (use the camera on your mobile device and hold it over the QR code) the following QR code:



- The “Docket Log (23-AFC-02)” link on the [Elmore North proceeding’s web page](#) at <https://www.energy.ca.gov/powerplant/steam-turbine/elmore-north-geothermal-project-engp>, or scan the following QR code:



- The “Docket Log (23-AFC-03)” link on the [Black Rock proceeding web page](#) at <https://www.energy.ca.gov/powerplant/steam-turbine/black-rock-geothermal-project-brgp>, or scan the following QR code:



Automated Email Notifications

Any person may subscribe to receive an automated email when a document is filed in a proceeding. Parties who are on the Proof of Service List will receive these automated emails and do not need to additionally subscribe. The web page for each proceeding, listed above, provide a link to subscribe for automated email notifications, or you may [manage automated email subscriptions](#) at <https://www.energy.ca.gov/subscriptions>, or scan the following QR code:



Questions

Parties and members of the public may contact the assigned Hearing Officers for each AFC for clarifications about this order or general procedural questions:

Morton Bay: Ralph Lee, (916) 776-3408, ralph.lee@energy.ca.gov.
Chad Oliver, (916) 891-8569, chad.oliver@energy.ca.gov.

Elmore North: Deborah Dyer, (916) 931-5041, deborah.dyer@energy.ca.gov.
Reneé Webster-Hawkins, (916) 237-2507, renee.webster-hawkins@energy.ca.gov.

Black Rock: Chad Oliver, (916) 891-8569, chad.oliver@energy.ca.gov.
Deborah Dyer, (916) 931-5041, deborah.dyer@energy.ca.gov.

The CEC's Public Advisor provides assistance to members of the public participating in CEC proceedings. For information on how to participate in this proceeding, please contact the [Public Advisor](#) at PublicAdvisor@energy.ca.gov, or (916) 957-7910.

Direct media inquiries to (916) 654-4989 or mediaoffice@energy.ca.gov.

IT IS SO ORDERED.

Dated: August 4, 2023

APPROVED BY:

Noemí Gallardo
Commissioner and Presiding Member of the Morton Bay,
Elmore North, and Black Rock AFC Committees

Mailed to List Number: 7550

AGENDA
Thursday, August 31, 2023

**Joint Public Site Visits and
Joint Environmental Scoping Meeting and Informational Hearing**

**Morton Bay Geothermal Project (23-AFC-01)
Elmore North Geothermal Project (23-AFC-02)
Black Rock Geothermal Project (23-AFC-03)**

Joint Public Site Visits begin at 1:45 p.m.

**Joint Environmental Scoping Meeting and Informational Hearing
begins at 5:00 p.m. or upon the conclusion of the site visits**

All start and end times are estimates

Joint Public Site Visits Bus Tour of Proposed Project Sites.

This is a bus tour of all three Proposed Project sites. It is free and open to the public and will be wheelchair accessible. Attendees must be on the provided bus to attend the joint site visits. Tour includes the possibility of short stops and informational presentations by the applicants of the Proposed Projects.

Bus boards at 1:45 p.m. and leaves at 2 p.m. from Calipatria High School, 601 W. Main Street, Calipatria, California. The bus will return to pick-up location at the conclusion of the tour. Start and end times are estimates. Attendees are asked to RSVP in advance pursuant to noticed instructions to attend.

Joint Environmental Scoping Meeting and Informational Hearing.

- a. Presentations by the CEC Hearing Officer, Proposed Project Applicants, CEC Staff, and CEC Public Advisor
- b. Discussion of the environmental and other identified issues
- c. Discussion of schedule for the review of the projects
- d. Discussion and resolution of any motions
- e. Public Comment. Members of the public and other interested persons and entities may speak for up to three minutes on a matter related to this proceeding.
- f. Possible closed sessions of the Committees to deliberate on the Morton Bay AFC, Elmore North AFC, and/or Black Rock AFC.
- g. Adjourn