

**DOCKETED**

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**THE STATE OF CALIFORNIA**

**State Energy Resources Conservation  
and Development Commission**

In the Matter of: )  
Application for Certification for the )  
Morton Bay Geothermal Project )  
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Docket No. 23-AFC-01

**MORTON BAY GEOTHERMAL PROJECT  
STATUS REPORT NO. 1**

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**STATE OF CALIFORNIA  
Energy Resources Conservation  
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In the Matter of: )  
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**MORTON BAY GEOTHERMAL PROJECT  
STATUS REPORT NO. 1**

Pursuant to the *Presiding Member’s Scheduling Order for the Morton Bay Geothermal Project Proceeding*,<sup>1</sup> Morton Bay Geothermal LLC (“the Applicant”) provides this *Status Report No. 1* to update the Committee regarding the status of the Application for Certification (“AFC”) proceeding for the Morton Bay Geothermal Project (“MBGP”).

**I. SUMMARY OF PROGRESS OF DISCOVERY**

Following the Site Visit and Informational Hearing held on August 31, 2023, the Applicant has been diligently working to respond to informal and formal data requests from parties and stakeholders in this proceeding. A brief summary of the data requests received from parties to this proceeding is provided below.

California Energy Commission (“CEC”) Staff has filed two sets of data requests in this proceeding:

- On August 31, 2023, CEC Staff docketed Data Request Set 1,<sup>2</sup> which contained 111 data requests in the subject areas of Air Quality, Alternatives, Biological Resources, Cultural and Tribal Resources, Geology and Soil, Land Use, Project Description, Public Health, Socioeconomics, Transportation, Transmission System Engineering, and Water Resources. On September 20, 2023, the Applicant submitted a notice that additional time was required to respond to seven of the data requests due to the time needed to conduct the requested air modeling and field surveys.<sup>3</sup> On October 2, 2023, the Applicant submitted *Data Response Set 1*. The Applicant expects to provide a response to the remaining data requests on or before November 10, 2023.
  
- On October 3, 2023, CEC Staff docketed Data Request Set 2, which contained 10 data requests in the subject areas of Cultural and Tribal Resources, Land Use, and Water Resources.<sup>4</sup> The

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<sup>1</sup> TN#: 252284.

<sup>2</sup> TN#: 252095.

<sup>3</sup> TN#: 252328.

<sup>4</sup> TN#: 252493.

Applicant docketed *Morton Bay Geothermal Project Data Request Response Set 2* on October 27, 2023.<sup>5</sup>

Intervenor California Unions for Reliable Energy (“CURE”) has filed one set of data requests in this proceeding:

- On October 25, 2023, CURE issued *CURE Data Requests Set 1 for Morton Bay Geothermal Project*,<sup>6</sup> which contained 99 data requests in the subject areas of Project Description, Air Quality, Greenhouse Gas Emissions, and Geologic Hazards and Resources. The Applicant is reviewing the data requests and will respond to the filing as provided for in Section 1716 of the Commission’s Regulations.
- The Applicant and CURE have also been coordinating informally to provide CURE access to biological resources information and figures that were granted confidential designation by the CEC.

## **II. DESCRIPTION OF SIGNIFICANT COMMUNICATIONS WITH OTHER FEDERAL, STATE, LOCAL AGENCIES, AND TRIBAL GOVERNMENTS**

A brief description of the Applicant’s communications with other federal, state, local agencies, and tribal governments is provided below.

- On September 21, 2023, the President and Chief Executive Officer of BHE Renewables, Alicia Knapp, met with Carmen Lucas of the Kwaaymii Laguna Band of Mission Indians.
- On September 29, 2023, the Applicant received a request from the Imperial County Air Pollution Control District (“ICAPCD”) to provide additional information for the ICAPCD to complete its technical analysis of the MBGP.<sup>7</sup> The Applicant provided the requested information on October 7, 2023, which was docketed in this proceeding on October 9 and October 11, 2023.<sup>8</sup> The Applicant continues to work with the ICAPCD with respect to its review of the MBGP.
- On October 23, 2023, the Applicant submitted a request to the U.S. Army Corps of Engineers for an approved jurisdictional determination. The request was docketed in this proceeding on October 24, 2023.<sup>9</sup>

## **III. OUTCOME OF PUBLIC WORKSHOPS OR MEETINGS**

No public workshops or meetings have been held for the MBGP since the Site Visit and Informational Hearing on August 31, 2023.

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<sup>5</sup> TN#: 252809.

<sup>6</sup> TN#: 252740.

<sup>7</sup> TN#: 252548.

<sup>8</sup> TN#: 252548, TN#: 252576.

<sup>9</sup> TN#: 252694.

#### IV. SCHEDULE

In *Data Response Set 1*, the Applicant stated that certain air appendices were being revised to incorporate refinements to the MBGP design and address other comments made by CEC Staff.<sup>10</sup> The refinements will occur entirely within the existing proposed parcel for the MBGP site, but the project site is shifted south to avoid any potential movement of the mud pots located to the east. In addition, the project general arrangement has been revised and will reduce potential construction impacts. The Applicant expects that these refinements should not substantially impact the proposed schedule because the refinements will be contained within the parcel proposed in the AFC and will be included in the Data Request Set 1 air quality and public health responses to be docketed by November 10, 2023.

Dated: October 31, 2023

Respectfully submitted,

ELLISON SCHNEIDER HARRIS & DONLAN L.L.P.

By  \_\_\_\_\_

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<sup>10</sup> TN#: 252491-1, Data Response 3.