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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)
)
)
_____)

Docket No. 23-AFC-01

**MORTON BAY GEOTHERMAL PROJECT
STATUS REPORT NO. 2**

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**MORTON BAY GEOTHERMAL PROJECT
STATUS REPORT NO. 2**

Pursuant to the *Presiding Member’s Scheduling Order for the Morton Bay Geothermal Project Proceeding*,¹ Morton Bay Geothermal LLC (“the Applicant”) provides this *Status Report No. 2* 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

Since the submission of *Status Report No. 1*, the Applicant continues to diligently 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.

- On October 31, 2023, the Applicant docketed an *Application for Confidential Designation for Burrowing Owl Survey Report Biological Resources Figures and Appendices*.² California Energy Commission (“CEC”) Staff reviewed the Application and determined that based on the detail of the photos and information provided on the maps, the documents do not require confidential designation to protect the biological resources in question.³ In turn, Staff will be docketing the *Burrowing Owl Survey Report* and associated Biological Resources, Figures, and Appendices publicly.
- On November 13, 2023, the Applicant submitted revised responses to CEC Staff’s *Data Requests Set 1*, Data Requests 3, 4, 7, 10 to 13, and 73 to 77.⁴
- On November 17, 2023, the Applicant docketed a *Revised General Arrangement Refinement*,⁵ with supporting technical information.⁶ The documents identify refinements to the orientation, placement, number, and type of specific pieces of equipment on the MBGP site. Of note, the Applicant has decreased the number of diesel emergency generators and decreased the potential disturbance from the MBGP, including to areas designated as Important Farmland

¹ TN#: 252284.
² TN#: 252847.
³ TN#: 253237.
⁴ TN#: 253082.
⁵ TN#: 253188.
⁶ TN#: 253224, 253225, 253226, 253227, 253228, and 253229.

that were originally proposed as a borrow pit. In addition, the proposed location of the power plant has been shifted south within the parcel to further avoid potential geologic hazards.

- On November 17, 2023, the Applicant docketed a draft *SB 610 – Water Supply Assessment*.⁷ The draft *SB 610 – Water Supply Assessment* was also provided to Imperial County.
- On November 17, 2023, the Applicant docketed revised responses to the requests for information issued by the Imperial County Air Pollution Control District (“ICAPCD”).⁸
- On November 21, 2023, CEC staff docketed *Data Requests Set 3 for Morton Bay Geothermal Project*, which contained eight data requests in the subject areas of Cultural and Tribal Resources, Efficiency and Energy Resources, and Land Use.⁹ Responses to *Data Requests Set 3* will be submitted on or before December 21, 2023.

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

- On November 14, 2023, the Applicant submitted a notice that additional time was required to respond to CURE’s *Data Requests Set 1* due to the coordination of work schedules and travel of employees and consultants working on this project because of the Thanksgiving holiday.¹⁰ The Applicant also provided notice of its objection to certain data requests contained in CURE’s *Data Requests Set 1*.
- On November 28, 2023, CURE docketed its second set of data requests titled *CURE Data Requests Set 2 for Morton Bay Geothermal Project* (“*CURE Data Requests Set 2*”).¹¹ *CURE Data Requests Set 2* contains 136 data requests. The Applicant is reviewing the requests and will submit responses within the time provided for in Section 1716 of the CEC’s regulations.
- On November 28, 2023, the Applicant docketed *Morton Bay Geothermal Project Email Response to Data Request Set 1 #47*, which contained responses to CEC Staff’s *Data Requests Set 1*, Data Request #47.¹²
- On November 29, 2023, the Applicant docketed *Morton Bay Geothermal Project CURE Data Responses 1 to 99, Set 1*, which contained responses to *CURE Data Requests Set 1*.¹³

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.

⁷ TN#: 253193.

⁸ TN#: 253190.

⁹ TN#: 253276.

¹⁰ TN#: 253112.

¹¹ TN#: 253340.

¹² TN#: 253355.

¹³ TN#: 253374.

- On November 10, 2023, the Applicant submitted responses to the request for information issued by the ICAPCD, specifically, an updated Best Available Control Technology (“BACT”) analysis that included revised air quality and public health sections, and analyses based upon the latest available design data.¹⁴ The Applicant understands that the ICAPCD does not have any further information requests at this time, and continues to work closely with the ICAPCD to assist with its review of the MBGP.
- On November 14, 2023, the Applicant submitted revised responses to the requests for information issued by the ICAPCD notifying the ICAPCD of minor layout changes to the offsite wells and associated well pads.¹⁵

III. OUTCOME OF PUBLIC WORKSHOPS OR MEETINGS

On November 9, 2023, the Applicant met with CEC Staff and representatives from CURE to conduct a visit of the MBGP, Black Rock Geothermal Project, and Elmore North Geothermal Project sites and exchange information relating to biological resources.

IV. SCHEDULE

Maintaining schedule continues to be a priority for the Applicant. The Applicant will continue working closely with parties and stakeholders to continue to move this proceeding forward.

Dated: November 30, 2023

Respectfully submitted,

ELLISON SCHNEIDER HARRIS & DONLAN L.L.P.

By  _____

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¹⁴ TN#: 253082.

¹⁵ TN#: 253190.