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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

MORTON BAY GEOTHERMAL PROJECT
(MBGP) APPLICATION FOR
CERTIFICATION

Docket No. 23-AFC-01

PETITION TO INTERVENE BY
UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL
IMPLEMENT WORKERS OF AMERICA (UAW) REGION 6

February 2, 2024

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Pursuant to Cal. Code Regs., tit. 20, § 1211.7, United Automobile, Aerospace and Agricultural Implement Workers of America, Region 6 (“UAW”) respectfully files this Petition to Intervene (“Petition”) in the Morton Bay Geothermal Project (“Project” or “MBGP”) Application for Certification (“AFC”) proceeding, Docket No. 23-AFC-01. Section 1211.7(a) grants “any person” the right to file a petition to intervene which sets forth “the grounds for intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceedings, and the name, mailing address, e-mail address, and phone number of the petitioner.” The presiding member may grant intervention and impose reasonable conditions on an intervenor’s participation. (*Id.* § 1211.7(c)). “An intervenor is a party to a proceeding.” (*Id.* § 1211.7(c)).

This Petition is timely because the scheduling order issued on September 15, 2023, by the Presiding Member of the California Energy Commission Committee designated to conduct proceedings in this matter set a deadline to file a Petition to

Intervene of ten days after the filing of the Final Staff Assessment, and the Final Staff Assessment has not yet been filed in this matter. Furthermore, the default deadline to file a Petition to Intervene is 30 days before the first evidentiary hearing. (*Id.* § 1211.7(b)), and the Commission has not yet set a date for an evidentiary hearing on this matter. Therefore, this Petition is timely.

I. POSITION AND INTEREST STATEMENT

UAW Region 6 is comprised of local union affiliates with over 100,000 active and retired members in Alaska, Arizona, California, Hawai'i, Idaho, Nevada, Oregon, Utah, and Washington whose members' environmental and economic interests are affected by the Project. UAW members live in communities that suffer the impacts of projects that are detrimental to human health and the environment. UAW has an interest in minimizing the impacts of projects that would negatively impact the environment, and in enforcing environmental laws to protect its members.

The Project also affects the union's members' longer term economic and environmental interests. UAW has the right to represent workers in Direct Lithium Extraction ("DLE") and the refining of other minerals to make cathode active materials ("CAM"), which are core parts of the EV battery manufacturing process. DLE can be achieved in facilities like the one in this Project. UAW's members also engage in the research, manufacture, development, design, engineering, and manufacture of automobiles, automobile parts using the raw materials that can be produced at these facilities. UAW is committed to ensuring that the transition to a green economy is environmentally and socially sustainable. Negative environmental outcomes threaten our members' current and future jobs by causing the depletion of

natural resources necessary to their employment, or by causing restrictions on automobiles and their uses. For example, the negative impacts of fossil fuels and climate change are significantly changing the automobile industry and our members' roles within it. Other environmental consequences include depleting limited air pollutant emissions offsets, consuming limited freshwater resources, and imposing other stresses on the environmental carrying capacity of the state. All these impacts can negatively impact future employment opportunities.

Moreover, environmental degradation also impacts our members' quality of life. Our members increasingly live in geographic areas, including the Imperial Valley, most impacted by water restrictions, poor air quality, increased temperatures, hazardous waste storage, and their associated health outcomes. Well-designed projects that reduce environmental impacts improve long-term economic and social outcomes.

Finally, UAW's members are concerned about projects that cause serious environmental harm without providing counterbalancing economic benefits. The Commission's process requires the Commission to determine whether the Project will have a substantial adverse impact on the environment. The Commission's process also provides for a balancing of the Project's socioeconomic and environmental impacts. UAW's ultimate position and participation in this proceeding will be determined based on all the factors the Commission considers when determining whether to approve the application.

II. GROUNDS FOR INTERVENTION AND EXTENT OF PARTICIPATION

The Commission has routinely granted requests by labor unions to intervene in

prior siting cases and small power plant exemption cases since the enactment of Assembly Bill 1890. In this matter, the Commission has already granted California Unions for Reliable Energy (CURE)'s Petition to Intervene. The same decision should be reached here.

The Commission has allowed unions to participate in permit proceedings for power plant projects throughout California. In those cases, unions have identified deficiencies in the project description and environmental setting that prevented adequate assessments of impacts to the environment and public health. Unions have also identified underestimated, unanalyzed, and unmitigated impacts related to construction air emissions, operational air emissions, public health, greenhouse gas emissions, biological resources, cultural and tribal resources, energy use, geology and soils, hazards, hydrology and water quality, land use and planning, noise, public services, transmission system engineering, recreation transportation, utilities, wildfire, cumulative impacts, and alternatives, among other topics. For those projects, unions provided evidence, including expert testimony, regarding potentially significant impacts and feasible mitigation measures to reduce impacts to less than significant.

If granted intervention, UAW intends to participate fully in all phases of this proceeding. UAW intends to participate in all topics relevant to the Commission's consideration of the Project including, but not limited to: environmental setting, air quality, alternatives, biological resources, compliance with laws, ordinances, regulations and standards, cultural resources, cumulative impacts, efficiency, demonstration, facility design, geologic hazards and resources, greenhouse gas

emissions, hazardous materials, land use, noise and vibration, paleontological resources, project description, project overview, project schedule, public health, public services, recreation, reliability, socioeconomics, soil and agricultural resources, traffic and transportation, transmission line safety and nuisance, transmission system design, tribal resources, visual resources, waste management, water resources, wildfire, and worker safety. UAW reserves the right to participate in other topics should UAW identify any issues which warrant participation. UAW may participate in all aspects of this proceeding, including, but not limited to, discovery, workshops, testimony, briefing, and cross-examination of witnesses.

III. CONTACT INFORMATION

All filings in this proceeding should be served on UAW's representative at:

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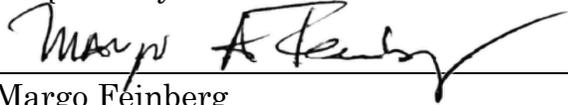
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IV. CONCLUSION

For the foregoing reasons, UAW respectfully requests that the Committee grant its petition to intervene in this proceeding and allow UAW to participate as a party without limitation.

Dated: February 2, 2024

Respectfully submitted,



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