

DOCKETED

Docket Number:	21-AFC-02
Project Title:	Willow Rock Energy Storage Center
TN #:	256536
Document Title:	Status Report #21
Description:	N/A
Filer:	Eric Janssen
Organization:	Ellison Schneider Harris & Donlan LLP
Submitter Role:	Applicant Representative
Submission Date:	5/24/2024 12:15:32 PM
Docketed Date:	5/24/2024

**STATE OF CALIFORNIA
Energy Resources Conservation
and Development Commission**

In the Matter of:)
)
Application for Certification for the) Docket No. 21-AFC-02
Willow Rock Energy Storage Center)
)
_____)

**WILLOW ROCK ENERGY STORAGE CENTER
STATUS REPORT NO. 21**

Pursuant to the Committee Order docketed August 11, 2023,¹ GEM A-CAES LLC (the “Applicant”) hereby submits this status report to inform the Committee of the progress of the Application for Certification (“AFC”) proceeding for the Willow Rock Energy Storage Center (“Project” or “WRESC”).

SUPPLEMENTAL AFC FILING

On April 23, 2024, California Energy Commission (“CEC”) Staff docketed its *Data Adequacy Recommendation*, which stated CEC Staff’s position that the Supplemental AFC does not meet the information requirements set forth in California Code of Regulations, title 20, section 1704, Appendix B.² The Applicant has reviewed the *Data Adequacy Recommendation*, is working with CEC Staff to clarify certain information requests, and preparing responses to support the Executive Director’s determination of Data Adequacy, the next critical step to advance this important Project.

Since the last Status Report, the Applicant has continued to provide information in support of the Supplemental AFC, including, among other responses:

- On May 2, 2024, the Applicant filed confidential transmission interconnection documents requested by CEC Staff, including the 2022 Generator Interconnection Reassessment Report, Northern Area Final Report, the 2022 Generator Reassessment Report, and the attachments thereto.
- On May 14, 2024, the Applicant docketed the Final Determination of Compliance issued by the Eastern Kern Air Pollution Control District (“EKAPCD”). (See, TN#: 256372.)

The Applicant has also engaged in the following activities in support of the Project:

- Continued right-of-entry requests to private landowners for site access to perform biological surveys and cultural resources surveys in these private, off-site buffer areas of the WRESC and generation-tie (“gen-tie”) line corridor.
- Continued commercial commitments to secure additional rights for portions of the temporary construction laydown areas, gen-tie line route options, and the reuse and repurposing of excavated cavern rock.

¹ TN#: 251599.

² TN#: 255890.

- Collaboration with Kern County, City of Palmdale, and City of Lancaster on “Level of Service” methodology, data collection, and agency review timing. Notwithstanding the change of the CEQA Guidelines to Vehicle Miles Traveled (“VMT”) as the metric for analyzing transportation impacts as required by SB 743³, Applicant has initiated “Level of Service” field data collection based on the California Department of Transportation’s Highway Capacity Manual (1994). Of important note, the Supplemental AFC contained a complete traffic/transportation impact analysis utilizing the VMT methodology consistent with Senate Bill 743, which states that traffic congestion should not be considered to have a significant impact on the environment under the California Environmental Quality Act.⁴
- Information exchange with CEC Staff and California Department of Fish and Wildlife (“CDFW”) staff on biological survey results including providing a map of completed Mohave Ground Squirrel surveys, confirming no Crotch’s Bumblebee hives exist in the Project area, and conducting additional field work beyond regulatory requirements to re-verify the location of Swainson’s Hawk nests.
- Stakeholder engagement with National Audubon Society regarding the Conservation Strategy for Swainson’s Hawk in the Antelope Valley of the Mojave Desert, California (Bloom Biological, Inc., July 2022) including ongoing surveys and active nest monitoring, per Kern County’s recommendation.
- Attended CDFW’s workshop on Western Joshua Tree avoidance, minimization, and mitigation measures in support of conceptual environmental mitigation planning and costing for the Project.
- Provided information in response to EKAPCD’s request for additional toxicity analysis in support of the agency’s issuance of the Final Determination of Compliance for the Project on May 14, 2024.
- Ongoing engagement with local, state, and federal stakeholders such as Bureau of Land Management, Rosamond Community Services District, Southern California Edison, Antelope Valley East Kern Water Agency, and California Department of Transportation.

SCHEDULE

The Applicant is preparing a proposed Schedule for the Committee’s consideration that will be submitted with the next status report or upon the Executive Director’s verification of the completeness of the Supplemental AFC. The Applicant anticipates proposing a potential schedule to achieve a CEC Final Decision in the first quarter of 2025 to support the commercial operation date outlined in Table 2-8 of the Supplemental AFC.

³ 14 C.C.R. 15064.3(a). *Determining The Significance Of Transportation Impacts*: “Purpose. This section describes specific considerations for evaluating a project’s transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, “vehicle miles traveled” refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project’s effect on automobile delay shall not constitute a significant environmental impact.” (Emphasis added.)

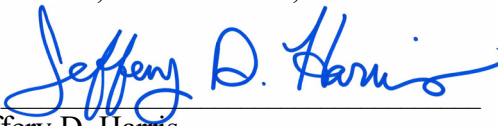
⁴ *Id.*

The Applicant is committed to working diligently and cooperatively with all parties to facilitate this timeline. The Applicant will be coordinating with all parties regarding the proposed Schedule. The Applicant also anticipates that it will be proposing monthly Status Conferences with the Committee to facilitate moving this Project forward.

Dated: May 24, 2024

Respectfully Submitted,

ELLISON, SCHNEIDER, HARRIS & DONLAN LLP

By 

Jeffery D. Harris

Samantha G. Neumyer

Jessica Melms

jdh@eslawfirm.com

sgn@eslawfirm.com

jlm@eslawfirm.com

Attorneys for Applicant GEM A-CAES LLC