

DOCKETED	
Docket Number:	21-AFC-02
Project Title:	Willow Rock Energy Storage Center
TN #:	258677
Document Title:	Petition to Intervene by the Center for Biological Diversity
Description:	Petition to Intervene in the Willow Rock Energy Storage Center Proceeding by Proposed Intervenor, Center for Biological Diversity
Filer:	Zeynep J. Graves
Organization:	Center for Biological Diversity
Submitter Role:	Intervenor Representative
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STATE OF CALIFORNIA

State Energy Resources Conservation and
Development Commission

In the Matter of:

WILLOW ROCK ENERGY
STORAGE CENTER

Docket No. 21-AFC-02

PETITION TO INTERVENE
BY THE CENTER FOR BIOLOGICAL DIVERSITY

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**PETITION TO INTERVENE
BY THE CENTER FOR BIOLOGICAL DIVERSITY**

Pursuant to Section 1211.7 of the California Energy Commission’s (the “Commission”) Rules of Practice and Procedure, Cal. Code Regs. tit. 20, § 1211.7, the Center for Biological Diversity (the “Center”) files this Petition to Intervene (“Petition”) in the Willow Rock Energy Storage Center Proceeding, Docket No. 21-AFC-02 (the “Willow Rock Proceeding”).

Any person may petition to intervene in a proceeding before the Commission when, in a timely petition, the petitioner “set[s] forth the grounds for the intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceedings,” and contact information of the petitioner. Cal. Code Regs. tit. 20, § 1211.7(a) – (c). As detailed below, the Center meets these requirements.

The Center’s Intervention Is Timely

The Commission has yet to issue a scheduling order specifying a deadline for filing a petition to intervene. In the absence of a scheduling order, the default intervention deadline is thirty days before an evidentiary hearing. Cal. Code Regs. tit. 20, § 1211.7(b). Here, an evidentiary hearing date has not yet been set. Accordingly, the Center’s Petition is timely.

The Center’s Position, Interest, and Grounds for Intervention

The Center is a nonprofit organization with offices nationwide, including California. The Center advocates for the protection of threatened and endangered species and their habitats through science, policy, and environmental law. The

Center's mission also includes protecting air quality, water quality, and public health while supporting the timely development of renewable energy sources in California.

For over two decades, the Center has worked to conserve and recover rare, imperiled, and threatened and endangered species in the California deserts. More specifically, the Center has advocated for protection for the western Joshua tree, desert tortoise, Mojave ground squirrel, Swainson's hawk, burrowing owl, migratory birds, and many other imperiled species in the California deserts. Through its advocacy, the Center aims to reduce impacts on species and habitats from development, vehicles, predation, and other threats to California's fragile desert ecosystems.

To address the climate and extinction crises, the Center is committed to supporting California's transition from fossil energy systems to 100% clean and renewable energy. As part of this commitment, the Center advocates for energy solutions that reduce greenhouse gas emissions, safeguard ecosystems, and ensure a just transition for impacted communities. As California transitions to a carbon-free energy future, the Center works to ensure that the clean and renewable energy transition is achieved in a way that is equitable and protects California's beloved wildlife, landscapes, and diverse habitats.

The Center petitions to intervene in the Willow Rock Proceeding on behalf of itself and as representative of its members. The interests of the board, staff, and members of the Center are directly affected by the project at issue in this matter. These immediate interests include, but are not limited to, protection of the western

Joshua tree, desert tortoise, Mojave ground squirrel, conservation of migratory birds and other avian species, conservation of rare and imperiled native plants, conservation of other wildlife species found in the project area, and cumulative impacts to these and other desert resources. The Center's concerns are pertinent to many aspects of the Commission's review of the project, including project alternatives, biological resources, cultural resources, archaeological resources, water resources, and others.

The Center has participated as an intervenor in many other proceedings before the Commission regarding fossil fuel plants as well as large-scale solar projects in the California desert.¹ The Center's past interventions focused on ensuring that energy development aligns with California's environmental laws and climate goals and reducing impact on biodiversity. The Center has also participated in the approval process for many site-specific projects and in the planning processes for public and private lands throughout California, including in Kern County, where the project is located.

The Center Proposes Full Participation

If the Commission grants the Center's Petition, the Center proposes to participate fully in all phases of this proceeding. In so doing, the Center is committing to working with other parties to limit duplicative filings, testimony, cross-examination, and briefing.

¹ *See, e.g.*, Puente Power Project (Dkt. No. 15-AFC-01); Ivanpah Solar Electric Generating System (Dkt. No. 07-AFC-05); Genesis Solar Energy Project (Dkt. No. 09-AFC-08); Palen Solar Power Project (Dkt. No. 09-AFC-07); Hidden Hills Solar Electric Generating Station (Dkt. No. 11-AFC-02).

Zeynep Graves and Lisa Belenky will represent the Center in this matter.

Their contact information is as follows:

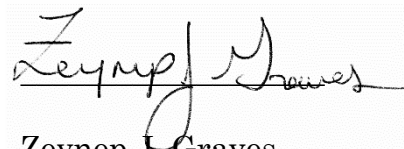
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* * *

For the foregoing reasons, the Center for Biological Diversity respectfully requests that the Commission grant its petition to intervene in this proceeding and allow the Center for Biological Diversity to participate as a party.

August 23, 2024



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CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2024, I e-filed the Center for Biological Diversity's Petition to Intervene with the Docket Unit via the California Energy Commission's e-Filing portal in accordance with Cal. Code Regs. tit. 20, § 1208(a).

All persons on the service list for Docket No. 21-AFC-02 (duplicated below) shall be served by the Docket Unit in accordance with Cal. Code Regs. tit. 20, § 1211(b).

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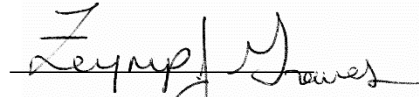
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I certify under penalty of perjury that the foregoing is true and correct.
Executed on this 23rd day of August, 2024, in Yucca Valley, California.

A handwritten signature in black ink that reads "Zeynep J. Graves". The signature is written in a cursive style with a horizontal line drawn across the middle of the name.

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