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State of California

California Natural Resources Agency

Memorandum

To: Commissioner Noemi Gallardo, Presiding Member
Commissioner Andrew McAllister, Associate Member

Date: October 31, 2024

From: California Energy Commission
715 P Street
Sacramento, CA 95814-5512

Eric Veerkamp
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Subject: STATUS REPORT #13 FOR MORTON BAY GEOTHERMAL PROJECT (23-AFC-01)

The Presiding Member's Scheduling Order for the Morton Bay Geothermal Project (MBGP) Proceeding filed on September 15, 2023, orders the parties to file a status report on "October 31st, and by the last business day of every month thereafter." The California Energy Commission (CEC) staff is further ordered to "include summaries of the progress of discovery in each monthly report, including descriptions of significant communications with other federal, state, and local agencies, and tribal governments, and identify any factors that may impact the schedule of the proceeding. Status reports shall also include a description of the outcome of any public workshop or other meeting held during that month."

Summary of Progress of Discovery and Known Issues

On September 25, 2024, Jacobs filed Morton Bay Geothermal Project Revised Water Supply Assessment (TN 259291)

On September 30, 2024, CURE filed CURE Response re Proposed schedules (TN 259357)

On September 30, 2024, Theodric R. Figurasin filed Theodric R. Figurasin comments-Jobs to Move America's Comments on Proposed Schedule for Morton Bay Geothermal Project (TN 259363)

On September 30, 2024, Aqua Terra Aeris Law Group filed United Automobile, Aerospace, and Agricultural Implement Workers of America's Comments on Schedule for the Morton Bay Geothermal Project (TN 259363)

On October 9, 2024, McCracken, Stemerman and Holsberry, LLP filed Petition to Intervene by Jobs to Move America (TN 259495)

On October 10, 2024, CEC staff filed Follow Up from Workshop Discussion [Information Request] (TN 259517)

On October 11, 2024, CEC staff filed Follow Up from Workshop Discussion, 2nd Request (TN 259522)

On October 16, 2024, CEC staff [on behalf of Imperial Irrigation District] filed IID Responses to CEC Inquiry on Electrical Infrastructure Upgrades Associated with the MBGP, ENGP, and BRGP (TN 259554)

October 29, 2024 - Tribal consultation conducted with three California Native American tribes

Scheduled Workshop(s)

Staff is scheduling a follow up tribal workshop to conclude a targeted discussion of tribal issues; the workshop is anticipated to be conducted during the second week of December 2024. At the request of tribal representatives, a hybrid workshop is anticipated including in-person staff presence. Staff conducted a consultation meeting with tribes on October 29, 2024, including a tribe new to the consultation process on this project, and anticipates additional consultation CEC staff anticipates that any remaining miscellaneous technical discussion of the PSAs would be able to be covered during the same day as the focused tribal discussion; however, there remains the potential for future workshops.

Schedule Impacts

Staff has requested and anticipates receiving significant amounts of data that the applicant has agreed to provide through the course of the workshops, including supplemental information about the Alternatives analysis and Biological Resources. Supplemental information related to transmission infrastructure was received from IID (259554). CEC staff continues to look for outstanding reports and studies, including the Study of Impacts on the Salton Sea and a decision on a Federal Emergency Management Agency Letter of Map Revision for flood determination. On October 10, 2024, the California Fish and Game Commission voted unanimously to make the western burrowing owl a candidate species as endangered or threatened under the California Endangered Species Act. As a candidate for listing, the species is temporarily afforded the same protections as a state-listed endangered or threatened species. Additional coordination and consultation with partnering agencies to ensure potentially affected populations are protected and project impacts are mitigated, may affect the schedule.

Staff will continue to follow the directives of the September 15, 2023, April 12, 2024, and July 26, 2024, Scheduling Orders and provide regular updates to the Committee.