

**DOCKETED**

<b>Docket Number:</b>	21-AFC-02
<b>Project Title:</b>	Willow Rock Energy Storage Center
<b>TN #:</b>	260849
<b>Document Title:</b>	Staff Status Report #5
<b>Description:</b>	N/A
<b>Filer:</b>	Marichka Haws
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	12/26/2024 12:25:46 PM
<b>Docketed Date:</b>	12/26/2024

Memorandum

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

**Date:** December 26, 2024

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

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**Subject: STAFF STATUS REPORT #5 FOR THE WILLOW ROCK ENERGY STORAGE CENTER (21-AFC-02)**

In its *Second Revised Committee Scheduling Order* filed December 11, 2024 (TN 260601), the Willow Rock Energy Storage Center AFC Committee (Committee) on the Willow Rock Energy Storage Center project ordered the parties to “continue submitting monthly status reports no later than the 26th day of every month” and further clarified that “[s]tatus reports shall inform the Committee whether the case is progressing satisfactorily and bring potential delays and other relevant matters to the Committee’s attention.”

California Energy Commission staff (staff) continues to coordinate with partner agencies, most notably the California Department of Fish and Wildlife (CDFW) and the Lahontan Regional Water Quality Control Board (RWQCB), to gather information necessary for our analysis of the application. Staff is continuing conversations with potentially affected California Native American tribes.

On December 10, 2024, staff filed its response (TN 260584) to the Applicant’s Motion to Amend the Revised Schedule for the proceeding (TN 260431).

Staff continues to make progress on its discovery efforts. Staff filed Data Request Set 5 on November 26, 2024, after previously filing Data Request Set 1 on July 26, 2024, Data Request Set 2 on August 22, 2024, Data Request Set 3 on September 23, 2024, and Set 4 on September 27, 2024. The applicant filed its responses to Data Request Set 5 on December 23, 2024. Staff is reviewing all responsive filings to ensure that complete, satisfactory responses have been provided.

Staff is preparing Data Request Set 6, informed by coordination with the Lahontan RWQCB, which requested information regarding the proposed evaporation pond, waste discharge requirements, and dredge and filling permit requirements. Staff will also include in Data Request Set 6 requests related to state waters and biological resources discussed with the applicant during a field visit, and will file all remaining requests no later than the end of discovery, which is January 13, 2025. Per the Second Revised

Committee Scheduling Order, applicant's responses to all data requests are due no later than January 27, 2025.

Staff is preparing the Preliminary Staff Assessment (PSA) and is currently on schedule to meet the PSA publication date, March 13, 2025, as outlined in the Second Revised Committee Scheduling Order (TN 260601). However, staff is concerned about the applicant's projected completion date for the cultural Phase II test excavations of January 2025. Staff needs the analyses and results of these excavations as early as possible in January in order to incorporate the results into the PSA. Tribal representatives have requested to review the results of the applicant's Phase II excavations, the results of which will inform the ongoing consultation with staff regarding the identification, evaluation, and potential mitigation measures to cultural and tribal cultural resources. In addition, the applicant will provide missing information about historic built environment resources in the report documenting the archaeological resources. The timeline for receiving the necessary information to finalize the PSA, addressing the Lahontan RWQCB's requested information, and coordinating with partner agencies, including the Lahontan RWQCB and CDFW, could collectively impact the PSA schedule.

Staff will continue to follow the directives of the Second Revised Committee Scheduling Order and provide regular updates to the Committee.