

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-AFC-03
<b>Project Title:</b>	Black Rock Geothermal Project (BRGP)
<b>TN #:</b>	255592
<b>Document Title:</b>	Petition to Intervene by Supporters Alliance for Environmental Responsibility
<b>Description:</b>	N/A
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<b>Organization:</b>	Lozeau Drury LLP
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**STATE OF CALIFORNIA**  
**STATE ENERGY RESOURCES**  
**CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

BLACK ROCK GEOTHERMAL PROJECT  
APPLICATION FOR CERTIFICATION

Docket No. 23-AFC-03

**PETITION TO INTERVENE BY**  
**SUPPORTERS ALLIANCE FOR ENVIRONMENTAL RESPONSIBILITY**

April 9, 2024

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Pursuant to Cal. Code Regs., tit. 20, § 1211.7, Supporters Alliance for Environmental Responsibility (“SAFER”) respectfully files this Petition to Intervene (“Petition”) in the Black Rock Geothermal Project (“Project”) Application for Certification (“AFC”) proceeding, Docket No. 23- AFC-03. Section 1211.7(a) provides that “any person may file a petition to intervene” by including in the petition “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 scheduling order issued by the Presiding Member of the California Energy Commission Committee on September 15, 2023 set a deadline to file a Petition to Intervene ten days after the filing of the Final Staff Assessment. The Final Staff Assessment has not yet been filed in this matter. Moreover, the default deadline to file a Petition to Intervene is 30 days before the first evidentiary

hearing. (*Id.* § 1211.7(b).) The Committee has not yet set a date for an evidentiary hearing on this matter. Accordingly, this Petition is timely.

## **I. POSITION AND INTEREST STATEMENT**

SAFER is a California public benefit corporation that advocates for programs and policies that promote good jobs and a healthy natural and working environment for workers and their families.

SAFER regularly advocates for changes to projects that will further SAFER's purposes including changes that minimize harm to wildlife; reduce greenhouse gas, air quality, and water quality impacts; preserve open and wild spaces for use and enjoyment by SAFER members and future generations; and minimize risks to human health and safety.

Members of SAFER live, work, and recreate in Imperial County in areas that will be affected by the proposed Black Rock Geothermal plant. These members will suffer the impacts of a poorly executed or inadequately mitigated Project.

Environmental degradation impacts quality of life for SAFER's members, many of whom live in geographic areas of the State, including the Imperial County, 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. It is in SAFER's interest to ensure that the Project is adequately analyzed and that its environmental and public health impacts are mitigated to the fullest extent feasible.

While SAFER supports the development of clean, renewable energy technology, including the use of geothermal energy where feasible, an important part of SAFER's ongoing advocacy involves participating in and, where appropriate, challenging Projects that would result in harmful environmental effects, or the violation of environmental laws, to the detriment of SAFER's members.

## **II. GROUNDS FOR INTERVENTION AND EXTENT OF PARTICIPATION**

The Commission has routinely granted requests to intervene by environmental organizations, labor unions, and similar coalitions in prior siting cases and permit proceedings for power plants. In this matter, the Commission has already granted Petitions to Intervene filed by California Unions for Reliable Energy (CURE) and United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) Region 6. The same decision should be reached here.

SAFER regularly participates in CEQA proceedings throughout the State. In doing so, SAFER identifies deficiencies in environmental analyses including unanalyzed or inaccurately analyzed environmental impacts and proposes additional feasible mitigation measures to reduce or avoid significant impacts on, *inter alia*, biological resources, air quality, water quality and capacity, noise, energy, geology and soils, and climate change.

If granted intervention, SAFER intends to participate in all phases of this proceeding. SAFER intends to participate in all topics relevant to the Commission's consideration of the Project including, but not limited to: project

alternatives, environmental baseline, air quality and greenhouse gas impacts, impacts on biological resources, water quality and quantity impacts, public health and worker safety impacts, cumulative impacts, geologic hazards and resources, recreation impacts, compliance with all applicable laws, environmental baseline, alternatives analysis, and adequate mitigation measures. SAFER reserves the right to participate in other topics as well.

SAFER seeks to participate fully as a party in the proceeding to ensure that evidence of the Project's potential impacts is fully presented to the Commission and that Project impacts are adequately mitigated. SAFER 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 SAFER's representatives at:

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### **IV. CONCLUSION**

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

Dated: April 9, 2024

Respectfully submitted,

/s/ Rebecca L. Davis

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