



GEOTHERMAL RISING POLICY

ENERGIZING OUR RENEWABLE FUTURE.

September 11, 2024

Governor Gavin Newsom
1021 O Street, Suite 9000
Sacramento, CA 95814

Re: Support for AB 1359

Dear Governor Newsom:

Geothermal Rising is pleased to support AB 1359, forward-thinking legislation that will help our state achieve its ambitious climate goals on schedule.

Next-generation geothermal power (including enhanced geothermal systems and advanced closed-loop systems) has significant potential to help California meet our climate goals, especially at times like night or winter when other renewables like solar and wind may be unavailable. Before development of a geothermal field can begin, the developer needs to drill exploratory wells to gather subsurface data, confirm project feasibility, and inform design decisions. Under the California Environmental Quality Act (CEQA), the drilling of an exploratory well is treated as a separate project – with a separate environmental review process – from the broader geothermal field development, which makes sense as the initial exploratory well is much smaller in scale and impact.

Unfortunately, an outdated provision of state law specifying that the state Geologic Energy Management Division (CalGEM) must serve as the lead agency under CEQA for geothermal exploration projects threatens to prevent next-generation geothermal from taking off in California. The relevant provision of law – Public Resources Code §3715.5 – was originally put in place to accelerate geothermal development, but is now having the opposite effect, as CalGEM works under multi-year delays due to resource constraints associated with its role in oil and gas permitting. These delays put developers in the position of having to wait years before they can even explore whether a site is viable for geothermal development (let alone complete the project and start generating clean power). No other form of renewable energy operates under a similar requirement. This antiquated provision of state law threatens to derail next-generation geothermal development in California before it can even begin.

Fortunately, counties already typically serve as the lead agency for the larger, more complex geothermal field development projects and are fully capable of serving as the lead agency for geothermal exploration, as well. Modifying Public Resources Code §3715.5 to allow the developer of a geothermal exploration well to choose between CalGEM and the county as lead agency, as envisioned in AB 1359, will allow geothermal exploration projects to move forward in a timely fashion. This proposal is based on similar principles to the “opt-in” process for clean energy development. AB 1359 will not weaken CEQA or lower environmental standards, and we strongly urge your signature on this important legislation.

Thank you for your consideration.

Sincerely,

Bryant Jones, PhD
Executive Director
Geothermal Rising