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CALIFORNIA ENERGY COMMISSION

In the matter of:

Compass Energy Storage Project)	Docket No. 24-OPT-02
Opt-in Application for)	
Certification)	
_____)	

INFORMATIONAL AND ENVIRONMENTAL SCOPING MEETING
FOR THE PROPOSED COMPASS ENERGY STORAGE PROJECT

CAPISTRANO UNIFIED SCHOOL DISTRICT

33122 VALLE ROAD

SAN JUAN CAPISTRANO, CA 92675

HYBRID VIA IN-PERSON AND ZOOM

THURSDAY, MAY 29, 2025

10:00 A.M.

Reported by:
Shane Stranahan and Chris Caplan

APPEARANCESCOMMISSIONERS

David Hochschild, Chair

Noemi Gallardo, Commissioner

CEC STAFF

Drew Bohan, Executive Director

Kaycee Chang, Supervisor, CEQA Project Management Unit

Renee Longman, AICP, LEED AP, CEQA Project Management Unit

Brett Fooks, Manager of Safety and Reliability, STEP
Division

Robert Chun, Chief of Staff, Office of Chair Hochschild

PUBLIC ADVISOR'S OFFICE

Mona Badie, Public Advisor

PRESENTER

Alvin Greenberg, Risk Science Associates

APPLICANT

Renee Robin, Director of Permitting & Planning, ENGIE

Christian Ng, Fire and Risk Alliance

Gary Ashley, Fire Operations Liaison, Tesla

APPEARANCESGOVERNMENT SPEAKERS

Troy Bourne, Mayor, City of San Juan Capistrano

Joel Rojas, Development Services Director, City of San Juan Capistrano

Ryan Baron, Attorney on behalf of San Juan Capistrano, Best Best & Krieger

Ray Gennawey, Mayor, City of Laguna Niguel

Katrina Foley, Fifth District Supervisor, Orange County

Gila Jones, Capistrano Unified School District Board

John Misustan, Principal, Capistrano Valley High School

Max Wernher, Office of State Senator Tony Strickland

Mike Levin, Congressman

Elaine Genneway, Former Mayor of Laguna Niguel

Diane Dixon, Assemblymember, 72nd State Assembly District

Laurie Davies, Assemblymember, 74th State Assembly District

PUBLIC COMMENT

Ed Maurer, Sierra Sage of South Orange County

Michael McGrady

Ayn Craciun, Climate Action Campaign

Amanda Quintanilla

Mary Heron

Theresa Ford, B.L.E.S.S.I.N.

APPEARANCESPUBLIC COMMENT (cont'd)

Mary Rampone

Collin Powers, Government Affairs Director, Orange County
Realtors

Natalie Simmons

Elinor Nelson

Linda Wish

Dale Kraai

Lindy Tannenbaum

Sean Mehegan

Joyce Endoscopy

Andy

Joe Pryor

Paul Krause

Matt Klink

Sarah Mehta

Nate

Laura Smith

Andrew Gonzales, LA & Orange County Building Construction
Trades Council

Daniel Osborne, Ironworkers Local 433

Bob Desotel

APPEARANCESPUBLIC COMMENT (cont'd)

Mark Amendola

Susan Pratt

Deborah Haag

Cathleen Pryor

Debbie Johnson, B.L.E.S.S.I.N.

Michael Kelly

Tom Shanley, General Manager, Mercedes Benz of Laguna
Niguel

Laura DiGilio

Amanda Dissmore

Linda Koelling

Evan Burgher

Chris Hamm, President, Orange County Professional
Firefighters

Diane Harkey

Victor Martinez

Glenn Cooper

Robin Frankenfield

Chris King

Jim Frankenfield

Bruce Powers

APPEARANCESPUBLIC COMMENT (cont'd)

Mary Dreyer

Tammy Welch

Thomas Dunn

Catherine Robinson

Mickey Csintalan

Norene Codmill

Nancy Sheng

Sophia Markowska, Defenders of Wildlife

David Martinez

Brian Siwecki

Kathleen Maguire Miller

Jo-Ann Downey

David Slingluff

Holly Mitchell

Chad Chahbazi

Ted Rose

Andrea Redfield

Mer Parhizkary

Carolyn McCuan, Scientist, CEO, Clinical Research Firm

Rachelle DeBaca

APPEARANCESPUBLIC COMMENT (cont'd)

George Trimm, Filmmaker, San Juan Capistrano

Mike P.

Debbie Sullivan

Amy David

Carl David

Darren Conant

Alissa Cope, Environmental Planner, CEQA Practitioner

Kathleen Costello

Sean Johnson

Cynda Johnson

Lila Tannenbaum

Maryanne Osborne

Maya Osborne

Caroline Sullivan

Kristin Green

James Harris

Bridget Gottschalk

Jim Shemanski

Jane Perko

Barb Knodel

APPEARANCESPUBLIC COMMENT (cont'd)

Mark Whitehead

Teresa Risch

Eileen McDermott

Maureen Fitzpatrick, Developmental Psychologist

Kathleen

Pete

Kim Marycz

Michelle Morgan

Andy Hall, City Manager, City of San Clemente

Michelle Hure

Cheryl

Carol Musurlian

Tila

Aaron McKellar

Ken Stelts

Dana Butler-Moberg, CEO, The Shea Center

Donald Beal

Ruthie Brock

Laura Freese

Tony Williams, Retired Electrical Engineer

APPEARANCESPUBLIC COMMENT (cont'd)

Nancy McKain

Tricia Wolsky

Donald Boyd

Marnie White

Harrison Taylor

Roger Hamilton

Heather Rosenblatt

Mikayla Mormon

Dorothea Sist

Marilyn Ratliff

Rick Yartz

Ken Cathcart

Paul Corey

Carl May

Jonathan Volsky

Gene

Francis Wong

Patty Nemeth

Bill Arcudi

Rachel Hargrove

APPEARANCESPUBLIC COMMENT (cont'd)

Nancy B.

Susan Senkbeil

Peter Soderin

Vieda Cantacessi

Nate Truax

Frans Erkelens

Rosemarie Fernandez

Amy Capelli

Christina Brown

Jayne MR. DUGGAN:

Joanne Litterelle

John Faraone

Andrew Barda

Dave Roslowski

Dana Khosrovi

Donna Vanguilder

Monica Millstead

Emmanuel Ibarra

Sasha MacSween

Don Cantacassi

APPEARANCESPUBLIC COMMENT (cont'd)

Milana Allen

Joe Jones

Lisa O'Neill

Gayle Grimes

Katie Runion

Kristin Jepson

Steph Morris

Larry Ward

Andrew Runion

Emily Beck

Pamela Toomey

Olivia Conkle

Tiffany Carrier

Leslie Swan, President, Capo Valley High School Foundation

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P R O C E E D I N G S

10:00 a.m.

THURSDAY, MAY 29, 2025

MS. CHANG: All right. Welcome everyone. We are going to get started. Please take your seats.

I am Kaycee with the Siting Transmission and Environmental Protection Division -- or as we like to say, STEP -- and I supervise the STEP Division CEQA Project Managers. Thank you for being here and attending the CEC-hosted Informational and Environmental Scoping Meeting for the proposed Compass Energy Storage Project.

Next slide.

The Chair will now lead us in the Pledge of Allegiance.

CHAIR HOCHSCHILD: If I could ask everyone to stand and face the flag.

(The Pledge of Allegiance is recited in unison.)

CHAIR HOCHSCHILD: Thank you.

MS. CHANG: Thank you.

Next slide, please.

We would like to go over a few logistics. This meeting is hybrid with attendees in person at the Capistrano Unified School District boardroom and virtual attendees on Zoom. We are thankful for the Capistrano Unified School District's staff and the ability to use the

1 boardroom.

2 As a reminder, it is a business day and the
3 offices are in full operation, so we want to respect that.
4 Please make sure that the main district office entryway
5 remains clear and is not blocked at any time. There will
6 be no access to the main district office. There are
7 restrooms located through the lobby, but again, please try
8 to stay out of the lobby as much as possible.

9 For those attending on Zoom, Zoom closed
10 captioning has been enabled. Attendees can use the service
11 by clicking on the live transcript icon and then choosing
12 either show subtitle or view full transcript. The closed
13 captioning service can be stopped by exiting out of the
14 live transcript or selecting the hide subtitle icon. We
15 also have enabled Spanish interpretation on Zoom.

16 For those participating in person, please be
17 mindful of speaking slowly and clearly into the microphone
18 for those participating online to hear, our Spanish
19 interpreters, and the court reporter.

20 Finally, this meeting is being recorded. The
21 meeting recording will be made available on the California
22 Energy Commission's website.

23 Next slide, please.

24 This slide provides an overview of today's
25 agenda. We will be sharing information with you all, the

1 public, on our Opt-In Certification Program and process,
2 and the applicant will be sharing information about the
3 project. There will be plenty of opportunities for
4 comments from California Native American tribes, government
5 agencies, elected officials, interested parties, and
6 members of the public.

7 You may have seen a printout of the agenda, which
8 is available at the back tables with our Public Advisor's
9 Office. There is a lunch break on there, but we will
10 likely be doing that after what is listed as our sole break
11 after government comment. As such, public comment will be
12 likely closer to after our one o'clock lunch break, around
13 1:00 p.m.

14 I would now like to transition. We are fortunate
15 to have with us today CEC Chair Hochschild and our Lead
16 Siting Commissioner, Noemi Gallardo, who you will hear from
17 shortly. While no decision on this proposed project will
18 occur today, they look forward to hearing from you all.

19 I would now like to introduce CEC Executive
20 Director Drew Bohan.

21 EXECUTIVE DIRECTOR BOHAN: Thank you.

22 And good morning, everyone, and thank you all for
23 coming out this morning. On behalf of the California
24 Energy Commission, I want to welcome you all here today.

25 You will hear CEC and California Energy

1 Commission used interchangeably. CEC is what most people
2 refer to us as.

3 We are guided today and throughout this endeavor
4 by Assembly Bill 205. This was passed in 2022, and it
5 directs the CEC staff to evaluate project proposals to
6 determine whether to recommend to the five-member
7 Commission whether to issue a permit or not. We have our
8 Chair and Commissioner Gallardo to my left. They are two
9 of the five members on the Commission who will be
10 ultimately deciding this.

11 I want to note that we do not decide as the CEC
12 the location of projects in California. Developers decide,
13 and they fund development and construction of the projects
14 that they seek to build. We then evaluate them when they
15 apply to us, and we make recommendations as staff to the
16 Commission about how they should dispense with the
17 proposal.

18 I want to make clear as well that the CEC does
19 not advocate for or against any proposal. Instead, we
20 review each application objectively based on AB 205 and the
21 other laws that guide us on safety, on environmental
22 standards, and on community feedback.

23 The developer here, ENGIE, filed an application
24 with the CEC some months ago, and after some back and forth
25 gathering information, exchanging information from the

1 applicant, last month CEC staff deemed the application
2 complete. This begins the process, and Assembly Bill 205
3 directs the CEC to host a public meeting, a workshop like
4 we are doing, in the community where the project is located
5 within a month of deeming the project complete. That's why
6 we are here today. We are here to hear from this
7 community.

8 We expected a large turnout, and that's why we've
9 scheduled a very long meeting today to make sure everyone
10 who wants to speak has the opportunity to do so. And if
11 for some reason you can't speak today and would still like
12 to, we have another remote meeting scheduled for next week
13 to invite more comments from people who wish to do so.

14 In just a few moments I'm going to hand the mic
15 to my colleague, who will discuss the whole process and how
16 all of you can stay informed throughout it.

17 To be clear up front, there will be no decisions
18 made today at this meeting. This is the beginning of the
19 process. We expect you will have a lot of questions. Our
20 job is to investigate them, and they will become part of
21 the Environmental Impact Report that we are obliged to
22 prepare.

23 We've already received a number of public
24 comments, and I've read through many of them. It's clear
25 that a concern on top of the mind of many of the folks here

1 today and in your community is safety.

2 I want to underscore at the outset: safety is our
3 top priority. The CEC adheres to the latest standards for
4 safety issued by the National Fire Protection Association,
5 the California Fire Code, the California Public Utilities
6 Commission, and UL Solutions. They used to be known as
7 Underwriters Laboratories. We've learned a lot about
8 safety over the five decades we've been in this business,
9 but we realize that every project that is proposed poses
10 unique challenges.

11 We have several goals today. The first is to
12 explain the process that we will follow to arrive at a
13 determination about this project. Second, we've invited
14 the project developer to explain the project that they're
15 proposing so everyone can hear directly from them.

16 And finally, and most importantly, is to hear
17 from you all. We have a few presentations to share, but we
18 really want to get through that so that we can hear from
19 everyone who would like to comment.

20 Thank you very much, and I'm going to hand it
21 over to Mona Badie, our Public Advisor.

22 COMMISSIONER GALLARDO: Actually, I think I'm
23 going to speak first. So thank you, Mona.

24 Buenos dias. Good morning. It's wonderful to be
25 in this beautiful community, and thank you for welcoming us

1 here. We are grateful to have so many people joining us in
2 the room and also via Zoom. We have almost 100 people
3 already on Zoom.

4 As was said, my name is Noemi Gallardo. I'm one
5 of the five commissioners at the California Energy
6 Commission. I am here today because I am the lead
7 Commissioner on what we call siting, the certification and
8 oversight of eligible power generation facilities, which
9 includes the Opt-In Certification Program, and that's the
10 process that the Compass Project is moving through.

11 Chair David Hochschild is the associate
12 Commissioner for -- sorry, the echo's tripping me up here.
13 He's the Associate Commissioner for siting. His office and
14 mine work very closely with staff throughout their review
15 and analysis of the proposed project. I want to clarify
16 that today we won't be able to answer questions about the
17 content because we have not done the analysis yet or the
18 findings, but we can make clarifications about the process
19 if needed.

20 As was said earlier, a lot of what we are doing
21 at this stage is learning. On that note, Executive
22 Director Bohan, the Chair's chief of staff, Robert Chun,
23 and I came out about two weeks ago to visit the proposed
24 site of the Compass Project. We wanted to see firsthand
25 what it looked like and to learn more about the parameters.

1 So I want to thank the applicant, ENGIE, for enabling us to
2 do that visit and also engaging with us.

3 During that trip, we also visited with
4 Assemblymember Laurie Davies and Laguna Niguel Mayor
5 Gennawey and their staff. It was very helpful to get their
6 insight and also their guidance on finding a venue for this
7 workshop that would be comfortable and familiar to their
8 constituents. We also visited with San Juan Capistrano
9 Mayor Bourne, the city manager, and city attorney. They
10 shared valuable information as well. We are very grateful
11 to all of them for being willing to provide their insight.
12 I also want to give a special thank you to Donna from
13 Assembly member Davies's office, and also School District
14 Board Member Gila Jones, who was key to helping us secure
15 this venue.

16 Today the most important job the Energy
17 Commission has is to learn from you. You'll keep hearing
18 this. This is an information gathering process, so the
19 more relevant information and insight you can provide or
20 point us to will be very helpful in our analysis. Again,
21 for this reason, I want to thank you all for joining us,
22 for taking the time to being here, and for providing that
23 relevant information.

24 With that said, I know that there is a lot of
25 interest in this proposal. We have already received over

1 1,000 comments into our docket, and so we know people are
2 very passionate about this issue, and today what we ask is
3 please share your passion, but be respectful of everyone.
4 We want to ensure that everybody has an opportunity to
5 speak if they'd like to. So we want to ensure that we are
6 cautious about the time that people are taking to speak,
7 and our Public Advisor will help facilitate that.

8 I also want to remind people that we take very
9 seriously all comments that we receive, whether they're in
10 writing or verbal. So if folks prefer to submit comments
11 in writing, we will be looking at those, and we will
12 consider those. If people prefer to do verbal comments, we
13 will also be listening and take those just as seriously.
14 So it's whatever preference you have, we will be
15 considering all of them seriously.

16 All right. Now I want to thank our staff from
17 our division, who has worked really hard to get us here,
18 who will be presenting to you. So everybody from staff, I
19 really am grateful to you, and also for our colleagues from
20 the Chief Counsel's Office, from our IT department, from
21 our Office of the Public Advisor, Energy Equity and Tribal
22 Affairs, and everyone else who is here to support this
23 workshop.

24 I will now turn it over to our Chair, David
25 Hochschild, for his remarks.

1 CHAIR HOCHSCHILD: Thank you so much,
2 Commissioner, and good morning, everyone. I just want to
3 especially thank the school district for making this space
4 available.

5 I'm finding this a little bit crazy-making,
6 hearing this delay. Can you guys hear us okay?

7 Okay. I wonder if we should try it without -- is
8 there another way to even -- do we have to have the amp on?
9 Can we just project? I mean, I'm finding it really hard,
10 Mona.

11 So you're saying if we turn that volume down,
12 then the people on Zoom can't hear us? What if we just,
13 like, project?

14 I mean, can you guys hear me now, or is that --
15 no. Okay. Okay. Well, no, I think this is a problem. If
16 we are using the mic, it still is going to have this delay.

17 My mic is on. Yeah. Yeah. It's not a problem
18 of volume. It's just there's a delay.

19 Oh, is this a little better if I'm -- okay. So
20 maybe everybody speak close to the mic. I apologize for
21 this delay. But anyway, thank you all for making time to
22 be here.

23 This is worse.

24 MS. BADIE: Try it now.

25 CHAIR HOCHSCHILD: Try it now?

1 Yeah. Can we turn that off?

2 Like, what if I just -- why is -- I don't --
3 okay.

4 Anyway. I apologize for this. I'll do my best
5 to just project.

6 She's saying, is there a way to mute the Zoom?

7 We have to make sure that people can hear us on
8 Zoom,
9 but -- okay.

10 Yeah. This is better, right? Yay. Okay. Thank
11 you. Group problem solving.

12 Okay. Thank you. Thank you. Yes. Yes. One
13 team, one dream.

14 Okay. No, I just wanted to say thank you again
15 for all of you for being here. We are going to stay for as
16 long as it takes to hear from absolutely everybody who
17 would like to comment, and we'll make sure all of your
18 comments get entered into the record.

19 And with that, I'll pass it on to our Public
20 Advisor, Mona Badie.

21 MS. BADIE: Hi everyone. I'm Mona Badie with the
22 California Energy Commission's Office of the Public
23 Advisor, Energy Equity, and Tribal Affairs. With me today,
24 I have Ryan Bristow-Young (phonetic), Fabi Lao, and Dorothy
25 Murimi at the back table. Our office is here to support

1 public participation in all of the Energy Commission's
2 proceedings, including this proceeding and including this
3 event today, so if you have any questions or you want
4 support to participate, whether it's in the event today or
5 commenting in the docket, we are here to help you.

6 I wanted to just briefly introduce these blue
7 cards. So we are going to take comments in the room, and
8 we've also got commenters that we are anticipating on Zoom.
9 We've already got over 100 people on Zoom joining us.
10 We've got a YouTube livestream of the event too, just in
11 case folks want to use YouTube versus Zoom. But if you
12 want to comment in person today, we are asking you to fill
13 out your blue card in advance, and then you'll just put
14 your name. If there's an affiliation you wanted to
15 announce, that would be great to add, not necessary.

16 And also, if you're here on behalf of a
17 government, we ask that you check that box too, so we can
18 make sure that we can prioritize those. We are doing
19 government commenters as a group, and then we'll move on to
20 general public comment. So just encourage you to do the
21 blue cards in advance so we can prepare for the public
22 comment.

23 At the table in the back we have materials, we
24 have handouts in the timeline, and we have all the blue
25 cards, and we've got pens for everybody. And during the

1 breaks, we'll walk around as well. We also have an online
2 survey, and we've got it -- you'll access it via QR code.
3 If you don't want to use your phone, we've got a paper copy
4 as well, and that's to help us understand what the concerns
5 are, and where folks live, and that sort of thing. A very
6 brief survey.

7 So thank you. Hand it back to Kaycee.

8 MS. CHANG: Thank you, Mona. Thank you,
9 everyone.

10 Next slide, please.

11 All right. Just want to take a step back and
12 introduce the California Energy Commission.

13 As you've kind of heard, the California Energy
14 Commission, or CEC as you will hear it referred to, is the
15 state's lead agency on energy policy and planning,
16 including leading the 100 percent clean energy planning
17 process.

18 Next slide, please.

19 So the CEC was created by statutes in 1974. We
20 have a variety of functions and work closely with other
21 energy-related agencies, like the California Public
22 Utilities Commission and the California Air Resources
23 Board. Our primary functions include state energy policy,
24 energy efficiency and reliability, and clean energy
25 transition planning and infrastructure.

1 Next slide, please.

2 As we are on the path to 100 percent clean
3 energy, the CEC is committed to promoting a clean,
4 affordable, and reliable energy supply for all
5 Californians.

6 Next slide, please.

7 One of the programs we implement is the Opt-In
8 Certification Program. The goal of today's meeting, as you
9 have heard, is to provide an opportunity for interested
10 members of the public, including surrounding communities,
11 to learn about the proposed project and the CEC's opt-in
12 certification process. Your comments provided today or in
13 writing to our project docket will be considered for a
14 staff assessment.

15 I will kick it off by providing an overview of
16 the Opt-In Certification Program.

17 Next slide, please.

18 Through Assembly Bill 205, the Opt-In
19 Certification Program provides an optional permitting
20 pathway in a condensed timeline for types of energy
21 facilities listed on the slide. Prior to the signing of AB
22 205, the CEC's permitting authority was limited to thermal
23 power plants with a generating capacity of at least 50
24 megawatts. AB 205 expands the types of facilities that can
25 be certified by the CEC to include energy storage systems

1 of at least 200 megawatt hours, like the Compass Energy
2 Storage Project. The process provides for early tribal
3 consultation, robust public input, and rigorous
4 environmental review.

5 The CEC is the California Environmental Quality
6 Act lead agency, and are charged with preparing the staff
7 assessment, which includes a Draft Environmental Impact
8 Report. We will discuss the contents later in our
9 presentation.

10 Next slide, please.

11 We don't do this alone. We consult with our
12 state partner agencies, including the California Department
13 of Fish and Wildlife, the State Water Resources Control
14 Board, and the Applicable Regional Water Quality Control
15 Board, and the Department of Toxic Substances and Control,
16 to name a few.

17 Next slide, please.

18 To approve an opt-in project, the CEC must find
19 the items listed here on the slide: that the project will
20 provide an overall net positive economic benefit to the
21 local government that would have had permitting authority
22 over the site and related facilities, and that the
23 applicant has entered into one or more legally binding and
24 enforceable agreements with or that benefit a coalition of
25 one or more community-based organizations.

1 I wanted to note that at the stage of application
2 completion, where we are now with the Compass Energy
3 Storage Project, the applicant submitted the required
4 community benefits plan in its application, which included
5 a timeline for execution. An actual Community Benefits
6 Agreement is not necessary for application completeness,
7 but the applicant must execute the Community Benefits
8 Agreement within 45 days of the application being deemed
9 complete, which they have filed to the docket.

10 In addition to that, the applicant must commit
11 and use a skilled and trained workforce and pay
12 construction workers at least prevailing wages, if
13 applicable, and we must find that the project will comply
14 with all applicable laws, ordinances, regulations, and
15 standards -- or you might hear referred to as LORS, L-O-R-S
16 -- or we must find that despite non-conformance with state,
17 regional, or local LORS, the project is required for public
18 convenience and necessity, and that there are not more
19 prudent and feasible means of achieving public convenience
20 and necessity. In making this determination, the CEC
21 considers the impacts of the facility on the environment,
22 consumer benefits, and on electric system reliability,
23 amongst other factors.

24 And finally, that any significant environmental
25 effects will be avoided or substantially lessened, or adopt

1 a statement of overriding considerations for significant
2 effects found infeasible to avoid or mitigate.

3 Next slide, please.

4 This slide shows a timeline of our process. This
5 application was deemed complete on April 30th, 2025, which
6 started our 270-day schedule, and today we are hosting the
7 informational and scoping meeting. We are actively working
8 on the staff assessment, which includes a Draft
9 Environmental Impact Report, working towards day 150, the
10 day we are to file the staff assessment. We will then host
11 a public meeting on the staff assessment 30 to 60 days
12 after filing the document. The updated staff assessment
13 would be published at least 30 days prior to a publicly
14 noticed CEC business meeting at which the CEC will render
15 its decision, and that is to be 270 days after the
16 application is deemed complete, or as soon as practicable
17 thereafter.

18 Next slide, please.

19 We want to mention that our work does not stop at
20 day 270. If the project is approved by the Commission, the
21 project then goes to our Compliance, Monitoring, and
22 Enforcement Unit who ensures the facilities comply with all
23 provisions in their associated license. They also analyze
24 all proposed changes to the design, operation, or
25 performance. The team performs both formal inspections and

1 unannounced inspections, review monthly and annual
2 compliance reports, and investigate complaints.

3 Next slide, please.

4 For more information about the opt-in program,
5 please visit our webpage.

6 We will now transition to the applicant, and I
7 will pass the mic over to ENGIE, starting with ENGIE's
8 project manager, Renee Robin, for their presentation of the
9 proposed Compass Energy Storage project.

10 Next slide, please.

11 Next slide, please.

12 MS. ROBIN: Yes. Next slide, please.

13 Good morning, everyone. I just want to thank you
14 very much.

15 Let's get -- how about this? Any better? Yes.

16 MS. CHANG: Renee, before we begin, can our
17 public advisor make an announcement, please?

18 MS. ROBIN: Sure.

19 MS. BADIE: So sorry to interrupt. I forgot to
20 mention that we have Spanish language interpretation today,
21 and if anyone wants a headset, they can come here, and I'm
22 going to ask one of the interpreters to make the same
23 announcement in Spanish just very quickly.

24 (The announcement is given in Spanish.)

25 Thank you so much, Renee. Back to you.

1 MS. ROBIN: Thank you.

2 COMMISSIONER GALLARDO: Real quick, Renee.

3 Sorry, another interruption.

4 For those just entering the room, there are more
5 seats up front. If you'd like to come up here, please feel
6 free.

7 Okay. Thank you, Renee.

8 MS. ROBIN: Thank you.

9 Good morning. My name is Renee Robin. I'm the
10 Director of Permitting and Planning for ENGIE North
11 America. I appreciate very much this opportunity to share
12 some information about the project.

13 Of course, we've submitted a very detailed
14 application to the Energy Commission, and all of that
15 information is available to the public on the docket. It's
16 a lot to read. I'll do my best to summarize the key points
17 for you this morning.

18 I also want to thank the ENGIE team that's here,
19 the many consultants, scientists, and others who've
20 supported us during this process, and I'd like to thank the
21 public and the agencies and municipalities that are here
22 today, and we look forward to hearing everybody's remarks.

23 I'm a land use and environmental attorney. I've
24 been doing this work for about 40 years now. I started
25 doing renewable energy exclusively about 20 years ago, and

1 I've worked on wind, solar, and battery storage projects
2 all over the United States, but primarily in California.
3 I'm a fourth-generation Californian, and I'm very proud of
4 what California has been doing in renewable energy.

5 I'm part of the ENGIE North America team, which
6 is a leader in clean energy projects on every continent.

7 Next slide, please.

8 ENGIE is based in Paris, France, but we have our
9 North America office in Houston, Texas, and have been
10 operating in the United States for about 50 years. We have
11 a very large portfolio of projects around the U.S., as I
12 mentioned, both in large-scale wind, solar. We also have
13 projects elsewhere in the world: nuclear, microgrids in
14 Africa, and we work with a very wide range of customers.

15 Next slide, please.

16 We help our customers meet their energy needs
17 with clean, safe, reliable energy, and our focus is on
18 operational excellence. We have over 11 gigawatts in the
19 United States in wind, solar, and storage assets. Four
20 gigawatts of those are storage.

21 Next slide, please.

22 We have customers throughout the value chain. We
23 work with public schools, community colleges, universities,
24 hospitals, medical research facilities, federal government
25 facilities, technology data centers. All of these are

1 customers now in battery energy storage. These are part of
2 the zero-carbon energy portfolio that we all have in this
3 country.

4 Next slide, please.

5 ENGIE has 25 operating projects that are battery
6 storage in the U.S., 11 that are under construction, and 50
7 more that are in active development. The photos that you
8 see here show some of the projects that we own and operate.

9 The project that is on the far-right upper corner
10 is our Cascade project in San Joaquin County. That's
11 located right next to residences and highly trafficked
12 roadways.

13 The middle slide is a project in Texas. The far-
14 right slide is also in Texas.

15 The project that's in the middle-bottom row is
16 our Ripon Reliability Project in Ripon, California, and
17 that is next to I-95. We went through a rigorous process
18 during that project approval to look carefully into what
19 the possible implications could be for a project that was
20 adjacent to a heavily trafficked roadway. We did lots of
21 modeling and analysis to make sure the project could
22 operate safely, and that the fire authorities would
23 understand how to take care of it should any incident
24 occur.

25 There are other projects in California that are

1 notable. The Goleta project that's 65 megawatts is next to
2 residences and a brewery. The 250-megawatt Condor project
3 in Grand Terrace is next to a high school in San Bernardino
4 County.

5 Next slide, please.

6 Each of these projects are operated safely with
7 operational excellence. Our focus is on safeguarding the
8 environment and having cost competitiveness for the energy
9 consumer.

10 Next slide, please.

11 We have a very strong safety ethic at ENGIE. I
12 don't say this lightly. It's something that we talk about
13 at every meeting. We have safety discussions at every
14 meeting. Every employee has the power to stop work at any
15 time, and we have vigilance that's emphasized in all of our
16 work.

17 Next slide, please.

18 I'd like to explain to you how the elements of
19 the Compass Energy Storage Project -- its main features.

20 It is a 250-megawatt battery storage project
21 located in San Juan Capistrano on land adjacent to the I-5
22 and the railroad corridor using existing San Diego Gas and
23 Electric transmission line, the Trabuco-Capistrano line
24 that is existing there now. The project will occupy 13
25 acres of a 41-acre parcel that's part of a larger 170-acre

1 parcels that's been owned by the Saddleback Church.

2 Of the 41-acre parcels, as I mentioned, the
3 project will occupy 13 acres, and the remaining 28 acres
4 will be dedicated as open space. The project will be
5 utilizing lithium iron phosphate batteries, which we'll
6 talk about in more detail in a moment.

7 Next slide, please.

8 This is also showing the outline of the project
9 in relation to other parcels in the area. It also -- if
10 you can see that there's sort of a dotted line around the
11 outline of the project that shows the rest of the 41-acre
12 parcel that extends much further south. That's again a
13 portion of the open space. The green area is the city-
14 owned open space, and shows that the areas that around the
15 project that are currently undeveloped. It also shows its
16 proximity to the freeway to the residences on both the east
17 and the west.

18 Next slide, please.

19 We think in general there's quite a bit of
20 agreement about the importance of battery storage, that
21 it's essential to meet the energy demand and to fill the
22 supply gap. The biggest issue for all of us is where.

23 When we have excess solar power in our grid --
24 and we are doing a great job in California of having that
25 excess power -- it's surplus, and we want to take advantage

1 of that lower-cost solar to be able to capture it and store
2 it and make it be able to be released during peak times so
3 that we don't need to fire up fossil fuel gas peaker plants
4 and that we can reduce the carbon emissions and meet the
5 state's sustainability goals.

6 Next slide, please.

7 Battery storage is not new in California. This
8 is an image that shows where existing battery storage is in
9 California now. There's over 3,500 utility or commercial-
10 scale battery projects in California now. We are at about
11 15,000 megawatts, and we hope to get to about 54,000
12 megawatts by 2045, which is the state's goal to be able to
13 get to zero carbon for California.

14 The image on the right are battery storage
15 projects currently operating and in existence in Orange
16 County. The darker green colors are the utility-scale
17 storage projects already operating safely in Orange County.

18 Next slide, please.

19 So, why this location? We understand that siting
20 of any kind of energy facility, and certainly a renewable
21 energy facility, needs to go through a very careful
22 analysis.

23 We look at what we call smart from the start
24 principles. What is the environmental impact of the
25 project? Is there a willing seller? What is the

1 transmission capacity? Can it connect to the ISO grid?
2 Where are the nearest sensitive receptors? And what is the
3 safety profile of the project? These are all things that
4 have to be taken into account when we locate a project.

5 This particular project is located next to an
6 existing transmission line that we can tap into that, can
7 accommodate 100 percent of the project's energy without any
8 curtailment, and it can do so by 2027. This is a very rare
9 commodity in California, and it's an asset that this region
10 has to be able to address the demand that is expected to
11 double in Orange County and in this region by 2045.

12 The property itself is previously disturbed land.
13 It has institutional zoning on it currently. It's located
14 outside of any sensitive biological habitats, and it's set
15 back from sensitive receptors. Of course, those are
16 questions that people have about the project. We've done
17 protocol-level biological surveys and have shared that with
18 the public and with the Commission, and the distance from
19 any of the sensitive receptors is also outlined very
20 carefully in all of our application materials.

21 Next slide, please.

22 The project also offers quite a bit of local
23 benefits. Like any large capital investment, it will
24 generate a large amount of property tax revenue. In this
25 case, the project will generate over \$50 million to the

1 state, county, and local government in property tax
2 revenues over the life of the project. In addition,
3 because procurement of the project's materials will occur
4 locally, it will generate \$9 million in sales tax revenues
5 as well. We also are very active in working with the
6 trades, and the project has an executed project labor
7 agreement, creating as many as 130 construction jobs and
8 eight permanent operation and maintenance jobs.

9 In addition, we have been looking to do community
10 benefits with many organizations and cities in the area.
11 We currently have an executed Community Benefits Agreement
12 with the South Orange County Community College District to
13 fund scholarships for workforce development, and we are
14 actively talking to other organizations in the area.

15 We also have done outreach to the City of San
16 Juan Capistrano to do community benefits with them.
17 They're currently not interested in having that negotiation
18 with us, but we are still open to it, and we would like --
19 and we welcome their involvement in any of the things that
20 we are doing in this application, and we are grateful that
21 you're all here to voice your point of view.

22 Next slide, please.

23 We've continued to conduct a lot of outreach
24 about the project to try and address people's concerns. We
25 have support from the Orange County Business Council, from

1 the L.A./Orange County Building and Trades Council, from
2 Defenders of Wildlife. The Sierra Club is authored and
3 opted in favor of the project, and there are many other
4 organizations that are coming forward to support the
5 project. We totally recognize that many local
6 organizations are not in favor of the project, and we look
7 forward to hearing their concerns.

8 We have a support petition that's been signed by
9 over 400 residents from local communities. A portion of
10 those signatures, about 10 percent, are outside of the
11 region, but we welcome their support because this is a
12 state project, so anyone who wants to sign the support
13 petition is welcome to go to our website. We've also done
14 outreach to tribes, to neighborhood groups, and non-
15 profits, and we'll continue to do so. We are early in the
16 process, and there's a lot we can learn and a lot we can do
17 to respect people's concerns.

18 Next slide, please.

19 As was explained, we are early in this process.
20 We completed our application submittal. It took us over a
21 year to make sure that we had enough information to satisfy
22 the rigorous questions of the Energy Commission staff, and
23 we've now deemed the application complete, so this is an
24 opportunity now for the analysis to begin and for public
25 input to be received.

1 Next slide, please.

2 I'd like to ask my colleague, consultant,
3 Christian Ng from Fire and Risk Alliance, which is the firm
4 that we've worked with to prepare our Hazard Mitigation
5 Analysis, our Draft Emergency Response Plan, and our
6 Community Risk Assessment, and have Christian speak for a
7 couple of slides about fire safety.

8 MR. NG: Can everyone hear me okay? Awesome.

9 Good morning CEC staff and thank you for having
10 me here today. My name is Christian Ng. I'm a licensed
11 fire protection engineer in the state of California, and I
12 work for Fire and Risk Alliance, also known as FRA.

13 At FRA, we've worked on over 70 gigawatt hours of
14 BESS projects globally. For these projects, we perform in-
15 house fire testing of batteries, conduct analyses, prepare
16 emergency response plans, provide first responder training,
17 and assist with co-development. As such, we have three
18 technical members on National Fire Protection Association
19 Standard 855, which is the standard for the stationary
20 installation of energy storage systems. We have
21 established ourselves as a leader in the fire protection
22 and safety engineering industry.

23 So to begin about the Compass Project, this
24 project will be utilizing lithium iron phosphate, known as
25 LFP, batteries. These batteries are very distinctly

1 different from the components at the Moss Landing facility,
2 which utilize nickel manganese cobalt, or NMC, batteries.
3 Another difference between the Compass Project and the Moss
4 Landing Project is that the Moss Landing Project was an
5 indoor facility where separation of batteries was not
6 available. In fact, that facility had open arrays of
7 batteries where fire could spread from array to array,
8 whereas the Compass Project is provided with outdoor
9 containerized units where a fire, if it occurred, would be
10 limited to a single unit.

11 The battery components for BESS, or battery
12 energy storage systems, have to undergo extensive third-
13 party testing. This includes UL 9540A testing, and as
14 such, the unit used at the Compass BESS is the Tesla
15 Megapack 2XL, which has undergone this testing. In
16 addition, Tesla has also performed large-scale fire testing
17 of their product where they have intentionally ignited it
18 and observed whether or not a fire would spread unit to
19 unit. And such -- those results show that it did not, in
20 fact, spread.

21 For this project we -- as Renee stated, we are
22 preparing -- we have prepared a hazard mitigation analysis.
23 This outlines the BESS components and how it can meet code
24 requirements, such as the California Fire Code.

25 The site plan has been designed for safety with

1 spatial separations as required by the code. In addition,
2 it includes a fire detection system, which will alert the
3 fire department if there is a fire at the facility. The
4 units themselves include a battery management system. This
5 allows for real-time, 24-7 monitoring of the cells.
6 Additionally the unit is provided with a thermal cooling
7 system, or a thermal management system. What this system
8 does is maintains the operating temperature of the
9 batteries so that they are able to function properly.

10 he site is provided with a 10-foot non-
11 combustible exterior wall. This will help limit and
12 provide security to the site, as well as limit vegetation
13 from extending onto the facility. Additionally, ENGIE has
14 committed to providing vegetation management and
15 landscaping buffer for the site.

16 While extremely rare, thermal runaway incidents
17 do not emit any embers from the BESS. Therefore, a fire,
18 if it were to occur within the BESS, would not spread and
19 cause any wildfires outside of the facility.

20 If there is a fire within the BESS, the best
21 practice is to allow it to burn out and isolate the
22 equipment. As such, water can be provided for adjacent
23 exposure cooling of the units. This is to help assist with
24 fire from not spreading unit to unit.

25 Next slide, please.

1 For this project, we are working closely with
2 Orange County Fire Authority, or OCFA, on the site design.
3 This includes their review of the hazard mitigation
4 analysis and emergency response plan and the fire alarm
5 system. Additionally we have prepared a fire master plan,
6 which outlines the fire access roads and fire hydrants
7 available for the fire department, if there was an event at
8 the facility. OCFA is refining the final ERP to ensure
9 complete compliance with the county standards. Also ENGIE
10 has agreed to revise the site design to comply with any
11 requests from the Orange County Fire Department.

12 Next slide, please.

13 On this slide, I'll speak to the toxicity that
14 may be present if there is a battery fire.

15 So battery cells and plastic casings around the
16 batteries can experience thermal decay if there's a fire.
17 This would contribute to the fuel load and toxic components
18 that these hazards -- that are emitted in the air. These
19 toxic components are not exclusive to battery fires
20 themselves. In fact, they are found in all modern-day
21 fires today, and it is nothing new that the fire department
22 has not dealt with.

23 In addition we have conducted a plume analysis
24 that would model if there was a fire at the facility. As
25 the results have shown that if there is a fire at the

1 facility, the concentrations of toxic gases released into
2 the air plume would not extend to a limit or threshold that
3 is immediately dangerous to life or health of any persons
4 beyond the facility's batteries.

5 This is also supported by fire department air
6 monitoring at actual fires or BESS fires that have happened
7 in California. This fire department monitoring has shown
8 that the toxic constituents do not reach a concentration
9 that is dangerous to people beyond the facilities.

10 COMMISSIONER GALLARDO: Okay, everyone, I know
11 this is an important issue to you all, but we do need to be
12 able to hear the information. So if folks are doing
13 presentations, I respectfully ask that you stay quiet so
14 that we can hear everything and so that everybody in the
15 audience, whether they're in the room or on Zoom, can also
16 hear.

17 Thank you.

18 MR. NG: These results were shown under extreme
19 wind conditions as well. In fact in windy conditions it's
20 shown that it helps reduce the spread off-site beyond below
21 the toxic threshold. What I mean by that is the air and
22 wind would help quickly and rapidly disperse any toxic
23 constituents into the air.

24 Additionally, BESS are not classified as
25 hazardous materials. The only hazardous materials located

1 within the units would be the water glycol mix and
2 refrigerant that are part of the thermal management system.

3 And next slide.

4 MS. ROBIN: I now want to speak a little bit
5 about the water quality and water safety issues related to
6 the project.

7 These batteries, as we described, are solid
8 state. They're individual cabinets that are hermetically
9 sealed. They don't have liquid components except for the
10 coolant, and the steel cabinets are designed to contain any
11 coolant that might leak inside. We have a Stormwater
12 Prevention Plan, or a SWP that's compliant with all of the
13 state and federal agencies. We have looked at what the
14 off-site and on-site flow of the project would be to make
15 sure that we don't have any net increase in any of the off-
16 site or on-site flow. We have vegetated stormwater basins
17 that will improve the current drainage pattern.

18 We also have an underground filtration system
19 designed for the 100-year storm event to make sure that the
20 volume remains below the requirements and will discharge
21 into the channelized portion of the Orange County Flood
22 Control District storm drains. Water would not be applied
23 on the battery cabinet experiencing a thermal event, as was
24 mentioned. It would be used to keep adjacent equipment
25 cool.

1 Battery fires -- there are videos that you can
2 see of what they look like. They usually extend somewhere
3 in the range of two to three feet in the air vertically and
4 about two to three feet horizontally, and the duration is
5 flammable gases, so we are not talking about off-site
6 flames, et cetera.

7 Next slide, please.

8 As far as the environmental issues are concerned,
9 as I mentioned, this site has been previously disturbed.
10 We surveyed the physical area very extensively. This is
11 private land that is zoned institutional. The project
12 itself would operate emissions-free. There is no water
13 needed for operations. It's outside of any sensitive
14 biological or cultural habitats. We've done cultural
15 surveys. We've done biological surveys, protocol-level
16 plant and fauna surveys.

17 We are set back from sensitive receptors. Now I
18 know that there's a lot of definitions of what is a
19 sensitive receptor, but certainly residences, schools, and
20 the like where there's human habitation is certainly a
21 sensitive receptor. The closest sensitive receptor to the
22 project site is approximately 800 feet. Whether or not you
23 think that's an adequate setback is certainly subject to
24 opinion, but in terms of our measuring the environmental
25 implications of the project, none of the analysis that

1 we've done in plume modeling or any other off-site
2 implications get anywhere near that distance.

3 We completely avoid jurisdictional waters. We
4 are protecting additional open space. We will be retaining
5 any of the multi-use trails. There's one trail that would
6 be impacted by the project that we propose to relocate
7 slightly to the east so that it can maintain its
8 functionality, and we will be actively working on a
9 vegetation management plan as part of our work with the
10 Orange County Fire Authority. We understand the adjacent
11 properties also have vegetation management plans, and we
12 want to work with the adjacent landowners to make sure that
13 we have a good program for fire protection.

14 As I mentioned earlier, we do adhere to smart
15 from the start principles. Defenders of Wildlife's letter
16 that was submitted to the Commission outlines that in great
17 detail, and we meet all of those criteria. I actually
18 worked on the development of those criteria some years ago
19 as part of a multi-agency and stakeholder group.

20 As far as the visual impacts of the project --
21 next slide, please -- This was something that was raised
22 early on when we were first talking with the City of San
23 Juan Capistrano. There was concern about the visibility of
24 the project from I-5 or from Camino Capistrano, so we
25 discussed developing a 10-foot tall masonry non-combustible

1 perimeter wall using earth tones around the perimeter, and
2 then putting landscape buffering on the outside of that
3 wall. But it's a catch-22. If you want to make sure that
4 you have fire protection, what kind of landscaping can you
5 do that is also appropriate for fire safety?

6 So we've conferred with the Orange County Fire
7 Authority. They have a planting palette that they've
8 recommended to us, and we'll be using those plantings as
9 appropriate around the perimeter of the site.

10 Next slide, please.

11 This is a couple of visual simulations. There
12 are more of these in the application that was submitted to
13 the Commission before and after showing a view from Camino
14 Capistrano on the left looking north at the project site
15 coming up with the vegetation in place. The photo on the
16 right is from the right-hand breakdown lane of I-5 looking
17 across. Some portion of the project would be visible,
18 especially because we've removed some of the vegetation at
19 the northern end to allow for additional fire access that
20 was requested. But overall, I think that that visibility
21 is somewhere in the range of three to five seconds as
22 you're driving south on I-5. When you're driving north on
23 I-5, you can't see it at all.

24 And now I'd like to ask Gary Ashley, who is with
25 Tesla and can speak to the Megapack 2XL safety and design

1 and fire issues.

2 MR. ASHLEY: Good morning. It's an honor and
3 privilege to address the Commission this morning. My name
4 is Gary Ashley. I'm currently serving as the Fire
5 Operations Liaison for Tesla, with my primary role being --
6 with the company being outreach and education for first
7 responders that may need to deal with our products. My
8 role really highlights the company's commitment to first
9 responder safety and community risk reduction. That's
10 really why I'm here today.

11 Prior to Tesla, I had the privilege to serve as a
12 firefighter paramedic with the City of Fremont, and
13 retiring a few years ago at the rank of battalion chief in
14 operations. Fremont is where Tesla's first factory was
15 located, and I learned firsthand through my tenure there
16 how to deal with lithium-ion emergencies. During my tenure
17 also with Fremont, I have extensive experience as a strike
18 team leader where I was responsible for taking a crew of 22
19 firefighters around the state, battling large wildfires.
20 And clearly, wildfires and urban interface fires are an
21 unfortunate reality in our state, and so therefore I
22 acknowledge the concerns regarding this project.

23 But however, in my 30 years on the job, I faced
24 many types of hazards and have been in many critical
25 situations. And with the benefit of hindsight, I realize

1 that BESS systems are nowhere near the top of my list for
2 concerns, especially in a wildfire setting. This is due to
3 many reasons, some that were pointed out by my colleague
4 from FRA, like the design, and really for wildfires, the
5 lack of ember cast. Right? Ember cast with wind is really
6 what pushes wildfires beyond a speed where firefighters can
7 get a good hand on it.

8 So I've highlighted the wildfires that have
9 plagued our state, and when I was a young firefighter, it
10 was only in the summertime. Now it's looking like it's
11 year-round for our state and, you know, the transition to
12 sustainable energy will likely reduce the conditions that
13 are starting to plague our state.

14 As a side note, I'd like to point out, I'm a
15 resident in Ripon, California, where ENGIE's project -- a
16 megapack project is going in where my family lives right
17 now. And I have no -- really no concerns. It is in my
18 backyard, and I'm looking forward to clean and stable
19 energy for my local jurisdiction.

20 I appreciate your time, and thank you.

21 MS. ROBIN: This concludes our presentation.

22 I just want to thank everyone for their
23 attention. We are committed to ensuring the highest safety
24 standards for this project, and we'll continue to try our
25 best to collaborate and have engagement with the local

1 community. This is just the beginning of the process, and
2 we look forward to hearing everyone's concerns for the rest
3 of the day today.

4 Thank you very much.

5 MS. CHANG: Thank you. Thank you to the
6 applicant team for the presentation.

7 We will now be taking a five-minute break to
8 allow time for our Spanish interpreters to get situated,
9 but please feel free to use this time to stretch or find a
10 seat in the front if you arrive late or if you're standing.
11 There's seats up here.

12 Thank you, everyone.

13 (Off the record at 10:57 a.m.)

14 (On the record at 11:07)

15 Everyone, if we could please have your attention,
16 please. Thank you, everyone.

17 We are going to proceed with our next
18 presentation.

19 I will pass it off to Renee Longman.

20 MS. LONGMAN: Good morning. My name is Renee
21 Longman, and I'm a CEC -- excuse me. I'm a project manager
22 in CEC's STEP Division. Okay. All right. Try that again.

23 Good morning. My name is Renee Longman, and I'm
24 a project manager in CEC's STEP Division. Now that you've
25 heard from Kaycee on the opt-in process and ENGIE on the

1 project description, my presentation will cover CEC's
2 preparation of a staff assessment for the Compass Energy
3 Storage Project. I'd like to make a couple points up
4 front.

5 First, although we are engaged -- sorry.

6 Although we were engaged in the data completeness
7 review of the application with the applicant from April
8 2024 until the end of April 2025, CEC staff's actual
9 analysis work is still in the early stages. That's why we
10 are here engaged in public scoping efforts as part of
11 staff's independent information gathering. We are looking
12 for input on the scope of what our CEQA analysis should
13 include. Second, while this is an accelerated process, a
14 complete and independent environmental analysis will be
15 conducted.

16 So let's jump into it.

17 Next slide, please.

18 The CEC has an interdisciplinary team of
19 technical specialists and will prepare a staff assessment.
20 A staff assessment is a comprehensive, independent,
21 technical, and environmental review prepared by the CEC
22 that is more comprehensive than a typical Environmental
23 Impact Report. The staff assessment includes a draft EIR
24 following the requirements of the California Environmental
25 Quality Act and the CEQA guidelines.

1 In the next two slides, we will show the topics
2 in the environmental and engineering impact assessment and
3 some mandatory opt-in requirements that are included in the
4 staff assessment. The environmental justice assessment
5 includes an assessment of the project's impact on an
6 environmental justice population based on the presence of a
7 minority or low-income population and considers whether the
8 project would have a disproportionately high or adverse
9 human health or environmental effect on the environmental
10 justice population. And finally, the staff assessment will
11 include compliance conditions and a compliance monitoring
12 plan.

13 This is to ensure that, should the project be
14 approved, that construction, operation, and decommissioning
15 complies with applicable local, state, and federal laws,
16 ordinances, regulations, and standards, or LORS, or with
17 any conditions of certification.

18 Next slide, please.

19 These are the topics that our CEC technical team
20 of engineers and environmental specialists will be
21 analyzing to produce a staff assessment. The staff
22 assessment will also consider a reasonable range of
23 potential feasible alternatives to the project. In
24 addition to a no-project alternative, the staff assessment
25 will consider alternatives that would avoid or

1 substantially lessen the significant effects of the project
2 while feasibly obtaining most of the project objectives.

3 Next slide, please.

4 The staff assessment will also include an
5 evaluation of the project's compliance with mandatory opt-
6 in requirements, which include skilled workforce
7 requirements and labor agreements, a Community Benefits
8 Agreement, and demonstration that the project will provide
9 a net-positive economic benefit to the local government
10 that would have had permitting authority.

11 Next slide, please.

12 The purpose of the staff assessment is to provide
13 objective information regarding the project's significant
14 effects on the environment, identify possible ways to
15 minimize the significant effects, describe reasonable
16 alternatives to the project, assess the project's
17 conformance with applicable local, state, and federal laws,
18 ordinances, regulations, and standards, and provide an
19 evaluation of the extent to which the application complies
20 with additional licensing requirements set forth in the
21 public resource code. This information will be considered
22 by the CEC commissioners in deciding whether to grant a
23 certificate to build and operate the project.

24 Next slide, please.

25 The CEC is in the early stages of analysis of the

1 proposed project now that the project application is
2 complete. CEC staff will use the information gathered
3 during this scoping process in the preparation of the staff
4 assessment.

5 With certain exceptions, the staff assessment is
6 prepared within 150 days of the application completeness
7 determination. The staff assessment is anticipated to be
8 published in the fall of 2025, and there will be a 60-day
9 public review period. CEC staff will come back and hold a
10 public meeting with the findings of the staff assessment
11 during the public review period. Following the close of
12 the 60-day public review period, CEC staff will prepare and
13 publish an updated staff assessment. A future decision on
14 the project will be made at a publicly noticed CEC business
15 meeting.

16 Next slide, please.

17 CEC staff has received email updates when new
18 files are posted to the project docket and are reviewing
19 files on a regular basis as they come in.

20 To date, the CEC has received over 1,000 comment
21 letters on this project. This slide represents some of the
22 known areas of concern raised by the public based on
23 comments received to date. This includes concerns about
24 fire, thermal runaway, battery energy storage safety,
25 aesthetics, and concerns related to the location of the

1 proposed project. Staff uses comments to help develop the
2 scope content of the environmental analysis and learn about
3 areas of potential concerns within each resource topic.

4 Next, I would like to introduce Brett Fooks.

5 MR. FOOKS: Good morning, everyone. Okay.

6 My name is Brett Fooks and I am the manager of
7 the Safety and Reliability Branch here at the CEC's STEP
8 Division.

9 The public has raised several concerns about
10 energy storage fires that have occurred in the state. The
11 two incidents that I would like to touch on are the one at
12 Moss Landing and the one at Otay Mesa.

13 This slide depicts Vistra's Moss Landing energy
14 storage facility. The phase one portion of the project
15 depicted by the purple rectangle, you can see it there,
16 it's the one in the top left corner, is a 300-megawatt to
17 1,200-megawatt-hour capacity and began commercial operation
18 in late 2020. This project was a utility scale battery
19 energy storage system that used a lithium-ion nickel
20 manganese cobalt, or NMC chemistry, and was located within
21 older converted turbine building hall.

22 The fire started on January 16th, 2025.

23 Next slide, please.

24 The Gateway energy storage facility located in
25 Otay Mesa has a 250-megawatt, 1,000-megawatt-hour capacity

1 and began commercial operation in mid-2020. This project
2 is also a utility scale battery energy storage system that
3 has a lithium-ion NMC chemistry and is located within a
4 warehouse built for battery storage.

5 The fire here started on May 15th, 2024.

6 Next slide, please.

7 On the left, you can see the pictures of the
8 Gateway Moss Landing energy storage facilities. As I
9 previously mentioned, both of these became operational in
10 mid to late 2020, are located indoors, and use an NMC
11 lithium-ion chemistry. Since 2020, battery storage codes
12 and the industry have evolved to make these currently
13 proposed projects safer. The two industry best practices I
14 would like to highlight are the use of containers and a
15 different lithium-ion chemistry.

16 As you can see from the pictures on the right,
17 these more recent battery storage projects have been placed
18 in separate containers and not in the building. As
19 discussed in staff's Darden Clean Energy Project
20 assessment, the reasoning for this is that the
21 containerization minimizes the damage caused by thermal
22 runaway fires and reduces the threat of fire propagation.
23 In essence, each container has a smaller amount of stored
24 energy, and if an incident were to occur, it could be
25 confined to one container. Thus, the threat of other

1 containers catching fire would be minimized, unlike in a
2 building application.

3 The second item that has changed is the battery
4 chemistry that is used in lithium-scale battery storage
5 systems. Moss Landing and Gateway used a NMC lithium-ion
6 chemistry. The industry has primarily moved on to a
7 lithium iron phosphate, or LFP, lithium iron chemistry
8 base.

9 The primary difference between NMC and LFP is
10 energy density. LFP has a lower energy density. It also
11 has a higher threshold temperature for thermal runaway.
12 Both of these characteristics make it a comparatively safer
13 chemistry.

14 The takeaway from this I want to leave with
15 everyone is that containers help to reduce the threat of a
16 fire spreading, and the LFP chemistry helps to reduce the
17 chance of thermal runaway occurring.

18 Next slide, please.

19 The CEC has experience with permitting and
20 constructing battery energy storage systems from the
21 smallest batteries to the larger-scale utility
22 applications. The Marsh Landing, Russell City, Sentinel,
23 and Stanton Energy projects are fully operational and range
24 from 10 to 17 megawatts. The Henrietta project has 99
25 megawatts, while the Border project has 52 megawatts of

1 battery storage. The former is now fully operational while
2 the latter should be online next month.

3 I want to emphasize the range of the CEC's
4 projects because we perform the same rigorous analysis for
5 any battery energy storage system project no matter its
6 size, its location, with an emphasis on safety. The CEC
7 looks at every aspect of safety to ensure that if a project
8 were certified, it would not create a significant impact
9 during the construction or operation of the project.

10 Additionally, our staff stay up to date with the
11 latest codes, standards, research, and best practices for
12 battery energy storage systems.

13 Now I would like to introduce my colleague, Dr.
14 Greenberg, who will go into greater detail about the CEC's
15 safety analysis as it pertains to battery energy storage
16 systems.

17 DR. GREENBERG: Thank you, Brett, and good
18 morning.

19 I'm Alvin Greenberg, and I am the person
20 responsible for conducting the safety analysis and for
21 preparing two sections of the staff assessment. The first
22 one is on worker safety and fire protection, and the second
23 section assesses hazards, hazardous materials management,
24 hazardous waste, and wildfire.

25 Now I've worked with the California Energy

1 Commission for almost 31 years and have analyzed these very
2 issues for a vast array of energy projects, such as natural
3 gas-fired power plants, solar photovoltaic, and other solar
4 projects, wind turbines, geothermal, coal gasification, and
5 now more recently, battery energy storage systems. I've
6 also conducted power plant compliance inspections and
7 served as a safety monitor for the construction of a
8 photovoltaic solar facility and for the demolition of older
9 solar facilities. Having a safety monitor during
10 construction of any CEC-licensed energy facility is one of
11 our standard requirements.

12 Staff is very much aware that safety is of great
13 concern to all of you. It's also of great concern to us.
14 Working with my colleagues who will be responsible for
15 assessing impacts to public health, we are focused on
16 conducting a thorough, professional, independent analysis
17 of the proposed project, and I can commit to you that at
18 least I will read every single comment received both before
19 this meeting, during this meeting, and after the scoping
20 workshop.

21 Although I am just beginning my analysis after
22 reading the application and receiving answers to my
23 questions posed to the applicant in the form of data
24 requests, I want to share with you a little bit of the
25 process staff will follow and the new standards and

1 requirements that we are -- we, the CEC, are implementing
2 this year for all battery energy storage system projects
3 under our jurisdiction.

4 Next slide, please.

5 The first step in our process is to identify each
6 hazard that may be posed to on-site workers and the off-
7 site public during both construction and the operation of
8 the energy storage system.

9 Next, staff will examine and assess the chances
10 of that hazard impacting the off-site public and the
11 workers at the site by doing the following review. We will
12 look at information provided by the applicant about the
13 battery chosen for use at this project -- as you've heard
14 before, it's the Tesla Megapack 2XL -- but we'll also
15 review past accidents of this particular energy storage
16 system and any other battery storage system. We'll also
17 review engineering studies and we'll look at published
18 scientific studies and industry reports.

19 Additionally, staff will also be reviewing any
20 available root cause analysis from past battery energy
21 storage system incidents to learn what worked and what
22 didn't work.

23 Staff will then address the hazards that require
24 mitigation, assess whether the applicant's proposed
25 mitigations are adequate, and determine if additional

1 mitigation is required.

2 Now, if additional controls are needed, staff
3 will then propose additional mitigation in the form of what
4 we term a condition of certification that becomes an
5 enforceable requirement for the project to follow if it's
6 approved by the commissioners. Staff is committed to
7 ensure the safest energy production for all Californians.

8 Next slide, please.

9 Staff will evaluate this project against the most
10 recent safety standards and codes that include the National
11 Fire Protection Association, the California Fire Code, UL
12 Solutions, and the California Public Utilities Commission
13 General Order 167C, which was just adopted this past March.

14 Next slide, please.

15 The National Fire Protection Standard, which we
16 abbreviate NFPA, applies to the design, construction,
17 installation, Commissioning, operation, maintenance, and
18 decommissioning of any stationary battery storage system.
19 The standard includes such important requirements as
20 emergency planning and training, system interconnections,
21 and maintenance.

22 Now, because this is an industry standard and not
23 a currently enforceable code, staff will propose a
24 condition of certification that will require compliance
25 with NFPA 855.

1 Next slide, please.

2 These industry standards were developed by UL
3 Solutions, which is formerly called Underwriters Labs, and
4 I think that's a name that most people would find familiar,
5 as they could find that on a label on just about any
6 electrical kitchen appliances, power tools, and even
7 extension cords.

8 Now, standard UL -- I mean, excuse me -- UL is a
9 131-year-old company that researches safety and develops
10 standards addressing the risk from fires and electric
11 shocks. Both OSHA and Cal/OSHA require that almost all
12 electrical devices and cables in workplaces meet the
13 relevant UL standards.

14 UL 9540 is a certification, and it signifies that
15 an energy storage system has undergone rigorous testing and
16 evaluation to ensure it meets the safety standards for
17 electrical and electrochemical energy storage technologies.
18 Staff will require this certification.

19 UL 9540-A, a companion standard, provides a test
20 method for evaluating the potential for thermal runaway and
21 propagation in battery energy storage systems, and is
22 required before a UL 9540 certificate can be issued. This
23 will also be required. UL 1973 covers a wide range of
24 battery technologies, including lithium-based, and requires
25 an even wider range of safety performance tests. Staff

1 will also require these tests and certification.

2 Next slide.

3 The California Fire Code -- excuse me -- was
4 amended July 1, 2024, to add regulations governing battery
5 energy storage system placement and operation in
6 California. It went into effect on July 1st, 2024, as
7 well. These new regulations must be followed by all such
8 projects, and it specifically includes requirements in
9 Section 1207, which outlines the scope, hazard mitigation
10 analysis, fire tests, and separation requirements for
11 battery energy storage system installations, amongst many
12 other requirements.

13 Next slide, please.

14 Also applicable is the newly adopted California
15 PUC General Order 167-C, which establishes stricter
16 standards for maintenance and operation of battery energy
17 storage systems and increases oversight of emergency
18 response plans.

19 Next slide, please.

20 I'd now like to discuss with you possible
21 mitigation requirements. Now, these are examples of
22 mitigation measures that staff has already required for the
23 Darden Clean Energy Project in Fresno County, which
24 includes a battery energy storage system and a vast array
25 of solar panels. And it has been published, so it can be

1 found online on the CEC website, and it will be decided by
2 the commissioners on June 11th.

3 Deflagration panels, which are included in the
4 Tesla battery: these would direct any explosion upwards
5 rather than to the sides, thus avoiding impacting adjacent
6 units and avoiding propagation.

7 Thermal infrared cameras, which could be used to
8 detect heat anomalies before they induce a thermal runaway
9 event.

10 A construction and operations and maintenance
11 fire protection program. This is required by Cal/OSHA, and
12 includes a multitude of programs that protect workers and
13 provide for fire protection.

14 A command and control center that would be used
15 or could be used if a fire occurs so that the fire
16 department can receive telemetry data from the units and
17 direct operations from outside the battery area, thus
18 protecting firefighters.

19 Real-time -- excuse me -- real-time environmental
20 air monitoring. Air monitoring would begin as soon as a
21 heat anomaly is detected, so as to ensure that any toxic
22 air contaminants are detected and measured.

23 Finally, partnership for enhanced safety.

24 Again, these are examples from the Darden Project
25 that we will be considering, because I have just started my

1 analysis for the -- for other battery energy storage
2 systems, including the Compass battery energy storage
3 system. This is joint training between the project and the
4 local fire department, and continued meetings between the
5 fire department and Energy Commission staff, to ensure open
6 exchange of the latest information on battery energy
7 storage system risks, hazards, engineering controls, future
8 changes to fire codes, and firefighting techniques.

9 I would thank you, and I will pass the microphone
10 to Robert Chun.

11 MR. CHUN: Thank you, Dr. Greenberg.

12 My name is Robert Chun. I'm Chief of Staff to
13 Chair Hochschild here at the California Energy Commission.

14 Before we turn to public comment, which we'll get
15 to shortly, I just want to emphasize that the single most
16 important factor in our permitting process is safety. Our
17 review process, led by expert staff, takes an exhaustive
18 approach to every dimension of battery safety. We've never
19 had a fire at any storage facility permitted by the
20 California Energy Commission, and we intend to keep it that
21 way. We look forward to analyzing this project's choice of
22 site, design and technology over the months to come.

23 I also want to emphasize that battery safety is a
24 top priority for the entire state of California and not
25 just the CEC. Our agency is proud to be a part of a new

1 California Battery Safety Collaborative, which includes the
2 senior leadership at CAL FIRE, the California Air Resources
3 Board, the California Public Utilities Commission, and the
4 Governor's Office of Business and Economic Development.

5 This group is taking an all-of-government approach to
6 ensure that our battery systems are safe and reliable for
7 the communities they serve.

8 As others have indicated, the battery storage
9 industry has moved to new codes and chemistries over the
10 last few years, and those codes and chemistries have led to
11 significant improvements in battery safety.

12 But I want to be very clear. We don't take
13 anything for granted. The state's Battery Safety
14 Collaborative is committed to ensuring best-in-class safety
15 in every aspect of a battery project's life, including
16 permitting, installation, monitoring, and emergency
17 planning, and that is the lens through which the CEC will
18 review the project before us.

19 And now I'll turn to Mona Badie, our Public
20 Advisor.

21 MS. BADIE: Thank you, everyone. Mona Badie
22 again with the Office of the Public Advisor, Energy Equity,
23 and Tribal Affairs.

24 If we can get the next slide, please.

25 Next slide.

1 All right. Today I'm going to present on the
2 different ways you can participate in this proceeding, and
3 they apply to pretty much every proceeding that the Energy
4 Commission has.

5 I'm with the Office of the Public Advisor, Energy
6 Equity, and Tribal Affairs. Part of our mission is to
7 facilitate public and tribal engagement in our programs and
8 policies. We are a free resource. We are available to
9 anyone that wants to participate in our proceedings,
10 including the Compass Proceeding, and I'm going to be
11 sharing our contact information on a later slide.

12 Next slide, please.

13 So now I'm going to talk about the multiple ways
14 that you can participate in this proceeding. One is just
15 to follow the proceeding, and I'll provide some examples of
16 how to do that. The second is to comment. There's
17 multiple ways to comment on this proceeding. And a third
18 option is open to California Native American tribes, which
19 is tribal consultation.

20 Next slide, please.

21 So this is detailing the ways that you can follow
22 the proceeding. This is one of the most popular ways that
23 we have folks engage with our different programs and
24 policies, and you can review materials that we post on our
25 website, you can sign up for email updates, and you can

1 attend the events like you are here today. Our events are
2 almost always hybrid or fully virtual via Zoom, so the
3 public can attend from anywhere with a phone or internet
4 connection.

5 On this slide, you're going to see a snapshot of
6 the CEC webpage for the proposed Compass Project. It has
7 information on the proposed project and project status. It
8 has a place where you can subscribe for the free email
9 updates that are specific to this proceeding, under
10 subscribe, and then there's a link to submit written
11 comments directly into the project docket. And then
12 there's a link to the docket itself.

13 All right. So what is a docket?

14 Next slide.

15 So the CEC has publicly accessible online dockets
16 for its proceedings. This is basically a place where
17 project application materials, public comments, notices,
18 agendas, and other documents are filed and available
19 online.

20 On this slide, you'll see an image of the docket
21 for the proposed Compass Project. With few exceptions, all
22 the materials in the docket are linked and available for
23 anyone to download and view for free, and if you go to the
24 docket, you can see that we've received a lot of comments
25 for the proposed Compass Project, and you can read

1 everyone's comments in addition to your own. You can see
2 your own posted there as well.

3 All right. Next slide.

4 So another way to comment is verbally -- and
5 written comments, excuse me. So in all of our programs and
6 policies, any person can comment verbally at an event or in
7 writing. Please note that comments do become part of the
8 public record and there is access available via internet
9 search engine. So to comment verbally, you're going to
10 just attend the event like you are here today. And you can
11 attend in person or via Zoom or by phone and wait for the
12 instructions provided so that you can join the queue to
13 make your comments.

14 And then the CEC also welcomes public comment.
15 Those are reviewed in detail, and you can do that just by
16 typing in your e-comment on the website. We make it really
17 easy to do that in a few clicks. You can also upload a
18 letter relatively easily to the website, and again, those
19 all go into the docket.

20 And comments can be submitted at any time. You
21 can submit multiple comments as well. But we do recommend
22 if there's an announced public comment period that you get
23 your comments in for that time frame. So for example, if
24 the staff does a staff assessment, a draft staff
25 assessment, then they're going to ask for a comment period

1 of so many days, and we do ask for comments to be docketed
2 within that time period so we can look at them all together
3 and review them. And then they can be used for the next
4 version of that assessment, and those will all be announced
5 and emailed out with listserv or announced in the docket.

6 There's also email and paper options if you don't
7 want to use the e-commenting or you don't want to use the
8 online docket system, and those are noted in the notice for
9 today's event as well. And again, I just want to repeat
10 that if you need assistance, my office is here to assist
11 you. And then we are going to have comment -- I mean,
12 excuse me, contact information in the last slide.

13 All right. Next slide, please.

14 So the third way to engage with us is open to
15 California Native American tribes, and that is tribal
16 consultation. And so I put our contacts for our assistant
17 tribal liaison from the siting division, Gabriel Roark, and
18 he's available to receive requests for consultations. We
19 do invite consultations in this proceeding and all of our
20 siting proceedings.

21 Next slide, please.

22 All right. I just wanted to thank everyone for
23 being here today and for the comments in the docket. It
24 really helps us do our jobs. We are here to serve
25 California. And I put our contact information on this

1 slide, and again, we are here to assist you.

2 And I just want to do another reminder for blue
3 cards. It does help us when they're turned in early so we
4 can make sure that we are prepared for the public comment
5 period.

6 And I think at this point, I will turn it back to
7 Kaycee.

8 Oh, we are doing government. Oh. Excuse me.
9 I'm sorry.

10 Okay. So we are going to -- next, we are going
11 to do government comments. We've got some folks queued up.
12 And I'm going to call names. And we are asking for folks
13 to come to the podium if that works for people. We are on
14 Zoom. So that's the way that we can have the Zoom
15 attendees hear your comments.

16 And then we were asking if government commenters
17 can try to limit their comments to five minutes or less.
18 That will allow us to have, after the government comments,
19 a lunch break and then open it up to public comment. And
20 our plan is to do public comments in the room and then also
21 on Zoom.

22 All right. One moment.

23 Okay. So first, if we have Max Wernher from
24 State Senator Tony Strickland's office available in the
25 room. All right.

1 And then do we have Assemblymember Laurie Davis
2 from the California State Assembly in the room with us?

3 All right. Then we will come back to Assembly
4 member Davis.

5 How about Assemblymember Diane Dixon?

6 All right. I know some folks are traveling. So
7 we will come back to those commenters as well.

8 All right. Next we have a group from City of San
9 Juan Capistrano.

10 Mayor Troy Bourne?

11 Thank you so much.

12 MR. BOURNE: I'm going to give some of those guys
13 a pass. My commute was shorter than theirs from
14 Sacramento.

15 Although I think Mike Levin, who lives in San
16 Juan Capistrano, our congressman, would love to be here.
17 He wrote a strong letter of opposition, not to the battery
18 stories, but the battery storage on this particular site
19 that should have been received by your staff yesterday.

20 I'm going to start by deferring some time to Joel
21 Rojas, our Development Services Director, who's going to
22 speak to the land use elements in our general plan that
23 affect this project, and then to Ryan Baron from our city's
24 attorney office for a couple of minutes, and then I'll come
25 back up for my comments.

1 Thank you.

2 MR. ROJAS: Thank you. Good morning. My name is
3 Joel Rojas. I'm the Development Services Director for the
4 City of San Juan Capistrano.

5 As we all know, ENGIE North America is proposing
6 to construct, operate, and maintain a battery energy
7 storage system, or BESS, facility that would be capable of
8 storing up to 250 megawatts of electricity on an
9 approximately 13-acre project site currently owned by
10 Saddleback Church located within the northern portion of
11 the City of San Juan Capistrano.

12 The City's land use code currently does not
13 contain standards or regulations specifically addressing
14 commercial BESS facilities like this project, as such high
15 impact uses were not contemplated within the City's
16 planning framework due to their scale and potential
17 incompatibility with residential and environmentally
18 sensitive areas. Despite local public safety concerns,
19 state law authorizes BESS facility applicants to bypass the
20 local discretionary review process by seeking certification
21 directly from the California Energy Commission.

22 I would like to explain how this project has been
23 effectively denied by the City due to land use
24 inconsistency. In December of 2021, the City received
25 entitlement applications from the applicant to establish

1 the project within the City of San Juan Capistrano. Staff
2 determined that the proposed facility cannot be permitted
3 under the City's existing zoning code as the site is not
4 zone institutional as stated earlier by the applicant, but
5 is zoned planned community which does not allow BESS
6 facilities. As a result, the applicant requested that the
7 City Council initiate a rezoning study to create a
8 comprehensive development plan to accommodate the project.
9 On November 1st, 2022, the City Council denied the request
10 to initiate the requested rezone process. In early 2023,
11 the applicant informed the City of its intention to forego
12 the City review process and instead pursue state approval
13 via the California Energy Commission. In February of 2024,
14 the applicant formally withdrew with City applications
15 thereby bypassing the City's local entitlement process.
16 Most recently at its March 13th, 2025 meeting, the City
17 Council adopted an interim ordinance to extend for the
18 second time the City's temporary prohibition on new
19 commercial energy storage systems within the City through
20 April 1st, 2026.

21 Now I'd like to explain the project's
22 incompatibility with the project site.

23 BESS facilities raise unique considerations with
24 regard to public safety, emergency (audio cuts out)
25 critical transportation infrastructure, and constrained

1 evacuation routes, all of which are conditions that exist
2 within and around the proposed project site.

3 The project is proposed in a location near
4 established residential neighborhoods in San Juan
5 Capistrano and downslope of several hundred homes in the
6 adjacent City of Laguna Niguel. Furthermore, the project
7 is immediately adjacent to a creek with severe erosion
8 issues which requires significant rehabilitation according
9 to a February 2021 report by the Orange County Public
10 Works. The proposed site is also adjacent to major
11 transportation infrastructure, including Interstate 5 and
12 an active passenger and freight rail line. Additionally,
13 the site only has a single point of access over a very
14 active at-grade rail crossing and lacks a secondary
15 emergency access point.

16 Based on the project's proposed location and
17 significant safety and environmental risk it presents, the
18 City finds the project incompatible with the surrounding
19 community and inconsistent with the City's land use
20 priorities and commitment to public safety. The City has
21 numerous concerns with the project which require detailed
22 examination and are only amplified by the project's
23 proximity to residential and environmentally sensitive
24 areas. As such, the City expects the project's
25 Environmental Impact Report to analyze all potential

1 impacts with the project, and to include a complete and
2 thorough analysis of alternative project locations.

3 In closing, the City supports clean energy
4 infrastructure, however the unresolved safety and
5 environmental risks combined with the deficiencies at this
6 specific location are too severe to support a clean energy
7 project at the proposed location.

8 Thank you.

9 MR. BARON: Good morning Chair Hochschild,
10 Commissioner Gallardo, Executive Director Bohan, members of
11 the professional staff. My name is Ryan Baron. I'm a
12 partner at Best Best & Krieger. We are a full service law
13 firm to public agencies throughout California. We are the
14 appointed City Attorney to the City of San Juan Capistrano.
15 I serve as legal counsel in this proceeding.

16 I normally advise our government clients on
17 renewable energy regulations and implementing great
18 projects. In fact, I've actually worked on all of the
19 waste energy projects here and biogas projects at the
20 county and its landfills, and larger solar and cogeneration
21 projects that power the downtown civic center as well as
22 John Wayne Airport and worked on projects throughout the
23 state and out of state as well. But today I work with the
24 City on a project that is universally opposed, and is not
25 so great.

1 I just wanted to make three brief points today.

2 One is on the CEC's jurisdiction over the
3 project. In June 2024, shortly after Compass Energy filed
4 its opt-in application, the City filed a detailed objection
5 to the CEC's jurisdiction over the project. For reasons
6 that Mr. Rojas just went into, the City Council effectively
7 denied the project on November 1st, 2022 as part of a
8 request by the property owner, Saddleback Church, and by
9 ENGIE to conduct a rezoning study to establish a
10 comprehensive development plan and allow for a large-scale
11 250-megawatt battery storage project through a conditional
12 use permit. An electric generation use is not allowed by
13 the City zoning for a variety of reasons, and the City
14 Council declined to initiate any rezoning of the property,
15 and that was done under the City's constitutional police
16 powers which protect the health and safety of its
17 community.

18 After the denial, ENGIE did not exhaust its
19 remedies or otherwise challenge the denial. Instead it
20 refiled the project as is with the state under AB 205. AB
21 205 was a budget trailer bill. Budget trailer bills are
22 intended to clarify how the state budget allocates funds.

23 There's also been a long history of their use and
24 misuse. AB 205 was introduced to deal with post-COVID-19
25 utility arrearage payments and certain funding for energy

1 programs. But four days before it was enacted, the CEC's
2 opt-in certification authority over large-scale renewable
3 projects that were historically permitted by local
4 governments was dropped into the bill with no hearings or
5 committee analysis. This was not a budget item but a
6 substantive change in state and local permitting.

7 The only intent of opt-in certification is to
8 allow developers to decide whether they want to go through
9 the local government process or through an expedited permit
10 process with the state. It was not intended to override
11 prior local government decisions or denials or allow two
12 bites at the apple and, for the reasons cited by the City
13 in its comments, allowing those previously denied projects
14 to resubmit their projects can be unconstitutional.

15 The CEC has never issued a formal response or
16 analysis on its jurisdiction like it has in other examples,
17 and has now deemed the application complete and taken first
18 steps toward implementing the statute. I raise this issue
19 because the City is now required to participate in the
20 proceeding and ask the state to not override its prior
21 decision or override its zoning of the property or other
22 local laws. And the City did file a reservation of rights
23 in the project -- I'm sorry, in the docket that its
24 participation does not waive its jurisdictional arguments,
25 and its comments here today don't either.

1 he second point I'd like to make just very
2 briefly is on the Darden Clean Energy Project that was
3 raised. We appreciate the safety analysis that went into
4 that project and that will go into this project here.

5 The Darden Energy Project is not the Compass
6 Energy Project. There were excerpts of the Darden staff
7 assessment that were put into this docket without any sort
8 of analysis, and we were struggling at the time to
9 understand the relevance of that, but the project is in a
10 rural fallow ag area that had no opposition by Fresno
11 County and does not contain the same public safety hazards
12 that you have here like rail access, urbanization, etc.

13 The third point I'd like to make is on the
14 Community Benefits Agreement. As the CEC prepares a draft
15 EIR, you will find that there will be numerous deficiencies
16 that Mr. Rojas spoke to: economic findings that can't be
17 made, environmental impacts that are significant,
18 unavoidable, and that cannot be mitigated. However there's
19 one that we haven't talked about, and that's the CBA
20 requirement.

21 The law requires the developer to enter into
22 meaningful agreements with community-based organizations
23 providing financial and other benefits to the local
24 community impacted by the project. This is because
25 utility-scale and other large project developers enter into

1 development agreements at the local level that contain
2 large publicly negotiated benefits to the broader community
3 impacted by the project. This is one of the quid pro quos
4 for usurping local government authority under the statute.

5 The Community Benefits Rules require a detailed
6 plan to be submitted as part of the application. It has to
7 identify the community-based organizations or type of
8 groups that would benefit, the resources, and the timeline
9 for execution.

10 The plan that was submitted to the CEC under
11 penalty of perjury identified three organizations that
12 ENGIE would be negotiating with. All three of those
13 organizations -- the City, UNIDO South OC, and the Girls
14 and Boys Club of Capistrano Valley -- have filed comments
15 in the record either opposing the project or stating that
16 the applicant made certain misrepresentations to them, and
17 there's no intent to execute a Community Benefits Agreement
18 with ENGIE. The applicant then misrepresented its plan to
19 the CEC and quite frankly to the public, yet despite these
20 comments, the application was deemed complete. It should
21 have been dismissed.

22 Also troubling is that when the City filed
23 comments a few weeks ago pointing out the
24 misrepresentations, one of the applicant's responses was
25 that it was not identifying other organizations it was

1 negotiating with. This is contrary to the rules that a
2 plan be submitted, and it violates transparency in the
3 public trust.

4 In another proceeding where this occurred, the
5 CEC issued a data request demanding that a more detailed
6 plan be submitted. We ask that here.

7 Not only are developers attempting to do an end
8 run around prior local government decisions, but they are
9 now filing promises of community benefits using the name of
10 non-profit groups who need the money most. This is
11 contrary to the negotiation -- to the goals of Community
12 Benefits Agreements, that they be transparent, they benefit
13 local community groups in the City where the project is,
14 and not be closed-door deals.

15 There was a Community Benefits Agreement filed
16 prior to today and we just ask the question, you know, what
17 will the CEC do if that entity finds out about the project
18 opposition and rescinds the agreement? What will the CEC
19 do if other groups sign agreements but they were never
20 identified in the initial plan? Those agreements should be
21 rejected.

22 So based on the lack of jurisdiction, the
23 misrepresentations, and the violation of the rules, we ask
24 that the CEC dismiss the application.

25 Thank you.

1 MR. BOURNE: I feel like I'm on a Lakers game.
2 I'd like to say thank you to our staff members who
3 presented, and also thank you to our neighbors who have
4 come out. It's a difficult thing to do in the middle of a
5 workday to be here, and I think that you've seen the number
6 of people that we have online who are probably doing that
7 from their desk at work to some degree. And those that
8 have come in person and will come later today, thank you.

9 (Speaking Spanish.)

10 I am mayor of San Juan Capistrano. This is my
11 second term. I've served on the city council for six or
12 seven years. I also serve as Director of the Orange County
13 Fire Authority, and I'll be speaking from that perspective
14 as well in a few minutes.

15 Lastly, I probably want to note just for some of
16 our neighbors here in Laguna Niguel, I lived on Mira Vista
17 for 10 years as a newlywed, and that's where our babies
18 were born. Mira Vista is one of a handful of streets that
19 is directly on the top of the ridge. We lived in a house
20 immediately across from the ridge above the Saddleback
21 Church property, so I have some context understanding both
22 from our city's perspective, but also the concerns
23 associated with the neighbors who live directly above the
24 proposed project.

25 I want to make a few things clear as mayor, and

1 although I don't speak for 100 percent of my constituents,
2 I believe in what I'm about to express represents the
3 united view of our city council.

4 First, we are not opposed to Saddleback Church
5 developing their property and deriving economic benefit
6 from doing so. Our understanding is that Saddleback Church
7 is going through a financial decline, and monetizing this
8 donated property is critical to them being a going concern.
9 That is true of the previous church that existed on the
10 site, the Crystal Cathedral, who was successful for many
11 years and then went bankrupt, tried for many years to
12 develop this site when they owned it and were unsuccessful
13 in doing so despite significant efforts, and we'll talk
14 about that in a minute.

15 We are sensitive to Saddleback Church's needs,
16 and when we met with them initially, we offered to work
17 with them to develop alternative entitlements on more
18 useful components of their land so they could derive some
19 economic benefit and meet their needs because we couldn't
20 support the application that you see before you. The
21 church responded that those alternatives, at least that
22 they could come up with for using their site, were not as
23 lucrative as the battery storage deal that they had struck.

24 The second thing that I want to say -- and just
25 bear with me -- the City of San Juan Capistrano is not

1 opposed to this technology or this technology's location
2 inside of our city. The City of San Juan Capistrano has a
3 well-earned reputation for being environmentally forward
4 thinking. Next year, we will celebrate our 250th birthday.
5 That's there with the Declaration of Independence that was
6 signed in the same year, and yet look around and you see
7 hillsides and creeks and open spaces that we as a city and
8 residents who have taxed ourselves through bond issuance
9 have worked to preserve and protect so that in another 250
10 years, San Juan Capistrano looks and feels as much as
11 possible like it did when we were here and were granted the
12 stewardship to protect it.

13 We accept that battery storage is part of the
14 green energy solution. We believe that to be true as a
15 city council, and I think many of our residents do as well.
16 We reject the suggestion made by the applicant that there's
17 no fire danger here.

18 No, but just -- hang on.

19 We are okay with that. I know that sounds
20 counterintuitive, but this is a new technology, and while I
21 think that we can say definitively that battery storage
22 facilities are safer than they used to be -- everybody
23 would agree with that -- we can also say that they're not
24 as safe as we would like them to be, and they will be in
25 the future, and we would all agree with that as well.

1 Which makes it particularly important when we think about
2 siting these facilities that they be done in a way that the
3 risks that do exist can be mitigated to the greatest degree
4 possible.

5 That's also why we offered the applicant several
6 alternative sites in our city with our enthusiasm. We like
7 the idea of placing one of these in the City of San Juan
8 Capistrano. We would like to be at the forefront of this
9 green energy process. We've done that on other issues in
10 our city. We'd be proud to do it here. But not on this
11 site.

12 And I want to speak just for a moment from an
13 Orange County Fire Authority perspective. You've heard two
14 paid consultants come to the microphone today and tell you
15 -- there's nothing wrong with that, right? We've all paid
16 consultants, and we've probably all served as paid
17 consultants to some degree or another, and I respect what
18 they're doing, but they were paid to come here and tell you
19 and the public that there's no fire risk here.

20 Later today you will hear from our firefighters.
21 You'll hear from the president of the Orange County Fire
22 Authority's Union, those who are paid to keep us safe from
23 the fires. They strongly oppose the project in its
24 proposed location. They are scared of what is being
25 proposed. That's from the people who are professional

1 firefighters in this region, know the site, know the
2 slopes, know the access. They've taken a position.

3 I'm sympathetic to our fire chief's difficult
4 position. He has not been shy about expressing two things.
5 He's working with you to the best of his ability to keep us
6 as safe as he possibly can, given the constraints that he
7 has. But one of those constraints, which he's been very
8 forthright in expressing, is that this technology is moving
9 forward faster than the regulations can keep up.

10 Would he like there to be a secondary access? Of
11 course. That's common sense. Do the regulations allow him
12 to require a second access point? No, because the basket
13 of regulations that's associated with developing these
14 battery storage facilities is kind of bundled into a bunch
15 of other energy plans that don't have the same fire risk
16 and other characteristics that battery storage facilities
17 do.

18 I imagine we are going to hear from Supervisor
19 Foley, who I just -- who I saw is here to my left. She's
20 been fantastic about petitioning that projects like this
21 just wait until our regulations can catch up. We want
22 them. We want them to be done safely. Let us get
23 regulations in place so that we can do so.

24 This is being done -- to your credit, and I
25 appreciate you mentioning that Chief Fennessy is working

1 with you and his staff, and he is, and he's proud to do so.
2 But I think we also need to acknowledge that he's
3 handcuffed, because he doesn't have current regulations in
4 place to deal with this level of technology.

5 I was -- you know, kind of the common sense
6 approach that I've taken to this. When people have asked
7 me about it in the community, they say, well, the applicant
8 has told us that there's a less than one percent chance
9 that these batteries catch fire. And I believe that that
10 is factually true.

11 I just want everyone to hear me say that. I
12 believe that that's true.

13 And so when something says it's less than one
14 percent chance, it makes you feel better, sleep better at
15 night. And the way I think about it -- I wasn't the best
16 high school math student, right? But this is how I think
17 about it. If you handed me a basketball -- and I didn't
18 play basketball in high school -- but if you had me a
19 basketball and stood me on the half court line and said,
20 Troy, make it, there's less than a one percent chance that
21 I would. But if you pass me that ball unguarded 170 times
22 in a row, I would take that bet. I'd make that shot.

23 And we are putting 170 batteries on this site.
24 And we have to recognize that we are rolling that one
25 percent dice again and again and again. And there has to

1 be some common-sense recognition that there's some
2 meaningful appreciable probability, maybe not a majority
3 probability, that there will be an inflammation event at
4 this site and in these facilities.

5 That's okay. And again, the public might not
6 support everything that I'm saying here, but I tell you
7 this: maybe that's an acceptable risk as we move to new
8 technologies away from fossil fuels and into the green
9 future. But again, I want to repeat that it becomes even
10 more important that we site these facilities in places
11 where those known risks can be effectively mitigated.

12 I appreciated -- thank you. I appreciated the
13 two comments from the safety officials about the thorough
14 review that you're going to be doing around the battery
15 safety of these facilities. And it's clear that you're
16 more experienced probably than anybody else in the room as
17 it relates to battery safety.

18 But what I did not hear from you, and I hope that
19 we are going to hear from other members of the staff
20 throughout this process, although not necessarily today's
21 meeting, is the broader safety considerations associated
22 with positioning this facility on this site. There are
23 safety issues associated with this site that have nothing
24 to do with battery storage facilities. And I think that it
25 is stunning that the applicant mentioned not one of them in

1 their presentation.

2 When they came to meet with us and they said they
3 were interested in purchasing property from Saddleback
4 Church to do this, I shared with you our initial response.
5 It wasn't broadly negative.

6 When they showed us where on the site Saddleback
7 Church had told them they could build it, I immediately
8 told them, well, you can't build it there. And they said,
9 no, we can. I said, no, no, guys, I'm not -- this isn't my
10 opinion. You can't build it there. You physically -- you
11 can't build it on that portion of the site. No, Troy,
12 we've looked at it, we can.

13 And then I explained to them that, you know, it
14 must have felt like Christmas morning as it does to -- I
15 work in real estate development. When you come across a
16 site that's 150 acres in size, largely flat, immediately
17 adjacent to a freeway off-ramp surrounded by development
18 and million-dollar homes, probably someone should pause and
19 say, wow, I wonder why no one thought to develop this
20 before.

21 The truth of the matter is, they have thought to
22 develop it before many times for decades, and the public
23 records are full of the top firms in Orange County doing
24 studies around this site and all said the same thing. This
25 site cannot be safely developed. And it had nothing to do

1 with battery storage facilities. Orange County Transit
2 Authority has a train that runs right adjacent to this
3 site. It would probably -- I hope, I didn't see it in
4 application, we didn't hear about it today, but the history
5 of the creek failure impaired that line.

6 Unlike private developers, Orange County Transit
7 Authority solved that problem by dumping riprap in the
8 protected creek. I don't fault them for doing that. It's
9 a regional transportation crisis at this point as our
10 neighbors to our south are dealing with in San Clemente
11 right now, but they solved their immediate problem and
12 created an environmental disaster.

13 It doesn't take an engineer to go on Google Earth
14 and go down to the bottom, go to this site -- all of you, I
15 hope, when you go back to your offices will go on Google
16 Earth, look at this site. And then right down at the
17 bottom of Google Earth that's free to everybody, go back
18 five years, 10 years, 15 years, 20 years, about when OCTA
19 dumped the riprap. And what you're going to see is the
20 water shooting out of the concrete-encased channel that was
21 hitting the slope adjacent to the railroad tracks now
22 bounces off the railroad tracks and immediately into the
23 property owned by Saddleback Church. And you'll see in
24 those historical photos that the creek moves and moves and
25 moves directly towards the site that is now being proposed

1 for a battery energy storage facility.

2 At the time, OCTA and then Crystal Cathedral, who
3 owned the property, worked for months to try to develop a
4 solution to this problem. When they couldn't develop a
5 solution, it was left alone.

6 That presents a problem. The site can't be
7 developed until the creek erosion issues are solved.
8 Anyone who has walked past the site and seen the active
9 erosion every raining season as yet another several feet of
10 bank falls down into the bottom of the creek knows that it
11 is hopelessly naive to say it probably won't get to us as
12 long as we go back 20, 30, 40 feet. Okay?

13 After OCTA's disaster, another -- because Crystal
14 Cathedral was trying to sell the property, they were
15 approached or petitioned a group that now exists as JSerra
16 Catholic High School. And they built somewhere else in
17 town because after working on it for a long time and
18 spending a lot of money on a lot of engineers, they came to
19 a solution that the creek stabilization was not only
20 completely infeasible.

21 But it wasn't the most significant safety problem
22 with the site. The slopes that separate the proposed
23 battery energy storage facility and the thousands of homes
24 up above have deep-seated landslides. Okay?

25 For those of you who are familiar, and you guys

1 will know this because you live there, my kids used to ride
2 their bikes and skateboards in what they referred to as the
3 ghost track. Okay? The ghost track is a street, is a
4 neighborhood of streets and no homes. It has lights,
5 streets, curbs, gutters. And you think, well, in Orange
6 County, housing prices being what they are, why didn't they
7 go back and build the homes? Why did they give up?
8 Because the slopes are completely unstable.

9 Those landslides, there have been major boring
10 exercises done throughout the slopes immediately adjacent
11 to the site. We have heard nothing about that in the
12 applicant's presentation. Where are their borings? What
13 are their engineers saying about all of the engineering
14 work that's been done for the last 20 years on this site?

15 Now, if it sounds like I'm personally vested in
16 this, I am personally vested in this, not just because I
17 live here. The next applicant to try to develop the site
18 was yours truly. Okay? I was in contract with the Crystal
19 Cathedral Ministries. I was in contract with Saddleback
20 Church when the property was purchased by Hobby Lobby, and
21 in their attempts to donate it to it, they had to wait for
22 my company to be out of contract because we were an escrow
23 trying to solve the same problems that we, probably in our
24 hubris, felt that if we just had better people working on
25 it, we could find solutions to this massive creek erosion

1 issue and to the slope stability issues.

2 Notice that there's not a senior care facility on
3 the site either. Because in summary, when you go back to
4 some of the best engineering firms in Orange County, and
5 you guys -- I'm a little bit surprised because the church
6 has these studies. How do I know the church has these
7 studies? Because I sat in the room. Okay? And so if the
8 church has the studies and you haven't heard about it,
9 either they've selected not to give it to the applicant or
10 the applicant knows that this engineering work has been
11 done and has failed to mention it in their application.

12 Okay? One of those things is true because I've
13 been in the church room with the studies. Okay?

14 Now, the last thing I want to address is this:
15 access. Pray to God that there's not a fire at a BESS
16 facility here that during a Santa Ana wind event catches
17 the slopes. Okay? But acts of God happen and technology
18 moves forward. Okay? We can't prevent all acts of God.

19 But when that happens and the public finds out
20 that we approved this project and the only access to the
21 entire site was a single point at an at-grade rail crossing
22 with a history of accidents that we didn't even require the
23 applicant to provide a second access point to the property,
24 shame on all of us.

25 Our hope -- you know, as we've met with the

1 applicant, we have been universally disappointed by the way
2 they've approached the process, by the way they have blown
3 us off when we've asked that they address these very
4 serious issues with the site. Their unwillingness to
5 seriously consider other sites in the city when we rolled
6 them out to them.

7 In contrast, I was relieved and encouraged by our
8 meetings with the members of this Commission and your
9 staff, because what I heard from you is no matter what
10 you're hearing from the applicant or what you're hearing in
11 the newspapers, this will not be a rubber stamp. We do not
12 take the license that you guys have been given from the
13 legislature to expedite these projects as a license to
14 approve them anywhere, anytime, whatever you want to do. I
15 was so glad to hear you say that. But in my personal
16 experience, if you're ever going to deny a location, I
17 can't picture what a location would look like that was
18 worse suited for this.

19 Thank you for your time.

20 MS. BADIE: Thank you. Thank you.

21 We've got some more representatives from the City
22 of Laguna Niguel and Orange County and the school district.

23 But before we do that, I just wanted to do
24 another call in the room. If we have any California
25 American tribes, federal state legislative offices or

1 agencies. And we do have some folks that are traveling
2 that we'll hear from later today. But I just want to do
3 that last call.

4 All right. So next, if we have Mayor Ray
5 Gennawey in the room with us.

6 Gennawey. Thank you.

7 MR. GENNAWEY: Good morning or good afternoon.
8 I'm not quite sure what time we are at right now. I'm Ray
9 Gennawey, and it is my privilege to represent the people of
10 the City of Laguna Niguel as their mayor. I'm joined here
11 today by my city council colleagues, Mayor Pro Tem Gene
12 Johns, council members Kelly Jennings, Stephanie Oddo, and
13 Stephanie Winstead, and I appreciate the opportunity to
14 address this Commission.

15 And first, I want to thank Commissioner Gallardo,
16 Executive Director Bohan, and Chief of Staff Chun for
17 meeting with us last week. I really appreciated the
18 thoughtful and caring discussion we had. And I also
19 appreciate your flexibility in moving this meeting to a
20 location that is actually in the community, so all of our
21 residents can be heard. That is really appreciated.

22 I have been a Laguna Niguelian my entire life,
23 since even before we were a city in 1989. I was born in
24 Mission Hospital, just two miles from this location right
25 here, and I was raised in Laguna Niguel by my parents. My

1 son was also born at Mission Hospital, and my wife and I
2 are now raising him in our remarkable City of Laguna
3 Niguel. I say that to tell you this is my home.

4 And in my entire life of being a Laguna
5 Niguelian, I have never, I have never seen our community
6 more united in one issue than we are united today in
7 opposing this battery facility. The widespread opposition
8 among our community transcends neighborhoods, economic
9 classes, generations, and political beliefs. And this
10 opposition is all because of one reason: public safety.

11 I want to make it abundantly clear that the City
12 of Laguna Niguel is not against the expansion of clean
13 energy projects. We recognize the importance of clean,
14 renewable green energy and how our state needs more of it.
15 We are opposed to this project site because it creates an
16 entirely unnecessary risk to public safety. There are
17 plenty of places across this region to build these
18 facilities while not placing the same safety risk to homes,
19 schools, hospitals, and transit.

20 I've heard the phrase smart from the start often,
21 and in fact, the applicant told you their project is smart
22 from the start. I recommend you take a look at the letter
23 submitted by Congressman Mike Levin yesterday. Now, I
24 don't think anybody would accuse Congressman Levin of being
25 against the expansion of green energy projects. But even

1 he says this project is not smart from the start, and
2 that's why he's opposing this project.

3 Earlier this week, the City of Laguna Niguel
4 submitted its comment letter to your Commission in response
5 to the Notice of Preparation for this project. The letter
6 outlines the city's numerous concerns regarding the
7 proposed location of this project, but number one is the
8 danger this facility places on our residents, danger from
9 the extremely high fire risk and the release of toxic
10 chemicals.

11 You will hear often today that the proposed
12 project site sits less than 1,500 feet from Laguna Niguel
13 homes, up along a hillside that is dense with vegetation,
14 on top of a steep hillside where Laguna Niguel homes are
15 directly downwind from the project. These homes have been
16 designated by CAL FIRE as being in a High Fire Hazard
17 Severity Zone.

18 The conditions of this proposed project site
19 mirror those of the devastating 2022 Laguna Niguel Coastal
20 Fire in which 20 homes were destroyed. Many of those homes
21 have yet to be rebuilt today, and the families of those
22 homes remain displaced three years after the fact. The
23 parallels between the homes destroyed in the Coastal Fire
24 from three years ago and those near the projected site are
25 significantly similar, and those concerns are real.

1 And we know that BESS facilities pose a
2 significant fire risk. Many of these facilities throughout
3 the country are built in remote, sparsely populated areas.

4 In fact, in the letter that I sent you just
5 yesterday, there are many aerial photographs which show
6 many of these facilities built in sparsely densely non-
7 populated areas, and then it shows the project site of this
8 proposal, and the difference is striking when you see how
9 many homes are surrounding this project site. We know
10 these facilities are dangerous, and when these facilities
11 are located even near semi-populated areas, because the
12 impact is exacerbated.

13 Most recently, Vistra's Moss Landing fire in
14 Monterey County resulted in an evacuation of 1,200
15 residents within an eight-mile radius and a shelter-in-
16 place order of 20 miles. If a fire occurs at Compass
17 Energy's proposed facility, a two-mile evacuation would
18 require the evacuation of over 37,000 people in Laguna
19 Niguel alone. That number does not include residents of
20 San Juan Capistrano, Mission Viejo, Laguna Hills, or any
21 other community.

22 If that evacuation radius was expanded to an
23 eight-mile radius, like it was in Moss Landing, we are
24 talking about hundreds of thousands of people that need to
25 evacuate, and if you read the letter from the Shea Riding

1 Center located here in San Juan Capistrano, it would also
2 require the evacuation of nearly a thousand horses.

3 Capistrano Unified School District, whose seats
4 you sit in today, they are strongly opposed because an
5 evacuation of Capistrano Valley High School just down the
6 road will require students to actually drive toward the
7 fire to evacuate the high school.

8 We know Compass Energy's facility poses a grave
9 fire risk, but don't take my word for it. Compass Energy's
10 application admits their property is prone to wildfires,
11 which is exactly why none of their employees will work at
12 the site. Section 4.17, page 8, explains that their
13 facility will be remotely operated year-round, quote, to
14 lessen the risk that project occupants may be exposed to
15 pollutant concentrations from a wildfire or the
16 uncontrolled spread of a wildfire during maintenance
17 activities. So if it's not safe for their employees, it's
18 not safe for our community.

19 Compass Energy, throughout their documents, they
20 use crafty language to suggest that the Orange County Fire
21 Authority somehow approves of their project. Somehow they
22 are partnering with the OCFA or collaborating with the
23 OCFA. However, we contacted the chief of the Orange County
24 Fire Authority just yesterday and we confirmed that this is
25 highly misleading.

1 Compass has only recently submitting building
2 plans -- has only recently submitted building plans to
3 OCFA, the same way any other business would submit building
4 plans, and those are under review. No approval has been
5 given. There's no special relationship or partnering or
6 collaboration above and beyond what anybody else submits to
7 OCFA. This is just more spin from the applicant. They can
8 spin the truth all they want, but their spin will not make
9 us safe.

10 Simply put, this proposed battery facility does
11 not belong in the densely populated area of South Orange
12 County. Clearly there are many other suitable locations in
13 the area that are less populated and could satisfy the
14 state's battery storage needs with far fewer risks.

15 When you've got the City of San Juan Capistrano,
16 the City of Laguna Niguel, the Orange County firefighters,
17 the local school board, our congressman, our state senator,
18 our state assemblywoman, our county supervisor, and so many
19 other community organizations and residents on the same
20 side of this issue, there is only one correct outcome to
21 your process. And I know we are only here for the scoping
22 meeting for the EIR today, but I'm asking you to look
23 forward and listen to the people who actually live in this
24 community whose decision you will affect.

25 I will give Compass Energy credit on one point,

1 though. They have achieved something that nobody thought
2 was possible. They have actually united Republicans and
3 Democrats to be on the same side of the issue. This is the
4 bipartisanship we've been praying for.

5 I humbly ask you to listen to the voices who your
6 decision will affect, and I ask you to deny this project.

7 Thank you so much.

8 MS. BADIE: Thank you so much.

9 And next we are going to hear from Vice Chair
10 Katrina Foley.

11 Thank you.

12 MS. FOLEY: Good afternoon. I know it's been a
13 long morning for you. I'll try to keep it brief as best I
14 can.

15 So welcome to the Fifth District. I'm Katrina
16 Foley. I'm the County Supervisor that represents this
17 area. I also sit as the Vice Chair for the Board of
18 Supervisors. I live in Costa Mesa, but my district runs
19 all the way down to San Clemente. It includes Laguna
20 Niguel and San Juan Capistrano. Thank you to the
21 Commission for being here today and hosting your meeting
22 here in the district. Very important for our community.

23 Thank you to Capistrano Unified School District
24 for allowing us to have this space, to Gila Jones for
25 assisting, and thank you to the residents of Laguna Niguel

1 and the municipalities of Laguna Niguel and San Juan
2 Capistrano, who organized the residents to get informed,
3 get educated, and to participate in their local government
4 decisions.

5 I want to thank the CEC staff also for agreeing
6 to meet with me early this morning to talk about
7 alternative sites and to talk about what other alternative
8 opportunities there are to be able to dismiss this site as
9 a location. We've heard today from local municipalities
10 deeply concerned and worried about the fire risk access,
11 slope erosion, and other challenges that this site might
12 pose to their communities.

13 We'll hear later from many community residents
14 who will share their concerns, their fears, and their
15 experiences. I want to thank the community. I want to
16 thank B.L.E.S.S.I.N. for organizing and, you know, I do
17 agree with Mayor Gennawey. We sit on different sides of
18 the aisle, but here we are together united.

19 I today had planned to talk about some of these
20 dangers that you've already heard about, about our creeks,
21 our flood channel, as the OCTA director and LOSAN director,
22 about the concerns about the railroad, about the freeway
23 access issues, and the risks. As former Orange County Fire
24 Authority director, I also want to remind you that this is
25 a concern. You're going hear later from firefighters who

1 will share their personal experiences in responding to
2 lithium battery storage fires and possibly a tragedy that
3 they might share about, so I ask you to listen carefully
4 when they share those stories.

5 But I'm here for a different reason, to add a
6 different factor for you to consider as a justification for
7 dismissing this application and denying this site. I'm
8 here to give the voice to many of my constituents who were
9 unable to be here because of their work schedules

10 In 2023, two big things happened at the County
11 of Orange. My office spearheaded our Climate Action Plan
12 for the county. We identified steps we need to take as
13 government to decrease our municipal carbon emissions. At
14 the same time, the Orange County Health Care Agency
15 Commissioned the Equity in OC initiative, which funded a
16 housing survey by Unidos South OC on the Capistrano Villas.

17 The Capistrano Villas are located right here. I
18 have a little map. They're located right here, just less
19 than three miles driving and about one mile as the crow
20 flies from the proposed Compass site, which is right here.

21 And I can pass this. If I may approach, I can
22 pass this map around so you can see it more clearly.

23 Through the 2023 survey, we found that the
24 Capistrano Villas is comprised of 4,234 people, most of
25 whom are 98 percent Latin American origin. The median

1 household income for the Villas hovers around \$36,000, with
2 families working about 1.5 jobs full time to sustain our
3 service industry, our construction industry, and our
4 equestrian community here. The average resident has lived
5 in the Villas for about 20 years, and nearly half of these
6 homes house families doubled and tripled up.

7 But even with doubling up, more than half of
8 these residents spend more than 50 percent of their income
9 on rent and live in substandard housing conditions. These
10 conditions include roofing and insulation deemed to be
11 unsafe to withstand wildfires, causing insurance companies
12 to remove coverage. The California EnviroScreen 4.0
13 identifies this community in the 89th percentile of
14 pollution burdened and exposed to harmful dirty air. It is
15 immoral to add additional burdens to the backs of these
16 families.

17 Finally, I want to share that I understand and I
18 agree our county's Climate Action Plan acknowledges that we
19 cannot reach our climate energy goals without locating and
20 siting BESS facilities. Grid capacity, reliability are at
21 stake as we rapidly transition into a fully electric
22 future.

23 We are building a BESS facility at John Wayne
24 Airport. We are doing it the right way. We host as a
25 county a BESS facility in Midway City. We did it the right

1 way.

2 However, we cannot move forward into a
3 sustainable future at the expense of public safety and
4 common sense. Common sense tells you to locate at this
5 site, adjacent to thousands of homes in a suburban
6 neighborhood in a high fire risk next to a creek, a
7 railroad, a freeway that only provides access one way in,
8 is just a terrible idea.

9 At the County of Orange, at my initiative, we
10 passed a moratorium on new BESS facilities while our County
11 Public Works Office engages with our Orange County Fire
12 Authority and with our utility companies to identify
13 appropriate sites that we can zone and we can identify
14 where in the community is it safe, where do we want BESS
15 development, and what are the safety protocols needed.

16 We know BESS facilities in high and very high
17 fire risk zones have the potential to be catastrophic.
18 You've heard some of that information here today and from
19 the thousands of letters written to you.

20 We know BESS facilities at the same time are
21 needed to reach our clean energy goals, to support families
22 and businesses. Early this morning, I toured alternative
23 locations and met with your CEC staff to discuss even
24 additional alternative locations. I ask that you consider
25 those discussions seriously.

1 But I'm here today to ask the Commission to deny
2 this project at this location because of the wildfire risk
3 it proposes to neighborhoods, the burden it places on
4 already overburdened Capistrano Villa residents. Let's
5 work together on alternative better sites.

6 I ask the Commission to dismiss this application
7 as a terrible idea.

8 Thank you.

9 MS. BADIE: Thank you.

10 Next we are going to hear from a Board of
11 Trustees member, Gila Jones. Apologies if I've
12 mispronounced your name, I think.

13 Yes. Thank you.

14 And then after that, John Misustan from
15 Capistrano Unified School District as well.

16 MS. JONES: Very used to having my name
17 mispronounced. I'm Gila Jones. I'm a member of the school
18 board in Capistrano Unified School District.

19 Welcome to our boardroom. Commissioner Gallardo
20 is sitting in my seat tonight. I haven't ever had to be on
21 this side of the dais.

22 Before I begin, I would like to make some
23 comments about the errors in the application and statements
24 made today. The application states -- or the applicant
25 states that the application is supported by UNIDOS, a

1 Hispanic-serving local nonprofit dedicated to neighborhoods
2 in South Orange County that are disproportionately affected
3 by inequities and social challenges. Those are the
4 neighborhoods that Supervisor Foley talks about.

5 This is false. UNIDOS has taken no position.

6 The applicant's representative said today that
7 the applicant provided a \$750,000 grant to the South Orange
8 County Community College District for workforce
9 development.

10 This is also false. The applicant gave this
11 bribe to the Saddleback College Foundation, an independent
12 entity. The Saddleback College Foundation has no ability
13 to impact workforce development.

14 Personally -- just personally -- I am a huge
15 advocate for clean energy. My home is run almost entirely
16 by solar energy and we have a battery system to store some
17 of the energy from our solar system for nighttime use. I
18 firmly believe that California needs battery storage for
19 clean energy independence. My concern, as is the concern
20 of everyone, is the proposed location.

21 I urge you to read the letter from Congressman
22 Mike Levin. I'll give a copy to Ms. Chang, a tremendous
23 advocate for clean energy who opposes the proposed
24 location. His letter states, as Mayor Gennawey said, that
25 the project is not smart from the start.

1 Please also read the letter from our school
2 district. The proposed site is located only about 2,500
3 feet from the most sensitive of sensitive receptors, one of
4 our large comprehensive high schools, which is located at
5 the end of a dead-end street. Leaving the school requires
6 travel toward the proposed site. Therefore an accident at
7 the storage facility would be dangerous for its staff and
8 students, including a number of students with disabilities
9 who are non-ambulatory.

10 We understand the battery safety -- that battery
11 safety with a purpose-built facility and newer lithium
12 batteries is more safe than old systems, but the proposed
13 location prevents a risk for these students. California's
14 climate and energy goals must not take precedence over
15 public safety needs and especially the needs -- the safety
16 of children. No risk, however small, is acceptable when
17 children -- children -- children are involved.

18 The Capistrano Unified School District urges you
19 to reject the currently proposed location for this project.

20 Thank you.

21 MS. BADIE: Thank you.

22 All right. Do we have John Misustan with us?
23 Apologies if I've mispronounced your name, John.

24 MR. MISUSTAN: Good afternoon. My name is John
25 Misustan, and I have the honor of serving as the principal

1 of Capistrano Valley High School. I am here today to
2 express my deep concern regarding the proposed construction
3 of a battery energy storage system approximately 2,500 feet
4 from our high school campus.

5 Capo Valley High School is home to approximately
6 2,000 amazing students. Amongst them are students enrolled
7 in our STEPS programs, young people with physical
8 disabilities who require specialized care, accessible
9 facilities, and additional time to support to move safely
10 in the event of an emergency. Their safety, like that of
11 all of our students, should never be compromised.

12 The location and infrastructure surrounding our
13 school amplifies the risk associated with this project.
14 Our campus is located on a bluff at the end of a one-way-
15 in, one-way-out street. In an emergency scenario,
16 particularly one involving fire or toxic exposure, our
17 evacuation routes become a critical vulnerability. In
18 these scenarios, our only exit from our school leads
19 towards the proposed site, towards the emergency, not away
20 from it. There is never a scenario in which we would
21 instruct students to run towards the danger.

22 Furthermore fewer than half of our students on
23 our high school campus drive themselves to school. This
24 means that in the event of any emergency, a significant
25 portion of our community, parents, guardians, and sometimes

1 first responders would be attempting to reunify with their
2 students via the same narrow constrained corridor and
3 exiting again towards the emergency. The potential for
4 chaos, confusion, and harm is simply too great.

5 As educators and school leaders, we have both a
6 moral and legal obligation to protect our students. Their
7 safety must remain our highest priority above all else.
8 While we fully understand and respect California's climate
9 goals and the importance of clean energy initiatives, there
10 is no energy solution that should come at the cost of the
11 safety of our students.

12 We urge decision-makers to consider the unique
13 circumstances and the unacceptable risk this proposal poses
14 to our school community. We ask that alternative locations
15 be explored, ones that allow the state to pursue their
16 sustainability without compromising the safety and security
17 of our students and staff.

18 Thank you for this time and your commitment to
19 making student safety a central consideration in this
20 decision. Thank you.

21 MS. BADIE: Thank you.

22 And we do have some representatives that will be
23 joining us later, and we'll hear from them later.

24 Right now I have gone through the list of
25 government representatives that have asked to make remarks

1 during this time period, and I just want to do another call
2 in the room and then also on Zoom in case we've missed
3 anybody.

4 On Zoom if you are joining us and you won't
5 represent a California Native American tribe, the federal
6 government, state government, or legislator, county, city,
7 or other local government entity, you'll use the raise hand
8 feature on your screen. It looks like an open palm or star
9 nine if joining by phone.

10 And just a reminder, we are going to have a
11 general public comment period after the lunch break, which
12 will be announced soon. All right. So I think that will
13 be -- we'll be concluding government comments at this time.

14 And I'll hand it back to Kaycee.

15 Thank you so much.

16 MS. CHANG: All right. Thank you, everyone, and
17 thank you for all the comments.

18 We will be doing a lunch break now. And we'll be
19 doing a 30-minute lunch break. So we will be returning
20 around -- what is that? 1:08. Thank you, everyone.

21 We will be returning at 1:15. Thank you.

22 (Off the record at 12:37 p.m.)

23 (Off the record at 1:22 p.m.)

24 MS. CHANG: All right. So before we begin with
25 public comment and I provide the instructions, we have Max

1 Wernher from the Office of Senator Tony Strickland who
2 wanted to make some remarks, and then after Max I'm going
3 to do the instructions for the public comment. We are
4 going to start in the room, and then we are going to
5 transition to Zoom.

6 Thanks, Max.

7 MR. WERNHER: Thank you so much for your time
8 this afternoon. My name is Max Wernher, and I'm here on
9 behalf of California State Senator Tony Strickland,
10 representing the 36th Senate District. And I submit this
11 public comment to express strong opposition to the proposed
12 Compass Energy Storage Project in San Juan Capistrano.

13 The project's proximity, less than 1,500 feet to
14 residential neighborhoods, raises significant safety,
15 environmental, and economic concerns.

16 First, the use of lithium iron phosphate
17 batteries in the proposed battery energy storage system
18 facility introduces substantial fire risks. Such batteries
19 are known to overheat, leading to fires that are difficult
20 to extinguish and can reignite days later. The facility's
21 location, surrounded by native vegetation and steep
22 terrain, exacerbates the potential for wildfires. This is
23 particularly alarming given that 23 wildfires have occurred
24 within a five-mile radius of the site in the past decade.
25 The 2025 Moss Landing BESS fire, which lasted six days and

1 necessitated the evacuation of over 1,500 people,
2 underscores the dangers associated with such facilities.

3 Beyond immediate safety hazards, the project
4 poses long-term economic implications for local residents
5 and businesses. The increased wildfire risk could lead to
6 higher homeowners insurance, premiums, or policy
7 cancellations, further straining an already-challenged
8 insurance market in California. Insurers are reassessing
9 risk models, leading to significant rate hikes and reduced
10 coverage availability in high-risk areas.

11 Environmental concerns also merit attention.
12 Fires involving lithium batteries release toxic gases and
13 heavy metals, posing health risks to first responders and
14 nearby communities. Contaminated runoff from firefighting
15 efforts could adversely affect the San Juan Creek
16 watershed, impacting ecosystems and water quality
17 downstream.

18 Additionally, the project may have a negative
19 impact on tourism, a key component of the region's economy.
20 San Juan Capistrano and the surrounding areas are known for
21 their scenic beauty, historic sites, and outdoor recreation
22 opportunities. A nearby industrial energy storage facility
23 with a heightened wildfire risk and visible infrastructure
24 could deter visitors, hurt local businesses that rely on
25 tourist spending, and diminish the area's reputation as a

1 safe and attractive destination.

2 For these reasons, Senator Tony Strickland
3 strongly opposes the Compass Energy Storage Project. This
4 type of high-risk industrial energy infrastructure has no
5 place being forced in the heart of a densely populated
6 residential area. While energy policy remains an important
7 issue for the state, it cannot override the fundamental
8 responsibility to protect our communities, preserve local
9 land use authority, and prioritize public safety.

10 Thank you.

11 MS. BADIE: Thank you.

12 We are now going to move on to public comment.
13 There will be some government representatives coming later
14 in the afternoon, so we will pause to hear from them.

15 For public comment, we are going to start with
16 folks in the room. We've got a lot of blue cards. Thank
17 you for filling those out and turning those in early.

18 After folks in the room, we will go to Zoom. If
19 you are on Zoom and you wanted to get in the queue for
20 public comment, you can raise your hand now. It looks like
21 an open palm on your screen. And then, if you're joining
22 by phone, you'll press star 9. That's for our Zoom
23 attendees to let us know you'd like to comment. It will
24 take us a little bit to get to Zoom because we are going to
25 start with folks in the room.

1 And then I just wanted to mention that we are
2 asking for comments to be two minutes or less. This is so
3 that we can hear from everyone who made the effort to come
4 here today and is waiting for their turn to comment. And
5 what we've done is we've done -- we'll have a timer on the
6 screen, and we also have what I hope is a friendly chime
7 that will play after time is up, so just to indicate that
8 your time is up. And we do ask for cooperation so we can,
9 again, hear from everyone that's joined the line to
10 comment.

11 And I will call names, and I do ask that you
12 approach the podium.

13 It's helpful for our court reporter if you spell
14 your name. And if there's any affiliation you want to
15 announce, that's optional, but it does help us.

16 COMMISSIONER GALLARDO: Mona, I believe the
17 Congressman is on the Zoom now, so just a heads up.

18 MS. BADIE: Oh, great. Okay.

19 COMMISSIONER GALLARDO: Congressman Levin.

20 MS. BADIE: Yes.

21 All right. Congressman Levin, I'm going to open
22 your line.

23 I'm sorry. I'm not getting an option to open the
24 line. I don't know if IT, you can help me. It's Mike
25 Levin.

1 Oh. Wait. There we go. Thank you. Okay.

2 MR. LEVIN: Hello there. Can you hear me?

3 MS. BADIE: Your line is open if you'd like to
4 begin.

5 MR. LEVIN: Can you see me?

6 UNIDENTIFIED SPEAKER: No.

7 MR. LEVIN: No. But you can hear me. Okay.

8 Well, we are going to have to go with audio.

9 But I want to really first just thank everybody
10 for your commitment to be engaged with this project, and I
11 want to apologize for not being there with you in person.
12 I'm currently on the road. Hopefully you can hear me okay.

13 I wanted to just share my concerns about this
14 project and particularly express my opposition to the
15 location, and briefly read from a letter that I prepared in
16 anticipation of the meeting today and for the review by the
17 CEC. So I'll just quote from that letter.

18 I strongly support the development of clean
19 energy infrastructure to facilitate our nation's transition
20 away from fossil fuels and their associated impacts,
21 chiefly climate change. Further, I recognize the important
22 role battery storage plays in helping to smooth the so-
23 called duck curve, ensuring we have emission-free
24 electricity available at the times of greatest demand.

25 However, I've also been a long-time proponent of

1 smart planning and siting of these projects. For the last
2 four Congresses, I've sponsored the Public Land Renewable
3 Energy Development Act, which would require smart-from-the-
4 start planning of clean energy projects on public land.
5 This process would ensure that the projects are sited in a
6 way that reduces any negative impacts, including to the
7 environment.

8 I do not believe that the application to build
9 the Compass Energy Storage Project on its currently
10 proposed site meets these same smart-from-the-start
11 principles I have long advocated for at the federal level.
12 The project would be situated near sensitive areas,
13 relatively close to homes and adjacent to Trabuco Creek,
14 and alongside critical infrastructure, primarily Interstate
15 5. Should there be any kind of disaster at the project,
16 nearby residents may be severely impacted, as could the
17 water quality of the creek. Any extended shutdown of I-5
18 would hurt the commerce of our region. In the event of a
19 fire, there would likely be a federal role in the response,
20 whether from assets on Marine Corps Base Camp Pendleton or
21 those managed by the U.S. Forest Service. It is my mission
22 to ensure that these federal disaster response authorities
23 always have the resources they need to be effective.

24 I urge the CEC to reject the currently proposed
25 location of the Compass Energy Storage Project. End quote.

1 With that, thank you all for your consideration.
2 I and my team are available if you'd like to discuss our
3 position further, and again, my sincere thanks to the CEC
4 for your diligence in this matter.

5 I hope everyone has a great rest of the meeting.

6 MS. BADIE: Thank you.

7 All right. I'm going to start with the blue
8 cards.

9 First, we have Ed Maurer. Ed, if you can please
10 approach the podium.

11 And just a reminder, we are asking for comments
12 to be two minutes or less. And if you can spell your name
13 for the court reporter, it's very helpful.

14 MR. MAURER: Thank you for allowing me to speak.
15 My name is Ed Maurer. I'm a 50-year resident of South
16 Orange County, and I'm the volunteer Chair of Sierra Sage
17 of South Orange County, the local entity of the Sierra
18 Club, the country's oldest and largest environmental
19 grassroots organization.

20 Two minutes are insufficient to make a cogent
21 argument in support of the proposed battery electric
22 storage system in San Juan Capistrano. The Sierra Club has
23 been warning about the effects of climate change and global
24 warming for decades and has developed a national policy
25 that supports technologies that reduce CO2 emissions. We

1 support the application because it does just that, and it
2 will provide continuous electric energy to the area during
3 the critical hours from 5:00 to 9:00 p.m.

4 But with this big caveat: we support the project
5 provided the construction, maintenance, and operation of
6 this BESS does not harm the environment. By environment, I
7 mean the people and all living things as well as the air
8 and flowing water in the area.

9 Climate change is the existential threat of our
10 time, and we need to do all that is necessary to stave off
11 its worst effects. I want to be on record to have done
12 what I can to protect the future of my children and
13 grandchildren.

14 Thank you very much.

15 MS. BADIE: Thank you.

16 Next, we'll hear from Michael McGrady, and then
17 after Michael, we'll hear from Ayn Craciun. I'm sorry if I
18 mispronounced your name.

19 Thank you, Ed.

20 MR. MCGRADY: My name is Michael McGrady, M-C-G-
21 R-A-D-Y. We've seen the ribbon-cutting ceremonies, smiling
22 faces, proclaiming clean energy, guaranteed safety, a green
23 future. Considering the recent Moss Landing fire has been
24 mentioned, at its launch, promises of a sustainable future
25 filled the air. We were assured in public filings that

1 said unequivocally the project will not have a significant
2 cumulative effect on the environment. It will not cause
3 substantial adverse effects on human beings, either
4 directly or indirectly.

5 These weren't mere suggestions. They were firm
6 declarations, assurances to the surrounding community.

7 Yet what has now happened since those opening
8 ceremonies? Weeks of uncontrolled fire, plumes of toxic
9 smoke, evacuations, medical emergencies, and heavy metals
10 in the surrounding soil.

11 And when the flames finally subsided, what was
12 the industry's response? Oh, that's outdated technology.

13 This isn't an isolated incident. With each
14 successive fire, a familiar pattern emerges. The
15 proponents, those with substantial financial interest in
16 the proliferation of these lithium battery systems, dismiss
17 the failures as merely relics of a bygone era. As Scott
18 Murtishaw, Executive Director of the industry's lobbying
19 group, California Energy Storage Alliance, so readily put
20 it after the recent Escondido, California fire, a system
21 only a few years old: that's ancient technology.

22 But I ask you, if it's ancient technology today,
23 why was it cutting-edge, state-of-the-art, and safe just
24 yesterday? Why were these same systems, now deemed
25 obsolete, the centerpiece solution to our energy woes?

1 The truth is the technology isn't ancient when
2 it's being installed, when it's generating profits,
3 garnering public support. It becomes ancient when it
4 fails, when it endangers lives, and when it reveals the
5 inherent risks conveniently overlooked in the pursuit of
6 profit and progress.

7 Photovoltaic systems have been reliably installed
8 for over 50 years. Lithium battery technology continues to
9 finish its engineering and development in the field, in the
10 field next to our homes, schools, businesses, and memory
11 care facilities. The fires at Moss Landing, Escondido,
12 Otay Mesa, and other facilities are not anomalies. They
13 are warnings. They are stark reminders that the rush to
14 implement dangerous technologies can have devastating
15 consequences.

16 While the CEC and California Public Utilities
17 Commission accurately note that the Moss Landing battery
18 storage facility was approved outside the current CEC Opt-
19 In Program, the subsequent incidents highlight a critical
20 concern of mine: California's regulatory framework and
21 infrastructure are struggling to keep pace with the rapid
22 advancements and inherent safety demands of lithium battery
23 energy storage.

24 The fact that the CPUC proposed enhanced battery
25 energy storage safety measures two months after the Moss

1 Landing fire underscores this reactive rather than
2 proactive approach. It raises serious questions about the
3 state's capacity to anticipate and address the technology
4 complexities and potential risks of large-scale battery
5 deployments before incidents occur.

6 MS. BADIE: I'm so sorry, Michael. Our chime
7 didn't play, but we are asking for comments to be two
8 minutes or less. If you could please wrap up.

9 MR. MCGRADY: I am at the wrap-up. Last line.
10 We cannot afford to sacrifice the safety of our
11 communities on the altar of expediency and profiteering
12 while all along singing hymns of green energy.

13 MS. BADIE: Thank you. After Ayn, we'll hear
14 from Amanda Quintanilla. I hope I said that right.

15 MS. CRACIUN: Good afternoon. My name is Ayn
16 Craciun. It's spelled A-Y-N C-R-A-C-I-U-N. I'm the Orange
17 County Policy Director with Climate Action Campaign. We
18 are an on-the-ground climate policy watchdog here in Orange
19 County, and we are a mission-driven non-profit with no
20 financial interest and no funding tied to this project.

21 I want to thank you for the opportunity to speak
22 and the transparency of this process. I'm here to express
23 our strong support for this project. It is both a smart
24 investment in grid reliability and an urgently needed step
25 forward as we confront a worsening climate crisis which

1 brings increasing risks to the health and safety of Orange
2 County families.

3 The project represents the next generation of
4 clean energy infrastructure: safe, quiet, low-impact, and
5 essential for a resilient grid. As California transitions
6 to a clean energy future, projects like this one will
7 ensure that renewable energy resources like solar and wind
8 can be reliably stored when demand is low and delivered
9 when it's most needed, helping reduce reliance on fossil
10 fuels and improving energy reliability for communities like
11 San Juan Capistrano. This project will also bring local
12 jobs, economic benefits, and be built to the world's
13 highest safety standards.

14 We want to underscore that lithium iron phosphate
15 batteries are considered very safe and resistant to fire,
16 even in extreme conditions like overheating or
17 overcharging, a completely different material and different
18 facility design than what was -- is proposed here than what
19 was used at the other projects that have been named. So we
20 appreciate the Commission's focus on safety. We respect
21 the voice of the community and we welcome continued
22 community involvement which is in evidence here today.

23 Ultimately, this project is essential. It aligns
24 with state goals, with local needs, and with the public
25 interest. We urge the Commission to approve the project

1 and help us move forward toward a cleaner, safer, and more
2 reliable energy future.

3 Thank you.

4 MS. BADIE: Thank you very much.

5 All right. After Amanda, we are going to hear
6 from Nancy Schenck (phonetic).

7 MS. QUINTANILLA: Yes. Good afternoon. Buenos
8 tardes. My name is Amanda Quintanilla. I'm a resident of
9 San Clemente for over 50 years, and I urge you to deny
10 Compass Energy Storage Project. I value and support the
11 representatives who spoke here today in opposition of this
12 project. And as a Latina, I value preserving our Spanish
13 heritage which is deeply rooted in 250 years of this
14 wonderful historic town.

15 And as such, I urge you to deny this project. As
16 a registered nurse, I'm in strong opposition of a battery
17 energy storage system due to the public health and public
18 safety concerns regarding fire hazards and the release of
19 toxic fumes. As a San Clemente resident, we have
20 experience with landslides because of the land -- the type
21 of land, which is Capistrano Land Formation. And this
22 includes the cities of San Clemente, Dana Point, San Juan
23 Capistrano, and Laguna Niguel. So this is unstable land,
24 and so this is why there is erosion along the San Juan
25 Creek, the creek areas -- and the creek failures, sorry.

1 Also I wanted to mention that previous city
2 council members have spoken here today and their opposition
3 to this project. But I also want to mention that I fought
4 along with many thousands of people in San Clemente
5 fighting against projects that would deny -- that would
6 destroy, endanger, and be destructive to our way of life
7 through toll roads through San Clemente and San Juan
8 Capistrano.

9 And I'm very a strong proponent in fighting for
10 what we believe is right and preserving our rights. And I
11 think that earlier today, it was mentioned by a city
12 council member that this project was denied by San Juan
13 Capistrano, however here they went and applied through the
14 CEC. And so they're not in compliance of the laws and the
15 ordinances that were pertaining to San Juan Capistrano.

16 So I urge you to please deny this. I appreciate
17 your time and concern.

18 Thank you.

19 MS. BADIE: Thank you.

20 After Nancy -- Nancy, are you still with us?
21 Nancy Schenck?

22 All right. We are going to hear from Mary
23 Rampone next. And then after Mary, Theresa Ford.

24 MR. BENNET: And for people coming in, there are
25 seats at the front of the room, so please feel free to come

1 on in.

2 MS. HERRON: Thank you. My name is Mary Herron
3 (phonetic) and I'm here to oppose. I heard earlier that we
4 are supposed to look forward to some tax breaks or some
5 revenue. How about our property values going into the
6 toilet, and how about our fire insurance hazards going
7 skyrocketing?

8 Also, I have a piece of paper that shows that
9 Saddleback College received \$750,000. And this is
10 called -- this is a grant. My goodness. And it went
11 toward certificated salaries and things and benefits. How
12 kind and thoughtful of your company. And I don't know if
13 that bought silence or what that bought, but it's very
14 questionable.

15 First of all, what responsibility does a CEC have
16 toward members of first responders? First responders face
17 significant dangers when dealing with fires in battery
18 energy operating places. Thermal runaway explosions from
19 lithium iron batteries can happen by a single cell failure
20 triggering a chain reaction. Explosive gases, which
21 include hydrogen, are highly flammable and can form
22 explosive mixtures just from opening a vent door. In
23 McMicken, Arizona, an incident of four firefighters were
24 injured opening a door after the fire was suppressed.
25 Also, once the fire is suppressed, there's a risk of

1 reigniting it because one cell doesn't cool down
2 sufficiently.

3 Second, the BESS fires release toxic and
4 corrosive gases, including hydrogen fluoroxide [sic],
5 carbon monoxide, hydrogen cyanide, hydrogen chloride. Of
6 course, you know all this. These gases can cause long-term
7 respiratory problems, skin burns, and other health issues
8 for our poor first responders. They can't speak out for
9 themselves or they would get fired.

10 Third, BESS fires have suppression challenges.
11 These batteries are notoriously difficult to extinguish
12 because they burn at such high temperatures and can require
13 large amounts of water and time to cool down. Some of
14 these fires have burned for three days, and finally put
15 themselves out after exposing everybody to terrible toxic
16 fumes. The estimated endangered citizen area is a 35-mile
17 radius.

18 Fourth, there are additional electrical hazards.
19 BESS facilities can have high voltage DC systems posing a
20 risk of electrical shock.

21 Fifth, water used to suppress the fires could
22 become contaminated with battery chemicals, forever
23 chemicals like the PFAs. Contaminated waters pose
24 environmental hazards and require special handling
25 disposal. It eventually makes its way to the fragile

1 oceans.

2 Thank you very much. I could go on forever with
3 all the problems.

4 MS. BADIE: Thank you.

5 I'm sorry, I just want to -- well, I didn't catch
6 your name. I called Nancy Schenck. Are you Nancy?

7 MS. FORD: Oh, I'm sorry. I'm Theresa Ford.

8 Nancy, are you?

9 MS. BADIE: Okay.

10 MS. FORD: I'm sorry.

11 MS. BADIE: So we are going to hear -- if Nancy
12 already spoke.

13 Were you Nancy that just spoke?

14 MS. HERON: No, Mary.

15 MS. BADIE: Oh. Thank you.

16 And you're Nancy?

17 MS. RAMPONE: No, I'm Mary.

18 MS. BADIE: Okay.

19 MS. RAMPONE: Mary Rampone.

20 MS. BADIE: So who just spoke just now?

21 Oh, thank you, Mary. Okay. I just want to make
22 sure I got you. Okay.

23 And then after -- oh, you're another Mary.

24 MS. RAMPONE: Yes.

25 MS. BADIE: Okay.

1 So I want to have folks come up as I call the
2 cards because everyone -- you know, we kept the cards in
3 order. So if I could just ask for cooperation.

4 So we are going to hear from Mary Rampone next,
5 and then after Mary, we'll hear from Theresa Ford.

6 MS. RAMPONE: Good afternoon, commissioners. My
7 name is Mary Rampone. That's spelled R-A-M-P-O-N-E. I am
8 a realtor, and I've lived and worked in this community for
9 most of my life.

10 I'm here today to voice my strong opposition to
11 the proposed placement of the Compass Energy Facility.
12 Even at the proposal stage, this project has already
13 created uncertainty in the local real estate market, and I
14 am extremely concerned about the long-term effects it could
15 have on neighborhood stability if it moves forward.

16 Let me be clear. We are not opposed to clean
17 energy or battery storage, but we do oppose poor siting
18 decisions, especially those that put residential
19 communities at risk. There are better and safer locations
20 in California for projects like this, away from homes and
21 families.

22 In 2024 alone, Southern California saw two fires
23 at SDG&E operated battery storage facilities, and another
24 incident occurred just up the road in Santa Ana. These
25 incidents are not rare and they highlight the very real

1 fire and safety risks these facilities pose, risks that
2 would be amplified in a residential area.

3 As a realtor, I work every day with homeowners,
4 buyers, and families who are deeply invested in the safety
5 and stability of their neighborhoods. This project
6 threatens both.

7 That's why I respectfully urge the California
8 Energy Commission to reject or relocate the Compass BESS
9 project in the interest of public safety, property values,
10 and the long-term quality of life for our residents.

11 Thank you for your time.

12 MS. BADIE: Thank you.

13 After Theresa, we are going to hear from Collin
14 Powers.

15 MS. FORD: Hello, everyone. My name is Theresa
16 Ford, T-H-E-R-E-S-A, Ford, F-O-R-D. I'm the co-founder of
17 a non-profit public benefits organization known as
18 B.L.E.S.S.I.N., and B.L.E.S.S.I.N. was just organized last
19 September.

20 And the only reason we are here is we started as
21 a grassroots organization in opposition to this particular
22 BESS facility. So since that time last year, we've had
23 five public meetings, and attendance of those meetings is
24 on an average of 300 individuals. We have sent out 29,000
25 flyers. We have sent out 10,000 emails. All of this on a

1 shoestring. And I have to tell you that the community has
2 been excellent in working with us in cooperation.

3 To date -- I checked yesterday -- we had 1,560
4 comments or letters of opposition that were submitted to
5 the CEC, and just yesterday, I picked up another 30.

6 While I'm talking about the letters, I want to
7 acknowledge one of the CEC employees or staff members,
8 Mariana Brewer, the legal analyst there. She has been very
9 supportive and very helpful when I'm sending in 96 letters
10 at one time. She has been wonderful.

11 In opposition or in contrast to those letters of
12 opposition, I've noticed on the docket that there is a
13 petition that was submitted by the applicant. And in that
14 petition, it lists 238 different signatures.

15 In reviewing the zip codes for those signatures,
16 only 17 were from Laguna Niguel or San Juan Capistrano, so
17 I think that brings that point to play in comparison to the
18 1,500 letters.

19 I appreciated when Brett Fooks mentioned the
20 safer, and the fact that we are working towards safer. And
21 he mentioned it a few times. And I noticed that in the
22 photos that we saw with the six different BESS facilities
23 that were certified, I didn't see any homes nearby, and
24 that concerned me.

25 I also want to mention when we talk about the

1 lithium iron phosphate technology, EPRI in their database
2 does show seven failures of facilities utilizing lithium
3 iron phosphate. Seven failures are there.

4 I also want to give you this document that I
5 have. And what it is, it's a memorandum that was issued to
6 the County of Monterey. And its mitigated negative
7 declaration was filed on January 28th, 2019. And in this
8 memorandum --

9 MS. BADIE: Theresa --

10 MS. FORD: I'll come to the --

11 MS. BADIE: -- if you can wrap up soon.

12 MS. FORD: I'll come to the conclusion.

13 This proposed project will not have a significant
14 effect on the environment.

15 Thank you.

16 MR. POWERS: Good afternoon, commissioners. My
17 name is Collin Powers. That's C-O-L-L-I-N P-O-W-E-R-S.
18 And I am the Government Affairs Director for the Orange
19 County Realtors. We represent over 15,000 real estate
20 professionals who work with tens of thousands of residents
21 and homeowners across the region.

22 We are here today like many of our elected
23 officials and colleagues not out of opposition for clean
24 energy, but out of concern for how and where the
25 infrastructure is placed. The proposed Compass Project

1 raises significant questions about land use compatibility,
2 public safety, and long-term community impact, questions
3 that promises of safety do not solve. Especially when in
4 just 2024, we saw three fires at similar BESS facilities
5 just in Southern California. I would imagine those
6 facilities were at one time touted for their safety as
7 well.

8 In my role, I speak daily with realtors who are
9 trusted advisors to their clients. People who are deciding
10 where to live, raise families, and invest in their futures.
11 The proximity of this project to residential neighborhoods
12 has already triggered widespread fear in the community, as
13 we can see today, and that alone should give pause,
14 especially with the looming fear of fire in Southern
15 California and the proximity of this location to homes,
16 major transit corridors, watersheds, parks, and schools.

17 With that, we respectfully urge the Commission to
18 find another location or reject the project.

19 Thank you.

20 MS. BADIE: Thank you.

21 All right. Next we are going to hear from
22 Natalie Simmons, and after Natalie, we'll hear from Elinor
23 Nelson.

24 And just a reminder to please spell your name for
25 the record. And we are asking for comments to be two

1 minutes or less. There will be a timer on the screen.

2 Thank you so much.

3 MS. SIMMONS: Natalie, N-A-T-A-L-I-E S-I-M-M-O-N-
4 S.

5 Good afternoon, commissioners. My name is
6 Natalie Simmons. I'm a resident of the Capistrano Royale
7 Homeowners Association and also a board member. We are a
8 community of 108 homes located on a hillside across the
9 freeway, less than 4,000 feet east of the proposed plant
10 and directly downwind from the site of the proposed
11 location.

12 I am opposed to the location of this project. I
13 believe it will negatively impact property prices, and
14 insurance is already very difficult for us and it will only
15 get worse. While I do appreciate the need for these
16 battery energy storage facilities, I'm opposed to locating
17 them so close to large communities that are vulnerable to
18 fires. All the other projects are out in the desert or
19 central valley, and very far away from residential
20 neighborhoods. This location is not in any way similar.
21 There are hundreds of thousands of people living within
22 just a few miles of this site.

23 This location has recently been rezoned into a
24 higher fire hazard risk zone. The combination of the windy
25 nature of the location means our neighborhood is directly

1 in line of any potential fire embers that might result.
2 The recent fire at Moss Landing site shows us there are
3 real risks of this happening. The developer claims the new
4 Tesla packs are safer, but only marginally. A fire can
5 still happen and it only needs one. It cannot be
6 extinguished with water. There's no built-in fire
7 detection or suppression inside these containers. The
8 recommended strategy is to let it burn and spray water on
9 the neighboring containers, rushing the water and all the
10 pollutants into the creek, and it could go on for days.

11 If we would have to evacuate the community, the
12 only exit road from our neighborhood is to Rancho Viejo
13 Road and this takes us directly towards the fire. Making a
14 left turn from Highland onto Rancho Viejo Road away from
15 the site is already difficult to make during normal
16 traffic. Our only option might be to turn right and go
17 closer to the fire.

18 MS. BADIE: (Indiscernible.)

19 MS. SIMMONS: (Indiscernible) to get out.

20 Thank you.

21 MS. BADIE: Thank you so much. I appreciate
22 everyone keeping time, and I think we got our chime to
23 work. I'm going to ask if we could do a test.

24 We did not hear that.

25 All right. After Elinor -- thank you Elinor --

1 we are going to hear from Linda Wish.

2 MS. NELSON: My name is Elinor Nelson, E-L-I-N-O-
3 R N-E-L-S-O-N.

4 I live in Laguna Niguel. I support green energy.

5 I have to tell you, I had a different statement
6 prepared for you today but after listening this morning, I
7 wanted to provide you with my impressions as, you know, a
8 vitally interested member of the community.

9 As I listened to the lawyer for ENGIE speak, my
10 thoughts were she's doing the best that she can with what
11 she has. I was less convinced by the next two people that
12 ENGIE brought forward. What it came down to was, could I
13 bring myself to believe what the three of them were saying,
14 that there is no fire risk? I didn't hear any
15 qualifications from them, and I didn't buy it.

16 I felt better hearing the group of you speak.
17 It's clear to me how seriously you take your work but then
18 -- then -- there were the representatives from San Juan
19 Capistrano and oh my god, they blew me out of the water.
20 They blew -- I'm sorry -- ENGIE out of the water, but they
21 -- what they said shocked me to my core.

22 What I realized was this isn't just about this
23 being in a populated area but it is a spectacularly
24 unsuitable populated area, a site for this project. The
25 city has been reasonable. They have tried to talk to these

1 people. They have offered them other sites. And the
2 company has not been transparent with the city and they
3 haven't even been trustworthy in their dealings with them.
4 And considering what is at stake, I'm horrified.

5 Meanwhile, I live in a Very High Fire Hazard
6 Severity zone. I have listened to the OC Fire Authority
7 tell me what I need to do to protect my property and my
8 life if it should come to that. I am supposed to be
9 cutting down trees and bushes and plantings and even
10 removing the mulch from certain distances from my home.
11 I'm supposed to be changing the type of mesh in the vents
12 of my home. Their recommendations are extensive. I really
13 hope not to be placed in a position where one arm of my
14 government is telling me that I need to take these kinds of
15 measures to stay safe and another arm of my government
16 might authorize the placement of a facility in my
17 neighborhood that it could increase my fire risk
18 exponentially.

19 MS. BADIE: Elinor, if you could wrap up.

20 MS. NELSON: Sure.

21 MS. BADIE: Thank you.

22 MS. NELSON: Some might call this a NIMBY
23 statement. They would be wrong. This is about an
24 existential threat. It's something entirely different.

25 So I ask you to please be fair and not permit

1 this facility to be placed in this location.

2 Thank you.

3 MS. BADIE: Thank you.

4 After Linda, we are going to hear from Dale
5 Kraai. I hope I said that correctly.

6 MS. WISH: Hi. Linda Wish, W-I-S-H.

7 I'm here today as your neighbor. That's a
8 crucial concept I want to emphasize. We've all heard and
9 read the compelling reasons why this proposed location is
10 simply a poor choice. California faces significant risks.
11 We feel it directly in rising insurance rates.

12 The federal government is clearly signaling that
13 in the future, states will bear more financial burden for
14 disasters, disasters that stem from multiple risks
15 currently beyond our control. We are already dealing with
16 fires, floods, mudslides, drought, intense winds, and
17 earthquakes, and let's not forget the added stress of
18 living just a few miles from a non-working nuclear plant.
19 But we choose to live here despite these challenges. But
20 do we really need to add another layer of risk this close
21 to our homes?

22 I saw the pictures today of the other like
23 projects, but what I didn't see were homes in the
24 background.

25 This project is in the middle of our community.

1 It is geographically untenable due to creek and slope
2 erosion. It has limited access to firefighters. It has
3 limited escape routes for those nearby. It is opposed by
4 an overwhelming bipartisan majority of the neighbors.

5 Compass, it appears you either misrepresented
6 local groups in your application or downright lied.

7 Now, specifically to Saddleback Church, I have
8 empathy. You own a piece of property. You'd like to make
9 some money from it. I get it.

10 But while the Bible does not explicitly command
11 you to protect your neighbor, Proverbs 3:29 states, do not
12 plan evil against your neighbor who dwells trustingly
13 beside you.

14 I trust, I pray, and I implore all who have the
15 power, including Saddleback, to deny this project moving
16 forward.

17 Thank you.

18 MS. BADIE: Thank you.

19 After Dale, we are going to hear from Michael
20 Brough Baker (phonetic). I hope I've stated that
21 correctly.

22 MR. KRAAI: My name is Dale Kraai, K-R-A-A-I.

23 I am president of the HOA whose 2,069 homes are
24 located on the ridge directly above the proposed lithium
25 battery storage facility and in the valley on the southern

1 side of this ridge. Some of our homes are only 1,500 feet
2 from the proposed facility.

3 We are not opposed to a lithium battery storage
4 facility. We oppose locating this incredibly dangerous
5 storage facility within neighborhoods.

6 The proposed storage facility poses an
7 unreasonable threat to the cities of South Orange County.
8 The ridge adjacent to the proposed storage facility is
9 covered with highly flammable coastal sage scrub. A fire
10 in the open space adjacent to the battery facility would
11 undoubtedly race up to the top of the ridge and ignite our
12 community within minutes.

13 On March 24th of this year -- that is a little
14 over six weeks ago -- CAL FIRE released its updated fire
15 map. The proposed lithium battery facility is located
16 within a High Fire Hazard zone. It is flanked on two sides
17 by homes and businesses located in Very High Fire Hazard
18 zones. Almost all of the 2,000 homes in our HOA are within
19 a designated Very High Hazard zone, the state's highest
20 risk category.

21 Our HOA understands the risks fire poses to our
22 community. Our community is flanked on three sides by open
23 space. Furthermore, an open space canyon slices deep into
24 our community.

25 MS. BADIE: Gail, if you could please wrap up.

1 MR. KRAAI: Basically, this facility will make
2 our insurance double, triple, or get it canceled, and we
3 really have done all kinds of things to mitigate fire, and
4 this works against us.

5 MS. BADIE: Thank you.

6 After Mark, we are going to hear from Lindy
7 Tannenbaum.

8 And we did get our chime to work. Hopefully,
9 it's just a reminder. There's a timer on the screen, but I
10 see that it's a little off, so folks at the podium can't
11 always see it.

12 Mark Rozeker (phonetic), are you still with us?

13 All right. How about Lindy Tannenbaum?

14 And after Lindy, we'll hear from Sean Mehegan.

15 Thank you.

16 MS. TANNENBAUM: Hello. I'm Lindy Tannenbaum, L-
17 I-N-D-Y T-A-N-N-E-N-B-A-U-M.

18 I'm strongly opposed to this facility. I love
19 green energy. I'm so grateful to be in a state that is
20 forward thinking and hoping to develop these facilities.

21 As we've heard from our previous speakers, this
22 location is not ideal.

23 I also have a lot of mistrust for the Corporation
24 ENGIE that is putting forth the application. We've heard
25 about things that they have misstated. We've heard about

1 bribes they have given to community colleges. We've heard
2 how they have taken into consideration or not taken into
3 consideration the litigation or the -- I'm sorry -- or the
4 consequences that could come from the facility being placed
5 here. So please consider all of the impacts that could
6 take place. Right?

7 Also consider the irreversible environmental and
8 ecological impacts. Consider the history of our area. We
9 were formed by Junipero Serra. This is in a sacred area.
10 Are we serving our ancestors appropriately? Have we
11 thought about the indigenous folks that have been here
12 before us and what this might do to their sacred
13 connections to this land? Have we thought about the social
14 injustices that R.H. Dana fought for who formed Dana Point?

15 There is so much that has not been considered and
16 I hope that throughout these months, that you are focusing
17 on all of the data that you receive, that you keep all of
18 those things in mind.

19 Thank you for hearing our concerns and thank you
20 for this forum that we are able to express ourselves.

21 MS. BADIE: Thank you.

22 After Sean we are going to hear from Mary Heron.

23 MR. MEHEGAN: My name is Sean Mehegan. I'm a 25
24 year resident of San Juan, and my name is spelled S-E-A-N
25 M-E-H-E-G-A-N.

1 First I want to thank you for this opportunity to
2 speak. I am also opposed to this proposal. I coined a
3 phrase a few years ago, profit theology, which I intended
4 as a metaphor but I think has become a functional reality
5 in our society.

6 If you look at the history of industrial
7 disasters -- and just as a couple of examples, the BP oil
8 spill in the Gulf, the Union Carbide gas leak in Bhopal,
9 India, and the PG&E campfire which all resulted in
10 catastrophic loss of life -- they all resulted as a failure
11 of safety protocols, staffing, training, and ignoring
12 safety audits. My hope is that if this proposal is passed,
13 that would not happen here, but I'm not confident because
14 of the history of corporate lying that has occurred since I
15 first became a voter in 1972.

16 It's very alarming to hear some of the more
17 eloquent speakers. I'd especially like to thank the mayors
18 of Laguna Niguel and San Juan Capistrano who have helped
19 educate me about this issue of which I've only become
20 recently aware. We have to be very, very careful about
21 profits over people. I don't think any reasonable person
22 opposes green energy, but it should be opposed in this
23 particular instance at this particular location.

24 Thank you.

25 MS. BADIE: Thank you. Thank you Sean.

1 After Mary we are going to hear from Joyce Endo
2 (phonetic).

3 Mary?

4 Oh. Okay.

5 All right. Joyce Endo, if you're still with us,
6 and then after Joyce we are going to hear from Andy Perea.

7 MS. ENDO: Good afternoon, commissioners. Thank
8 you for the presentation today.

9 My name is Joyce Endo and I've been a realtor
10 here in the area for over 20 years. I've helped hundreds
11 of families find homes in the community and I speak today
12 on behalf of the residents I serve, many of whom are
13 worried about what this project means to their future. The
14 proposed Compass battery facility raises serious questions,
15 not just about the environmental impact but about the
16 safety, stability and livability of the surrounding
17 neighborhoods.

18 This is not the right location for an industrial
19 scale energy storage system. We are talking about a
20 project that could sit within a mile of homes, schools, and
21 parks. That's just too close.

22 We've seen real local examples -- Santa Ana, San
23 Diego -- where these facilities have caught fire or
24 experienced malfunctions. If something like this were to
25 happen here are the local fire and emergency services

1 prepared to respond? Would families be safe? As someone
2 who helps people make the most important financial
3 decisions of their lives, I can tell you that uncertainty
4 like this has real consequences and affects home values,
5 fire confidence, and the long-term health of our
6 neighborhoods.

7 I strongly encourage the Commission to take
8 seriously the voices of the people who actually live here.
9 We do support renewable energy. We also support
10 responsible planning.

11 This project needs to be relocated to a site that
12 is appropriate, away from homes and families.

13 Thank you for this opportunity to speak.

14 MS. BADIE: Thank you.

15 All right. After Andy we are going to hear from
16 Joe Pryor.

17 ANDY: Thank you for giving me the opportunity to
18 be here today. Member Gallardo, I want to thank you for
19 visiting the site, and if you looked up that hill and you
20 saw the steep hill with all the brush, at the top of that
21 hill, that's my community, that's my home. I encourage you
22 all if you've not had the chance to get out there, take a
23 look at it. I think when you see it, what you're going to
24 hear, what you are hearing here today, will be a lot more
25 reflective when you actually look up that hill and you see

1 where they're planning to put this facility.

2 I understand the need for the move towards green
3 energy, but to avoid another Moss Landing or Otay Mesa
4 situation in South Orange County, the siting of BESS
5 facilities must be done without creating a potential
6 disaster to its surrounding area. The state needs to hit a
7 pause button to study and develop the standards for a safe
8 siting of these facilities.

9 The City of San Juan Capistrano has already said
10 no to this use. It is not consistent with their general
11 plan or their zoning code. I want to thank the City of San
12 Juan Capistrano for doing that. Local zoning and land use
13 decision should be based on the land use plans and desires
14 of the community where it's located.

15 I do have a question regarding the Compass
16 application. In their application, they were requesting --
17 they were granted confidentiality for several items in
18 their application, including property ownership
19 information.

20 And I just want to know why. I mean if you own a
21 home, I own a home, all that information is readily
22 available even online. Why were they granted
23 confidentiality? I thought this was supposed to be an open
24 process.

25 The site has also been recently designated as a

1 high-fire zone. Earlier this morning we heard ENGIE fire
2 specialists say that smoking toxins will rise and
3 dissipate. How will this impact the residents living up on
4 that hill? I ask that the Draft Environmental Impact
5 Report study these impacts from both the ground level and
6 from the bluff where the homes are located.

7 The Draft Environmental Impact Report should also
8 look at the creek and its geological impacts, circulation
9 including evacuation routes should a worst-case situation
10 happen, cultural resources and the indigenous peoples who
11 lived there long before this church was established, and
12 fire and safety resources.

13 I've been trying to educate myself on this matter
14 and I ran across an article by Canary Media, which they
15 advertised themselves as a publication for the green
16 energy. The title of that article was why we --

17 MS. BADIE: Andy, if you could wrap up, please.

18 ANDY: I will wrap up here any second.

19 Why we shouldn't worry too much about these
20 facilities. They state that the industry is moving so fast
21 that we are learning from trial and error. Trial and
22 error. Yet they pat themselves on the back by saying but
23 nobody has died yet.

24 I added the yet, that wasn't in the article.

25 Saddleback church teaches to love thy neighbor.

1 They entered an agreement to sell this site for use that
2 has potential for high fire danger, safety, environmental
3 risks.

4 Hey, neighbor. I don't feel the love.

5 MS. BADIE: Thank you.

6 Next we are going to hear from Joe Pryor, and
7 after Joe we are going to hear from John Kinney (phonetic).

8 Just a reminder we are asking for comments to be
9 two minutes or less so that we can hear from everyone today
10 and then also go to our Zoom attendees as well.

11 Thank you, Joe.

12 MR. PRYOR: Joe Pryor, P-R-Y-O-R.

13 I'm in opposition to the battery permit. Public
14 safety is a priority for the communities of Laguna Niguel
15 and San Juan Capistrano. The location near the 5 Freeway,
16 critical rail lines, housing, schools, senior living
17 facilities, and historical sites make this site
18 unacceptable. Asking for a permit in a high fire zone
19 surrounded by very high fire zones prone to wildfires is
20 dangerous. The wildfire in this site would be catastrophic
21 and the aftereffects of the toxic cleanup, reduced home
22 values, and loss of fire insurance and business is
23 unacceptable.

24 I urge the California Energy Commission to deny
25 this permit.

1 Thank you.

2 MS. BADIE: Thank you.

3 Next we are going to hear from John Kinney, and
4 after John we'll hear from Paul Krause.

5 Do we still have John Kinney with us?

6 And then so let's call up Paul Krause.

7 Paul, are you with us still?

8 After Paul we'll hear from Matt Klink.

9 MR. KRAUSE: My name is Paul Krause, spelled K-R-
10 A-U-S-E.

11 I'm a resident of Laguna Niguel and I'm a
12 scientist, and I have noticed lately that there are great
13 parallels between SpaceX and Tesla. SpaceX in the sense
14 that they are trying to develop reliable rockets and Tesla
15 in the sense that they are trying to develop safe
16 batteries.

17 We all know the history behind SpaceX. They've
18 had three failures in a number of months, and I can imagine
19 the scientists and engineers struggling with data, with
20 laboratory testing, and all the other things they do to
21 want to prevent another disaster.

22 The same goes for the Tesla engineers who are
23 looking at their battery technology and who know very well
24 that the primary issues associated with these batteries are
25 safety. And that's why it's an iterative process that

1 makes this site a laboratory. A laboratory for an
2 experiment.

3 I would suggest that those engineers are in a
4 struggle of enormous proportions. They know the safety
5 issues, and while they may be brilliant, they all know that
6 there are limitations to their brilliance. I'm sure that
7 they go to bed at night and from time to time wonder when
8 the next battery fire is going to show up. And so because
9 of that and because of my scientific background, I
10 sympathize with them.

11 But at the same time, I would like to urge you
12 all to deny this application because this site is not a
13 laboratory.

14 MS. BADIE: Thank you.

15 All right. And then we have Matt Klink. And
16 then after Matt, we have Sarah Mehta.

17 And then I got a question about how many cards.
18 There's 33 cards as of now that we have, and then we will
19 move to Zoom.

20 So thanks, Matt.

21 MR. KLINK: Great. Thank you. Good afternoon,
22 commissioners. My name is Matt Klink, K-L-I-N-K, and I'm
23 here today to read a letter from Scott Murtisha from the
24 California Energy Storage Alliance.

25 Dear commissioners, on behalf of CESA, I

1 enthusiastically support the Compass Energy Storage
2 Project. The project is ideally located on privately owned
3 land previously disturbed in San Clemente. By way of
4 background, CESA is a 501c6 membership-based advocacy group
5 committed to advancing the role of energy storage in the
6 electric power sector. The Compass Energy Storage Project
7 is a proposed 250-megawatt BESS project that will use
8 state-of-the-art modular lithium iron phosphate batteries.
9 The project will be able to provide safe, reliable, and
10 clean power to approximately 250,000 homes when the energy
11 is most needed.

12 The location of the Compass Project is ideal for
13 interconnecting BESS. It will connect to SDG&E's grid
14 without requiring any new transmission upgrades, which are
15 often costly and can take years to complete. The project
16 is located next to the I-5 in San Juan Capistrano and
17 adjacent to SDG&E's existing delivery lines. Additionally,
18 the project will utilize only 13 acres of a 41-acre parcel,
19 with the remaining dedicated to opening space.

20 California has deployed nearly 16,000 megawatts
21 of energy storage, including 214 utility-scale facilities
22 and over 250,000 customer-sided residential and commercial
23 systems. We recognize that recent incidents have raised
24 concerns about BESS safety within the community. Although
25 a few incidents of overheating or thermal runaway have

1 occurred in California since 2021, they have resulted in no
2 injuries or damages to external property.

3 Additionally -- additionally -- addition --
4 additionally --

5 COMMISSIONER GALLARDO: If we can --

6 MR. KLINK: Additionally -- additionally, no air,
7 water, or soil analysis conducted during our -- can I
8 finish, please?

9 COMMISSIONER GALLARDO: All right. Everybody.
10 Everybody, I asked earlier, we want to listen to everyone.

11 Excuse me.

12 We want to listen to everyone regardless of the
13 perspective or the stance, but when you make noise like
14 that, it's hard for us to be able to hear. So I
15 respectfully again ask that you keep the noise down. I
16 know there is a lot of interest, a lot of passion about
17 this issue, but we want to hear everybody. And then when
18 you start making noise, then we have to take longer for
19 other folks to be able to come up to the mic.

20 So again, please limit the noise.

21 Matt, go --

22 MR. KLINK: Thank you, Commissioner.

23 COMMISSIONER GALLARDO: Sir, I understand, but we
24 need to are -- we need hear him and it is hard to hear when
25 people were interrupting. So we are going to give him a

1 few more seconds so that he can finish.

2 We've been giving everybody a little grace and
3 extra time when they've needed -- when they are trying to
4 wrap up. So please let Matt wrap up.

5 MR. KLINK: I'll skip to the end, Commissioner.

6 Thank you.

7 COMMISSIONER GALLARDO: Thank you.

8 MR. KLINK: CESA respectfully urge you to support
9 ENGIE North America's Compass Energy Storage Project. It
10 is the right project in the right location at the right
11 time.

12 Thank you.

13 MS. BADIE: So we are going to hear from Sarah
14 Mehta next, and after Sarah, we are going to hear from
15 Kristen Green.

16 Sarah, are you still with us? Thank you, Sarah.

17 And just a reminder to please spell your name for
18 our court reporter as well.

19 After Sarah, we are going to hear from Kristen
20 Green.

21 MS. MEHTA: My name is spelled S-A-R-A-H, last
22 name M-E-H-T-A. Good afternoon. My name is Sarah Eileen
23 Mehta, and I previously served for three years as a federal
24 government consultant in the area of energy sustainability
25 infrastructure.

1 Firstly, I want to thank the CEC for honoring the
2 public's right to be heard, and I want to thank the
3 residents of Laguna Niguel and San Juan Capistrano who have
4 shown unwavering commitment to fighting this project for
5 almost two years now since 2023.

6 What we are seeing here is not just a debate over
7 energy infrastructure. It is a test of whether public
8 trust in local authorities still hold weight in our
9 democracy. The City of San Juan Capistrano already said no
10 to this project. The City of Laguna Niguel has already
11 said no to this project. And yet the developers bypassed
12 our local government and brought it to the state instead.
13 That is not democracy. That's corporate overreach.

14 ENGIE, the project developer, has made multiple
15 false claims today. They've stated the project lies
16 outside of sensitive habitats.

17 This is a materially false and dishonest claim.
18 I, myself, and 40 other volunteers serve weekly on that
19 land at Saddleback Church, and we can attest to the
20 delicate ecosystem that exists there. It is home to rare
21 and migratory birds, owls, mountain lions, and other
22 sensitive wildlife.

23 In a meeting on March 21st, 2024 between myself,
24 Laguna Niguel HOA, and ENGIE's representatives, ENGIE
25 admitted to us that if endangered species were discovered

1 during their Environmental Impact Report, they would simply
2 pay the state fine for disturbing the natural habitat and
3 continue on with the project. This is a deeply alarming
4 statement.

5 Furthermore, ENGIE lied today stating they have a
6 petition of over 400 local supporters. We downloaded their
7 petition, and only 11 of those signatories are local. Over
8 380 plus of those signatories are from zip codes up to 600
9 miles away, including in the area of Mount Shasta. This is
10 absolutely ridiculous.

11 They've also stated today that the Tesla Megapack
12 2XL doesn't pose any threats, yet the Tesla 2.0, which is a
13 similar model, just smaller copycat size, created a massive
14 fire event in Australia in 2023, producing massive
15 multicolored flames, toxic plumes, and hazardous smoke to
16 the local residents, and this is documented in an official
17 news report.

18 In closing, ENGIE's constant repetition of
19 misinformation doesn't make it true. The CEC has a chance
20 today to stand with the people of this community and not
21 override them. Please reject this project and protect the
22 democratic, environmental, and local integrity of our
23 communities and our state.

24 Thank you.

25 MS. BADIE: Thank you.

1 Next we are going to hear from Kristen Green
2 (phonetic) if you're with us, and then after Kristen we
3 have Nate.

4 Do we have Kristen still?

5 All right. How about for Nate?

6 After Nate, we are going to hear from Andrew
7 Messore (phonetic).

8 NATE: Hello. My name is Nate. I'm a lifelong
9 resident of South OC. I'm a high school student and I'm an
10 activist for members of our community.

11 I thoroughly oppose the Compass Energy Storage
12 Project because I believe there's a moral obligation to
13 oppose it because there's undeniable risk to the residents
14 of San Juan Capistrano, Laguna Niguel, and Mission Viejo,
15 and the critical infrastructure which is within just mere
16 hundreds of feet of the proposed site and surrounding
17 ecosystem.

18 Some of you may know Moss Landing is a similar
19 facility in Monterey County that caught fire in January,
20 the fourth time since 2019 that it's caught on fire, and
21 the events that followed were devastating. 1,400 residents
22 who live nearby the Vistra facility reported sore throats,
23 headaches, nosebleeds in the days following the fire.

24 The fire reignited almost a month after it
25 originally started, and half a year later, scientists have

1 found an increase in heavy metal contents in the soil as
2 far as four miles away from the actual facility, which
3 disproves what the man who was too cowardice to stay had to
4 say. The Monterey County themselves released a statement
5 saying to wash hands and clothing frequently and leave
6 activities that produce dust to a minimum.

7 The site is 338 feet away from active railroad
8 infrastructure, 849 feet away from the nearest residential
9 neighborhood, 184 feet away from an active body of water,
10 Trabuco Creek, 456 feet away from Interstate 5. What are
11 you guys thinking?

12 My final for my stats class was to prove to my
13 teacher that this site poses an incredible irrefutable risk
14 to everything around it. That was easy. I just got my
15 grade back. It's 100 percent.

16 I'll reclaim my time. I might be a little over
17 guys, not going to lie. Lithium-ion batteries are highly
18 flammable, reaching up to 400 degrees Celsius, requires
19 special fire suppressants.

20 In training, you have one entry point, a
21 conservation easement just down the road.

22 You'd kill a wide variety of species that will
23 forever change the ecosystem nearby, displace countless
24 lives if thermal runaway occurs, all because of your
25 ignorance if this project continues any further.

1 As a rail fan and someone who does work for
2 railroads, when I heard that this was right next to active
3 railroad infrastructure, my mind blew up.

4 MS. BADIE: Nate, if you could please wrap up.

5 NATE: I know, but I add some shares because I'm
6 awesome and I'm going to just have a little more on time.

7 So the trains that run on the LOSANN Corridor --
8 by the way, that corridor produces \$1 billion annually in
9 freight volume alone, not passenger rail. Those trains,
10 when they're operating, 100 to 300 hertz is the vibrations
11 that they make. Guess what type of hertz is needed to
12 increase the chance of thermal runaway significantly? 100
13 to 300 hertz, the exact amount of hertz that those trains
14 operate on. This is just pure ignorance. Pure ignorance.

15 MS. BADIE: Nate, if you want to talk more, we
16 can have more, we can do cards --

17 NATE: Okay. That's fine.

18 MS. BADIE: -- when everyone has had their turn.

19 NATE: Yeah.

20 Despite the chance of thermal runaway being less
21 than one percent, the conditions that these batteries will
22 be under, if the location is chosen, will cause that
23 percentage to increase dramatically. It accumulates over
24 time, and shame on you guys for even entertaining the idea
25 after it was denied by multiple cities.

1 Thank you guys so much.

2 MS. BADIE: All right. We are going to hear from
3 Andrew next. After Andrew, we are going to hear from Laura
4 Smith.

5 Andrew Messore, I'm sorry if you're still with
6 us.

7 All right. Laura Smith, are you with us?

8 Thank you.

9 And then after Laura Smith, we'll hear from Randy
10 Wetmore (phonetic).

11 MS. SMITH: Hi, I'm Laura Smith, L-A-U-R-A
12 S-M-I-T-H. I'm a resident of San Clemente for the last 34
13 years and South OC all of my life.

14 I'm hearing today that this project would only
15 affect those within 800 feet, and the size of the area
16 involved, big or little, was your perception of how you
17 look at it. Well, the people living by it are very
18 concerned and so are we in San Clemente.

19 The emphasis spoke on this project was that it is
20 safe, reduces, and minimized the fire threat, but that we
21 must remember there is still a fire threat being brought
22 here. They said less embers, but it only takes one ember
23 to start a fire, especially in a windy condition.

24 They also said this is set up for the fire to go
25 up, deflagration. Well, there was no mention of the toxins

1 that would be spread once they -- and then once they get
2 carried in the wind, remember Moss Landing.

3 I live in Forrester Ranch and it's just recently
4 been, I think it was in March, they redid the whole fire
5 zone and now my house is in a very high fire zone. So CAL
6 FIRE now has told us to mitigate our home. Our HOA is also
7 mitigating the common area around us, and our City of San
8 Clemente is working to clear away the dead brush in our
9 hills with goats and other measures to protect our city
10 against the fire danger. This project would be doing the
11 opposite, so please do not put it here or even possibly
12 near other South O.C. cities, including San Clemente.

13 Thank you.

14 MS. BADIE: Thank you.

15 All right. After Randy, we'll hear from Kathy
16 Weinberg (phonetic).

17 Randy, are you still with us?

18 All right. Kathy, are you with us?

19 UNIDENTIFIED SPEAKER: (Indiscernible.)

20 No. No. No, please.

21 Okay. Kathy Winneberg, do we have you still in
22 the room with us? All right.

23 Next we'll hear from Andrew Gonzales.

24 How about Daniel Osborne?

25 Bob -- thanks, Andrew. Sorry about that.

1 MR. DESOTEL: My name is hard to pronounce. My
2 name is hard to pronounce. (Indiscernible.)

3 MS. BADIE: (Indiscernible.) Thank you.

4 Thanks, Andrew. Sorry about that.

5 MR. GONZALES: Hi, my name is Andrew Gonzalez, G-
6 O-N-Z-A-L-E-S. I'm with the L.A. and Orange County
7 Building Construction Trades Council, representing 14
8 crafts, 48 local unions, 160,000 men and women in union
9 construction trades. Here to speak in favor of the project
10 and hope the Commission will approve the project as
11 proposed.

12 You know, as we face multiple threats of climate
13 change, sea level rise, and erosion, we need all the tools
14 at our disposal, energy-wise, to create energy independence
15 and that clean energy. And this is one of those projects.

16 Actually, its proximity close to where the energy
17 is going to be stored or be used is actually a prime
18 example of that, because when you transmission along the
19 distances, you actually lose the energy you've created and
20 stored. So it's going to take battery electric storage
21 such as this close to residents to actually make the dream
22 of green energy possible. More than that it will create
23 local jobs, create opportunity for more businesses, and a
24 green energy future.

25 Thank you so much.

1 MS. BADIE: Thank you.

2 And I think we didn't have Daniel Osborne in the
3 room, so we'll go to Bob -- okay.

4 Sorry, Daniel.

5 MR. OSBORNE: No, sorry about that. I was tardy.

6 My name is Daniel Osborne. I'm with the
7 Ironworkers Local 433, asking you guys to approve this
8 project.

9 I'm going to throw a couple stats out here, and
10 feel free to fact-check me on any of these. But percentage
11 of battery storage projects that experienced the fire: less
12 than half of a percent. Of that less than half a percent,
13 total wildfires started: zero. Total surrounding
14 businesses burned down, zero. Total surrounding
15 residences: also zero. You might be seeing a theme here.
16 Right?

17 When these projects are built irresponsibly, the
18 fires don't even spread beyond the facility. When they're
19 built responsibly, they don't spread beyond the initial
20 battery where they started.

21 ENGIE is a responsible developer. Right?
22 Despite numerous public outreach efforts, they're also
23 committed to implementing every possible fire mitigation
24 measure they can think of. They're going to be working
25 with the local fire department to implement anything they

1 haven't thought of already. Right? They're not here to
2 put anyone in danger. They're here to provide battery
3 storage, which California, increasingly reliant on
4 renewable energy, sorely needs.

5 We need battery storage. We need more
6 responsible developers like ENGIE to build it.

7 We hope you will approve the project. Thank you.

8 MS. BADIE: Thank you.

9 Next we are going to hear from Bob Desotels
10 (phonetic). I'm sorry if I mispronounced your name, Bob.

11 And then after Bob, Mark Amendola, if you are
12 outside and you've heard your name, please make sure to
13 make your way in so we can make sure we get your comment.

14 And then just a reminder, Bob, if you could
15 please spell your name for the court reporter as well.

16 MR. DOSETELS: I'm Bob Deshotels. I'll give you
17 my name and email.

18 I'm here because somebody from the CEC said that
19 the facility has to be located in San Juan Capistrano
20 because that's where we have a transmission line with
21 enough spare capacity to handle this project.

22 Now, I've tried to find information on that, and
23 I was unable to. And I'm hoping that since you all have
24 technical expertise, you're going to manage this project,
25 you know what you're doing, that you could send me some

1 data, you know, something with accrediting the authors,
2 organizations they work for. If you could do that before
3 the end of the meeting -- I know you're all sharp -- I
4 would be very impressed.

5 The reason that I'm concerned about this project
6 is because they're my neighbors.

7 MS. BADIE: Bob, I want to make sure people on
8 Zoom can hear you. Can you keep speaking into the
9 microphone?

10 MR. DESOTELS: Okay.

11 Okay. This is what happens in a flood. In the
12 flood they had just a year ago in San Diego, they had 2.7
13 inches of rain in three or four hours, and the people only
14 got two hours' notice that a flood was coming, so this is
15 what happened to the people there. You can see heavy
16 objects blowing with the water, turning, diving, and
17 smashing whatever's underneath.

18 If a flood of this same magnitude were to fall in
19 this watershed here where all the creeks -- San Juan Creek,
20 Oso Creek, and Trabuco Creek converge -- we would have
21 roughly about 20 feet of water over this whole area.
22 Typically when you have the possibility of citizens being
23 affected by a natural disaster, you design -- or a disaster
24 that would happen only every thousand years, for example,
25 this building is designed not to collapse in the event of

1 an earthquake that would happen every thousand years on
2 average.

3 Here we have a flood that happened one year ago.

4 In 1938 there was another flood that changed the
5 course of the L.A. River, and they were both caused by
6 hurricanes that came up from Mexico and went north of their
7 intended destination.

8 MS. BADIE: If you can wrap up please, Bob.

9 Thank you.

10 MR. DESOTELS: So you can see that if there was a
11 flood here, there's a likelihood that objects would break
12 off the vents of these battery containers, and even though
13 the lithium iron phosphate batteries are the safest of all
14 the liquid lithium-ion batteries, they are still able to be
15 shorted out, and the amount of HF and steam and everything
16 else that would come out of them would be huge, and it
17 seems like it needs to be considered whether that can
18 affect anything nearby. It seems pretty clear to me that
19 it could, and I would like to see that investigated.

20 The proposed facility is the most important thing
21 to have --

22 COMMISSIONER GALLARDO: Bob, I'm sorry to
23 interrupt you, but your time is up, and I'm going to have
24 someone from the public advisor's office follow up with you
25 to determine exactly what information you're seeking to see

1 if we can provide that to you.

2 MR. DESOTELS: Thank you very much

3 COMMISSIONER GALLARDO: We do need to give a fair
4 chance to others who want to speak.

5 MR. DESOTELS: It doesn't seem too much to ask
6 for.

7 I mean, the CEC says how this meeting is going to
8 proceed and how it works. I would like to interpret that
9 as, this is how you would like to see it work.

10 I propose something else. That I believe in
11 an -- excuse me -- I believe in an America where the
12 leaders do what's right and what's responsible.

13 And I think the right thing to do is to find a
14 way to allow Compass Energy to move the BESS facility up to
15 an area where the transmission lines go right past the
16 Prima Deshecha County Landfill. Nobody lives there.
17 There's no flood. You've got the power nearby, and I'm
18 hoping that some way the governor can find a way to do
19 that.

20 MS. BADIE: Thank you, Bob.

21 All right. And we've got Mark Amendola, and
22 thank you, Mark, and then after Mark, we'll hear from Susan
23 Pratt, and after Susan, Henry Hillebrecht (phonetic).

24 And just a reminder, we are asking for comments
25 to be two minutes or less, and to please spell your name

1 for our court reporter as well.

2 Thank you.

3 MR. AMENDOLA: Sure. Mark with a K, Amendola, A-
4 M-E-N-D-O-L-A.

5 And my commentary is more in the form of a
6 question. As part of an official site visit to Saddleback,
7 it was brought to my attention that the water pumping
8 station is at the south end of the property. That water is
9 pumped north to the lake.

10 Beautiful lake. If you haven't seen it, go see
11 it.

12 Then that water comes back, gravity flow to be
13 the primary water source of the PEACE Farm, where fruits
14 and vegetables are grown for distribution throughout the
15 county and the various distribution centers. Amazing
16 ministry.

17 My question is, I am no expert in toxic leakage,
18 but has the issue of leaching that heavy metal into the
19 soil and groundwater and its effect on that water going
20 directly to the food, has that even been addressed?

21 And as a final comment with a minute left, it's
22 interesting to note that the existing site of the farm has
23 been approved to be relocated about 200 meters northeast
24 closer to the worship center because of the creek erosion
25 issue. Interesting that it's not good enough for the farm,

1 but that chunk of real estate is good enough to put the
2 battery facility. Interesting.

3 Thank you for the time. 39 to go.

4 MS. BADIE: Thank you.

5 All right. After Susan, we are going to hear
6 from Henry Hillebrecht.

7 MS. PRATT: Hi, my name is Susan Pratt, S-U-S-A-N
8 P-R-A-T-T.

9 I've lived on the hillside above the proposed
10 lithium battery facility in San Juan for 22 years. I'm
11 extremely nervous and I'm concerned about the proposed site
12 being so close to me and my neighbors.

13 I literally live in a fire zone, and we have had
14 a fire four years ago in the adjacent hillside right above
15 the proposed site. I literally live in a flood zone with
16 the creek below me that leads to adjacent neighborhoods. I
17 am surrounded by wildlife, many protected species, and
18 brush, much of which becomes flammable basically all year,
19 but mainly in the summer months. I can see the train
20 tracks and the freeway moving heavily and freely below me.

21 A lithium battery storage facility in the
22 proposed location will endanger human life, wildlife,
23 transportation, and the surrounding environment. Due to
24 living in a high-risk fire and flood zone, insurance is
25 already very expensive and uncertain, but will be near

1 impossible to secure with such a potentially dangerous
2 facility near our homes.

3 I care about a renewable future, but I care more
4 about the safety of our neighborhoods and the environment.
5 These facilities with a history of explosions that takes
6 days to extinguish have not been deemed safe and it's
7 irresponsible to build them in a densely populated area
8 knowing the risk. They should only be placed in large open
9 spaces in an effort to minimize risks to human, animal,
10 plant, life, the air we breathe, the water we drink, and
11 the soil beneath our feet.

12 In conclusion, I strongly oppose the proposed
13 Compass energy storage.

14 Thank you for hearing my concern and listening.
15 Thank you.

16 MS. BADIE: Thank you.

17 All right. After Henry, we are going to hear
18 from Deborah Haag.

19 Henry -- Henry Hillebrecht, do we still have you
20 with us?

21 Henry's next. If we don't have Henry, then we'll
22 move on to Deborah.

23 I'm not seeing Henry in the room with us.

24 MS. HAAG: Okay. Thanks.

25 MS. BADIE: All right. Deborah Haag, if I hope

1 I've spelled your -- I said your name right.

2 MS. HAAG: Oh. No, but everybody calls me Ms.
3 Haag, but you may.

4 MS. BADIE: After Deborah, we are going to hear
5 from Kathleen Pryor.

6 Thanks, Deborah.

7 MS. HAAG: Okay.

8 Well, I don't have anything prepared to say. I
9 think I'm better when I speak from my heart. I am, as you
10 can see, a proud member of B.L.E.S.S.I.N.

11 Oh. I've got to stay at the mic.

12 I joined this group as a member of -- a resident,
13 I should say, of San Juan Capistrano. Our three adult
14 children live and their families as well.

15 I don't have anything written to show you, but I
16 do have something that is very near and dear to my heart.
17 I only have three grandchildren. They live in San Juan,
18 close enough to ride their bikes to my house, come and swim
19 at grandma's. And I'm fighting for their future.

20 There's nothing about this project that makes
21 sense. Nothing. Nothing. And I cannot believe that this
22 would even come to this point that we'd be even listening
23 to the craziness of it.

24 So I'm begging you, begging you to deny this
25 project. It will ruin South Orange County.

1 Oh. I forgot to spell my name.

2 It's often referred to as Hoag, but no, I don't
3 own the hospital. It's H-A-A-G.

4 Thank you.

5 MS. BADIE: Thank you. All right.

6 And Cathleen -- thank you, Cathleen -- I just
7 want to announce after Cathleen, we are going to hear from
8 Rita Tayanaka (phonetic).

9 MS. PRYOR: Thank you.

10 My name is Cathleen Pryor, C-A-T-H-L-E-E-N,
11 Pryor, P-R-Y-O-R.

12 I want to clarify, this permit does not state
13 they intend to only use lithium iron phosphate batteries.
14 The permit is open-ended. They want permission to use
15 lithium iron phosphate or any similar technology batteries.
16 Any.

17 Lithium battery fire containers cannot be
18 extinguished. Checking the box for the requirement of
19 having a fire plan is not enough. Current fire protocol
20 advises the first responders, let the whole container burn
21 until it burns out. They cannot extinguish these fires.

22 Compass -- we asked them -- does not provide
23 additional insurance for the affected residents, nor does
24 it have Superfund insurance for the toxic waste it will
25 create.

1 ENGIE told us that 20 percent of the batteries
2 will no longer charge after eight to ten years. This
3 facility is very short-lived but leaves behind toxic waste
4 that is still flammable.

5 Thank you.

6 MS. BADIE: Thank you.

7 All right. After Rita, we are going to hear from
8 Debbie Johnson.

9 Rita, are you with us? Rita?

10 All right. How about Debbie Johnson?

11 Okay.

12 And after Debbie, we are going to hear from
13 Michael Kelly (phonetic).

14 MS. JOHNSON: Hello. My name is Debbie Johnson.
15 My name is very easy: Debbie, D-E-B-B-I-E, Johnson, J-O-H-
16 N-S-O-N.

17 I'm a proud member of the grassroots organization
18 B.L.E.S.S.I.N. I am also a proud member, 40 years, of
19 watching Laguna Niguel grow. I also am a proud educator,
20 37 years. So I have seen throughout the years our
21 community growing into a beautiful community and a very
22 safe community.

23 My experiences of walking the flyers -- it was
24 mentioned how many flyers we have distributed in Laguna
25 Niguel. Those were not mailed. They were door to door,

1 knocking on doors, talking to people. I'm telling you, 99
2 percent of Laguna Niguel is against this lithium battery
3 storage facility.

4 We are tired. A couple years ago, we had the
5 Coastal Fires. Granted, it wasn't real close to our
6 neighborhood, but close enough. That day, I was a mile and
7 a half away from my home at Armstrong Nursery when the fire
8 broke out. Everybody in that nursery, of course, left
9 because we could see the smokes, smell the fire. It took
10 me 30 minutes to go less than two miles up the street to my
11 home.

12 Along the ridgeline where I live, the 1500 square
13 feet above where the proposed battery site is going to be
14 built, we have nothing but one track after another of dead-
15 end streets or cul-de-sacs. There's one way to get out.
16 There's only one main road. It's called Golden Lantern.
17 It has two ways: two lanes going north, two lanes going
18 south. It is a nightmare. It was a nightmare that day,
19 and I can just imagine what it would be if we had this
20 disaster.

21 Please stop this now.

22 Thank you.

23 MS. BADIE: Thank you, Debbie.

24 All right. Do we still have Michael Kelly with
25 us?

1 Thank you, Michael.

2 After Michael, we'll hear from Sally Graves.

3 MR. KELLY: Thank you for this opportunity.

4 Thank you for this opportunity to speak today.

5 I just wanted to echo what all the common sense
6 people set up here today regarding the collateral damages
7 that can occur in the event that this project goes forward.
8 We not only have to think of us here. Most of us are maybe
9 close to retirement or there now.

10 We have our children, our children's children,
11 and our children's children's children to consider. I
12 lived in Dana Point for 45 years, and that went really
13 fast. Raised four children. They all went to Dana Hills
14 High School.

15 I'm in the evacuation zone. I'm four and a half
16 miles away from the site. So in the event that there's an
17 offshore breeze or a crazy storm that comes through, that
18 sediment and everything else can fall right over Dana
19 Point.

20 I'm very concerned with the beaches, that they
21 could be closed for a new reason besides sewage spills, and
22 who knows if they're closed permanently because of the
23 residue and the runoff.

24 So I really hope that you take into consideration
25 the common sense approach to this. I'm not opposed to

1 green energy, but this is not a good idea to put it in
2 where people live and children play and go to school.

3 Thank you.

4 MS. BADIE: Thank you.

5 All right. After Sally, we are going to hear
6 from Tom, I think Stanley or Shanley.

7 Sally, are you still with us?

8 All right. How about Tom Shanley? And after
9 Tom, we'll hear from Gloria Laub (phonetic).

10 MR. SHANLEY: Good afternoon. My name is Tom
11 Shanley, spelled S-H-A-N-L-E-Y.

12 I am the general manager of Mercedes-Benz of
13 Laguna Niguel, out here 11 months in your beautiful
14 southern Orange County from New York City. I represent a
15 Cuban immigrant named Mario Mergado (phonetic), who escaped
16 Fidel Castro at four years of age, 1966, got on a boat,
17 came to Miami, built an automotive empire, and less than a
18 year ago invested hundreds of millions of dollars in that
19 facility, which happens to be located on the northern edge
20 of the property we are talking about here, contiguous to
21 it.

22 Mario comes here, spends hundreds of millions of
23 dollars. We create hundreds of jobs. And right now,
24 adjacent to where the property is located, I have over 700
25 cars on that property, of flammable cars, and at the end of

1 the day, there's \$50 million worth of inventory. I'm
2 responsible for the safety of the people in that facility,
3 and I take that extremely serious. The impact, needless to
4 say, should something go wrong, would be catastrophic.
5 Anybody that plays golf, I'm probably two nine irons away
6 from where that storage facility is located.

7 So I'm asking you to consider not doing this on
8 behalf of the community. The residents have spoken, the
9 business -- I represent the business side of this. And
10 ironically enough, this morning, I'm listening to a Paul
11 McCartney song called Freedom. It was done right after 9-
12 11. Maybe 9-11 doesn't register out here in California the
13 way it does if you worked in New York City on that
14 particular day and lost friends and families, but bad
15 things do happen. So 9-11 -- up the Hudson River is
16 another place called Indian Point Power Plant. Bad things
17 do happen in populated areas.

18 I think this strongly needs to be reconsidered
19 from my perspective.

20 So thank you very much for your time. Appreciate
21 it.

22 MS. BADIE: Thank you.

23 First, Gloria, we are going to hear from Laura
24 DiGilio.

25 Gloria. Do we still have you, Gloria Laub?

1 All right. How about Laura DiGilio?

2 And then after Laura, we'll hear from Meher
3 Parhizkari (phonetic).

4 MS. DIGILIO: Good afternoon, commissioners.
5 Thank you for allowing all of us to speak on behalf of this
6 dangerous proposal here of this facility.

7 I'm Laura DiGilio. I live in San Juan
8 Capistrano. I am extremely in opposition to the lithium
9 battery storage, and this project is potentially extremely
10 dangerous to everyone: humans, animals, first responders.
11 It will impact all surrounding areas with huge
12 consequences. This project is a huge risk to our
13 neighborhoods, and we hope -- you've heard from the people,
14 majority here, probably 99 percent, find -- we hope that
15 you find a different location and reject this extremely
16 dangerous project here in our communities. My hope is that
17 you truly hear our concerns and make the right decision for
18 the betterment of our neighborhoods, every human being, all
19 the animals, including horses and wildlife.

20 We want to bring back common sense and enjoy our
21 neighbors.

22 Thank you.

23 MS. BADIE: Thank you, Laura.

24 All right. Meher, are you still with us? After
25 Meher, we are going to hear from Amanda Dissmore.

1 All right. I don't think we have Meher with us
2 anymore.

3 How about Amanda Dissmore?

4 Hi, Amanda. After Amanda, we are going to hear
5 from Linda Koelling.

6 MR. DISSMORE: Thank you. Amanda Dissmore.
7 Dissmore is D-I-S-S-M-O-R-E.

8 I am here as a local resident and business owner
9 in strong opposition to the lithium battery storage
10 facility being pressured on our community by a profit-
11 driven developer.

12 Lithium-ion batteries not only contain -- or
13 lithium iron batteries not only contain lithium, they also
14 contain heavy metals such as cobalt, nickel, manganese,
15 which are toxic and contaminate water supplies and
16 ecosystems.

17 When these toxins escaped into the environment in
18 January at the Moss Landing lithium battery storage fire,
19 the nearby Monterey estuary was polluted with high
20 concentrations of toxins released by this fire, so we do
21 not have to guess what could be the potential consequence
22 of a battery storage facility in densely populated South
23 Orange County.

24 Lithium battery fires cannot be put out because
25 of the nature of how these batteries burn. These fires

1 must be permitted to burn themselves out and continuously
2 leak toxins into the environment, causing ongoing
3 environmental contamination and forcing residents to
4 evacuate or be held under remain-indoor orders. This has
5 economic implications to businesses, residents, and even
6 property values in addition to the overlying health and
7 safety concerns.

8 The county supervisor where this lithium fire
9 occurred referred to the catastrophe as a Three Mile Island
10 event, comparing it to the partial meltdown of a nuclear
11 power plant. This is what is at stake here.

12 This same county supervisor stated nobody really
13 predicted anything on this line. However, we can now
14 predict what could occur. And it's not if, it's when.

15 The American Clean Power Association, ACP, says
16 the comparison to a nuclear meltdown, in their words, is
17 dangerous. But what is actually dangerous is a lithium
18 battery storage facility contaminating and poisoning the
19 local environment and forcing evacuations.

20 The ACP would have us believe that this disaster
21 lithium battery site held clean power. Clean power,
22 according to those that don't represent the ACP, means not
23 having to evacuate and abide by stay-indoor orders if there
24 is a leak of the so-called clean power.

25 The same ACP also notes that investigations into

1 historical lithium battery incidents have not found health
2 risks to the surrounding community. It's very interesting
3 that the ACP can't find health risks to the community
4 because a quick online search shows that there are multiple
5 syndromes, including SILENT syndrome, standing for
6 Irreversible Lithium-Effectuated Neurotoxicity.

7 MS. BADIE: Amanda, if you could wrap up, please.

8 Thank you.

9 MS. DISSMORE: Yes.

10 They note the permanent neurological problems
11 associated with it. In addition, the World Health
12 Organization also notes that it is a hormone disruptor for
13 animals and humans.

14 In the event of a future catastrophe at this
15 site, no one will be able to claim that we could not have
16 predicted what would happen.

17 Thank you.

18 MS. BADIE: Thank you.

19 All right. We are going to hear from Linda next.
20 After Linda, we are going to hear from Susan Sturz
21 (phonetic).

22 Just a reminder that we will go to folks on Zoom.
23 If you're on Zoom and you want to comment, you can join the
24 commenting queue now by using the raise hand feature on
25 your screen or star 9 if joining by phone.

1 Thanks, Linda.

2 MS. KOELLING: Thank you.

3 Linda Koelling. Last name is K-O-E-L-L-I-N-G.

4 I'm actually a new resident to Mission Viejo.

5 I'm from the San Francisco Bay Area. I spent 46 years in
6 the City of Foster City where I served as mayor and council
7 member.

8 The thing that disturbs me the most -- well,
9 first of all, I want to thank you all for being here. I
10 know what you're having to deal with sitting up there.

11 The thing that disturbs me the most is that we
12 don't have city councils making these decisions. The fact
13 that the state went around and took more jurisdiction from
14 local government is really the most disturbing thing to me.
15 We shouldn't be doing this.

16 I have no respect for this company that's putting
17 this stuff in. I think it's great. We need renewable
18 energy. This is not the point of why you're here.

19 You're here to make the decision to relocate this
20 thing. You've heard the damages that are going to happen.
21 I've lived down here now three years. If you haven't, if
22 you don't live around here, you don't know what these Santa
23 Ana winds are all about. Put me back in the Bay Area where
24 I can feel a nice earthquake.

25 The thing about it is it disturbs me that the

1 local jurisdictions are not making these decisions. And
2 this is -- this is horrible that this is happening.

3 My son lives up in Carmel Valley. I know what
4 Moss Landing was all about. He told me about it all the
5 time, of the things that were happening. So you cannot
6 approve this project at its location.

7 I am sure that working with the local officials
8 here, the state officials and county officials, we can find
9 another location for this storage company. This is the
10 wrong location.

11 You know the artery of Interstate 5. If that
12 gets closed for any period of time for any reason, what
13 happens south of here? The people with the Santa Ana
14 winds, if there's a fire -- and see that word if, it's a
15 big word. We don't want to have to depend on it. If
16 there's a fire and the Santa Ana winds are going, the
17 people that live at the top of the hill are -- it's a
18 disaster.

19 So please oppose the location of this project.

20 Thank you.

21 MS. BADIE: Thank you, Linda.

22 Do we still have a Susan Sturz with us? Susan?

23 All right. How about Kathy Smith (phonetic)?

24 Kathy, are you still with us?

25 All right. How about Evan Burgher? Evan, are

1 you with us still?

2 MR. BURGHER: I am.

3 MS. BADIE: Thanks, Evan.

4 After Evan, we'll hear from Chris Hamm.

5 MR. BURGHER: Hi. Thank you guys for giving me
6 the opportunity to speak here. My name is Evan Burgher and
7 I'm a resident and business owner here in San Juan
8 Capistrano.

9 I'm here today to voice my strong opposition to
10 the proposed lithium battery energy storage facility being
11 considered in our community. While I fully support efforts
12 to transition to cleaner energy, this project raises
13 serious concerns. Most importantly, its proximity to
14 people, schools, and critical infrastructure.

15 These battery facilities by their nature carry
16 significant risk. Lithium-ion batteries can overheat,
17 catch fire, and even explode, events that are incredibly
18 difficult to contain once they start, like we saw at Moss
19 Landing in January of this year, where over 2,000 residents
20 were evacuated, the fourth such fire on this site since
21 2019, or the fire at Gateway Energy Storage Facility in
22 Otay Mesa, which happened in May of 2024, resulting in
23 prolonged evacuations involving multiple agencies in the
24 response efforts.

25 These incidents underscore the importance of

1 careful consideration when determining proper locations for
2 lithium battery storage facilities, particularly in
3 proximity to residential neighborhoods, schools, and
4 critical infrastructure. The potential risks associated
5 with such fires at such facilities necessitate thorough
6 risk assessments and robust safety measures to protect
7 public health and safety.

8 This is not just a hypothetical concern. Across
9 the country and even globally, there have been many
10 documented incidents of fires at similar battery storage
11 sites as the one proposed here in San Juan Capistrano.
12 Even with the best safety measures, the risk of hazardous
13 emissions and devastation is real and unacceptable when
14 lives could be affected.

15 San Juan Capistrano is a community built on
16 culture, heritage, and, above all, people. We should not
17 be the testing ground for industrial-scale battery
18 infrastructure placed dangerously close to where we live,
19 learn, and work. There are safer locations farther from
20 population centers where this type of facility might be
21 more appropriate.

22 I urge you to prioritize public safety and reject
23 this proposal. Our community deserves thoughtful,
24 responsible planning, not risky shortcuts in the name of
25 progress.

1 Thank you for your time.

2 MS. BADIE: Thank you.

3 All right. After Chris, we are going to hear
4 from Diane Harkey.

5 MR. HAMM: Good afternoon. My name is Chris
6 Hamm. I'm President of Orange County Professional
7 Firefighters, labor leader to over 1,200 men and women that
8 serve this community every day.

9 I'm here in staunch opposition to this project.
10 Our members have the responsibility to responding to these
11 types of buildings and facilities. We don't have the
12 training, the equipment, or anything necessary to mitigate
13 these emergencies properly. They cause a grave danger to
14 our members as well as the community.

15 A single battery fire incident three years ago
16 retired out one of our fire captains who was wearing full
17 PPE. It was later determined that he was undergoing renal
18 failure due to absorption through the skin through his
19 turnouts. If that's what occurs to our members who have
20 PPE, who have training, imagine what happens to residents
21 and visitors who live near these facilities.

22 Thank you for your time.

23 MS. BADIE: Thank you.

24 All right. And I've got 10 more blue cards. If
25 there's anyone else in the room that wants to turn in a

1 blue card, I do ask you turn at the back table now.

2 And thank you, Diane.

3 After Diane, we are going to hear from Victor
4 Martinez.

5 MS. HARKEY: Hi, I'm Diane Harkey, H-A-R-K-E-Y.
6 I was a former mayor of Dana Point state legislature in the
7 73rd district, as well as Chairman of the Chairwoman of the
8 BOE. So I did my service and I continue to work in the
9 community here.

10 And I can tell you that this facility is just
11 wrongly situated. I don't know how it got this far because
12 people quite honestly didn't know anything about it. I
13 hadn't heard anything about it until up about six months
14 ago. I know City of San Juan was working on it, but I
15 didn't think it was really a reality. I did not think it
16 would reach this point, because the city of course had
17 rejected it.

18 Now I understand the state's mandate that these
19 things get put in wherever, but we have a community here.
20 I've served this community for years. I've lived in Dana
21 Point for 43 years. I watched it grow. It's very
22 important to me and it's very important to the people who
23 have shown up tonight.

24 And the only two reasons to support this project
25 is either you have a contract or you need the transmission

1 lines.

2 I've seen the transmission lines. I ride my
3 horse over all of those hillsides. There are transmission
4 lines there and SDG&E is right here, but that's no reason
5 to override a community for safety concerns.

6 You've heard all of them mentioned. I'm not
7 going to repeat, but I just ask you to please deny this
8 project and let's find another location for it.

9 And I think County Supervisor Katrina Foley has
10 been here, who I'm a good friend with, as well as the
11 mayors and the other people in the community, legislators,
12 et cetera.

13 Thank you.

14 MS. BADIE: Thank you.

15 All right. If we have Victor Martinez in the
16 room, we'll hear from Victor next and then Glenn Cooper.

17 MR. V. MARTINEZ: Good afternoon. Thank you.
18 Martinez, M-A-R-T-I-N-E-Z.

19 Transmission lines. I see a whole bunch of them
20 over at San Onofre. It's a lot of them there. It's pretty
21 sparse over there too.

22 Nonetheless, the significance of previous and
23 current projects as earlier presentations showed other
24 approved projects. Hmm. Precedent in this case is only
25 good for stable and proven issues, which this is not. This

1 morning it was presented that Moss Landing's technology is
2 not the same as that of Compass Facility. This alone is
3 testimony of the fluidity of the technological area that we
4 are talking about. We learn, we change. Unfortunately,
5 with the current issue is that the learning comes at a
6 cost.

7 Although technologically different, the Moss
8 Landing incident required that community and San Jose State
9 had to supplement existing efforts to conduct soil and
10 water testing. That is a learning opportunity, but what
11 will be the next learning opportunity?

12 Cigarettes. Remember when a cowboy was shown on
13 a horse in the outdoors with a cigarette in his mouth so
14 the brand could promote its product with the rugged
15 outdoors? Also promoting posters were placed at the eye
16 level that children could use.

17 Catalytic converter. Remember when smog was
18 reduced so well with the advent of the catalytic converter?

19 As time progressed, product knowledge matured.
20 Cigarettes ads changed, were removed, and promoting posters
21 were relocated as the culture learned more of the dangers
22 of smoking.

23 We were also asked to not park in areas where the
24 catalytic converter would not come in contact with brush to
25 prevent fire until the product improved to eliminate this

1 risk.

2 Most of our aims is to continually improve so
3 learning will never end. However, we have not yet reached
4 the optimal point of learning for safety and location. As
5 the battery technology changes, so do the risk, safety, and
6 the needed changes to facilities and locations.

7 We know what we know. I heard a gentleman from
8 San Diego speak yesterday about receiving resounding
9 statement of the safety of Otay Mesa. Spokesperson only to
10 experience one week afterwards its recent fire incident.
11 I'm not going to accuse that person of lying -- I'm almost
12 done -- but I give him or her the benefit of the doubt.
13 What I do accuse is that they got ahead of their skis and
14 spoke basically on what they know based on standards.

15 As was stated by many experts this morning, this
16 weakness is that they are typically based on what we know
17 experience. We know what we know and that is all we know.

18 The issue is safety location and what we do not
19 know yet. Locate this facility where it is isolated from
20 population, life, and sensitive environments. That is a
21 good place to allow this technology and facility to mature,
22 a form of a laboratory to optimize and determine the future
23 locations with time.

24 Thank you.

25 MS. BADIE: All right. We're going to hear from

1 Glenn Cooper, and then Charles Kay (phonetic). And just a
2 reminder to please spell your name for the court reporter.
3 We are asking for comments to be two minutes or less.

4 MR. COOPER: Glenn Cooper, G-L-E-N-N C-O-O-P-E-R.
5 Thank you guys for coming in and hearing us out today.

6 This project is the most bipartisan item to hit
7 our local communities in as long as I can remember. The
8 risks of it and the fact that it's this far along, its
9 possible formation is amazing to me. The overreach from
10 big California government in Sacramento over the will of
11 the people is alarming and frustrating.

12 In my opinion, not allowing local citizens to
13 oppose a possible threat to their family and environment is
14 not what California or the United States is about. The
15 decision should be made for the people by the people.
16 Instead, we're being held hostage in the name of government
17 overreach and corporate greed. The local community so
18 conclusively opposes this project.

19 I urge you guys to go visit the facility. Have
20 you guys visited it? Thank you. If not, at least look at
21 it with like Google Maps or some sort of technology and you
22 can see, or listen to us locals here. We're logical people
23 who love this land and we want to preserve the environment.
24 Within just about one mile, you have Saddleback College,
25 Mission Viejo Hospital, Capo Valley High School, and Niguel

1 Hills Middle School -- that's where I went to school --
2 Niguel Hills Elementary School, George White Elementary
3 School, JSerra High School, not to mention thousands of
4 homes and hundreds of businesses.

5 And if we look at the heat map of the very recent
6 Monterey or Otay Mesa disasters, we should actually be
7 speaking about a distance not of a mile but of about 40.
8 *The New York Times* reported bad events 46 miles away from
9 Monterey. Testing showed contaminants from that fire.
10 It's not just like it's contained in its facility like some
11 proponents say. That's not the problem. It's the toxic
12 plume, lithium, cobalt, nickel, manganese in the soil and
13 water up to 46 miles away. I wouldn't want to eat animals
14 or produce growing in those areas. These fires aren't
15 healthy. We have verified recent events in the same sites
16 in this state north of us and to the south of us of how
17 widespread the plume can be.

18 Denying this is an anti-green movement act. All
19 of our local counties, Orange County, San Diego, Riverside
20 oppose this project. I'll just go super quick.

21 We're also right next to the freeway, the toll
22 road, San Juan Creek which drains through Dana Point and
23 San Juan into the area of Doheny and Capo Beach south of
24 Dana Point Harbor. OCFA opposes this project and
25 firefighters are trained to let the fire burn and push

1 water to surrounding parts of the facility. This toxic
2 water drains right into San Juan Creek and flow into the
3 ocean.

4 Please go visit the site. The wind rips through
5 that area. Let's be environmentally conscious. Let's
6 listen to the people, the first responders, the scientists,
7 the business owners, the teachers, the families. Let's be
8 logical. This is truly an amazing natural area.

9 MS. BADIE: If you can please wrap up, Glenn?

10 MR. COOPER: Yeah.

11 MS. BADIE: Thank you.

12 MR. COOPER: Just please be logical and do what's
13 right. Not in this sacred valley.

14 Thank you so much for your time.

15 MS. BADIE: Thank you.

16 All right. We have Charles Kay next, and then
17 Mickey Chintalan.

18 I just want to remind folks, we have a queue
19 forming on Zoom, as well, so we are asking if you could
20 please limit your comments to two minutes or less so we can
21 make sure that everyone can be heard today. Thank you.

22 MR. KING: Anyway, Chris King. Anyways, I'm
23 basically a famous longtime resident here. The issue
24 that -- having this facility in this district is absurd.
25 This is a coastal region. And I know you all have the

1 best -- you know, your job is to protect our community, to
2 work for us. This, just allowing this project, is insane.
3 If you even look at what it takes to put out one Tesla and
4 see what the runoff -- there's no way they can contain the
5 runoff from this, no way. If and when there's a disaster,
6 it will destroy the coastline for the next 50 years, simple
7 as that. You do not put this facility in a coastal region.
8 It's insane.

9 And to think that the fireman came up and said
10 exactly what I want. I work with the fire department, one
11 down below the chief, and if you talk -- talk to the people
12 that have to put it out and they'll tell you that some
13 facility on this scale, this close to the coastline, once
14 there is a disaster, not if but when, the runoff from this
15 and the toxic plume, we won't even get there. You kill
16 horses, people, who knows, give us all cancer. It's insane
17 to allow this project to be anywhere near the coast. I'm
18 in that water. Not to mention the devastation just from
19 the fires for the local -- for the mammals and all the fish
20 and everything.

21 It's horrible to think that we would consider
22 something that would have such a grave impact on our
23 community that I love. And I know that you guys would want
24 to protect what the community wants, and we've spoken. I
25 appreciate you hearing us all, but I'm vehemently opposed

1 to this project for a number of reasons, but one would be
2 simply that the technology is ahead of its ability to
3 contain it, to deal with it in terms of a disaster or a
4 fire. There's no way that you can say that it can be
5 controlled, not at all.

6 MS. BADIE: Thank you.

7 MR. KING: Thank you.

8 MS. BADIE: All right. After Mickey, we're going
9 to hear from Robyn Frankenfield.

10 Mickey, are you still with us?

11 All right. How about Robin Frankenfield? And
12 after Robin, we'll hear from Jim Frankenfield.

13 MS. FRANKENFIELD: Good afternoon. My name is
14 Robin Frankenfield and I have lived in Laguna Niguel for 35
15 years. I had to get a ride here from home after watching
16 this on Zoom this morning. I was appalled to hear some of
17 the earlier comments representing the applicant. How can
18 these people sleep at night? This is not going to be some
19 fairy land with botanical gardens.

20 As a homeowner, I am very concerned about the
21 proposed BESS facility. I am opposed. We recently had our
22 homeowner's insurance canceled for no reason. We have
23 owned our home for 22 years. We have remodeled our entire
24 home. We've done the fire abatement, everything. And
25 there was no remedy to repair or renew. The insurance

1 company just said, you're canceled, see ya. So our largest
2 asset could be burned to the ground and we would have no
3 fire insurance. We have never had a claim and never had a
4 late payment. I am in the high fire zone and my home is
5 0.3 miles from in the fire plume, immediate evacuation
6 zone. My home is directly above the proposed site in
7 Laguna Heights.

8 I want to address the young, the old, the
9 disabled and the vulnerable. I am a mom, a wife, and a
10 caregiver, a 20-year caregiver to my paralyzed mom that
11 recently passed. I have a child who has asthma and
12 allergies requiring a nebulizer and Albuterol. Not only
13 would a fire proposed at the Compass Energy site create
14 toxic air, shelter in place, if my son needed medical care,
15 he would not be able to get emergency respond. Prior
16 asthma attacks have required him to go the E.R. at Mission
17 Hospital for lifesaving treatment.

18 When we were told that since I am within 0.3
19 miles of the smoke plume, it is estimated that over 50 O.C.
20 fire department responders would directly be required to be
21 at the fire site. That would leave all of Laguna Niguel
22 without fire ambulance coverage. The potential fire crew
23 could be coming from Santa Ana. That would be too late for
24 my son.

25 There are hundreds of residents in assisted

1 living and senior living in Comuna Los Padres in Laguna
2 Niguel. Comuna Los Padres is a dead-end road and a stone's
3 throw away from the proposed site. The loss of life is
4 real.

5 Second, my mom --

6 MS. BADIE: Robin, if you could wrap up --

7 MS. FRANKENFIELD: Okay.

8 MS. BADIE: -- too, please? Thank you.

9 MS. FRANKENFIELD: Okay, I will. Okay.

10 I just wanted to say that I saw panic when we had
11 the Pacific Palisades and Eaton Fires. I will never forget
12 seeing the assisted living and board-and-care homes being
13 evacuated in the Eaton Fire in a 7-Eleven parking lot. It
14 was horrifying. In fact, public and school buses and taxis
15 stopped to evacuate the disabled and the paralyzed. I
16 speak for them. I speak for the people that don't have the
17 voice, the needy, the vulnerable.

18 I request that you reject this proposal. Thank
19 you.

20 MS. BADIE: Thank you. Thank you, Robin.

21 We're going to hear from Jim Frankenfeld next,
22 and then after Jim, Bruce Powers.

23 MR. FRANKENFIELD: Thank you for your time. My
24 name is Jim Frankenfield, last name is
25 F-R-A-N-K-E-N-F-I-E-L-D. And, yes, I am related to Robin

1 as her husband. I'll be relatively short here.

2 I'm here twofold. One, obviously as a resident
3 of Laguna Niguel, and also as a proud volunteer for our
4 youth in Little League. I'm not here representing Little
5 League, but I am a Little League volunteer. Those kids
6 deserve better than what we are seeing here today being
7 proposed and potentially approved.

8 I'm also a 25-year veteran of the utility
9 industry. It's how I make my living, still make my living.
10 I understand what a BESS facility is. I understand where
11 it needs to be placed. Yes, it's next to a 230 kV bulk
12 power transmission line where it's proposed. They're all
13 over South Orange County. It does not need to be there.

14 We had a nuclear plant. They were a large
15 customer of mine. There's four circuits down there that
16 that land could be used for. Granted, it may not be
17 available because it's owned by the Marine Corps. I don't
18 know the details of that. But I need to know, has that, or
19 at least can we make sure that those opportunities or those
20 possibilities have been explored? Putting it 1,500 feet
21 from the closest house, next to a car dealership, next to
22 care facilities, at least four or five different schools,
23 is not really even fathomable in my mind why we would even
24 do that.

25 That is really all I have to say. Please do not

1 let something like this happen.

2 MS. BADIE: Thank you, Jim.

3 All right. Do we have Bruce Powers with us?
4 After Bruce, we'll hear from Mary Dreyer.

5 MR. POWERS: Bruce Powers. I live right above
6 it. And to afford that property, I had to go over -- I
7 worked for Union Oil. I was in charge of the Unit 138
8 hydrogen sulfide plant. I went over and got a call in the
9 middle of the night. The catalysts we used were little
10 battery-sized things. We had about 40,000 in a vessel that
11 had five-inch steel. And every four years, we'd have to
12 shut it down, go over and heat it up so that the sulfur
13 would drop off, and we'd clean up the catalysts.

14 Well, one day, one of the operators put the
15 temperature up to, like, two degrees too hot, and we had a
16 runaway. In the middle of the night, I got called, and we
17 were brainstorming with five other unit operators, and we
18 couldn't get it out. All the air was shut off, and I
19 looked over at our 20,000 gallons of liquid nitrogen, which
20 was about two degrees, and I said, let's put that in there.
21 The thing showing it was topped out. It was somewhere
22 around 1,600 degrees, and five-inch steel rounded it.
23 Never moved.

24 Three days later, it finally died. And that's
25 only because it wasn't enclosed in five-inch steel. They

1 had to cut it up and drag it away and make another one,
2 because we still had to run our refinery the way it was.
3 The sulfur went off to -- I mean, the hydrogen sulfide went
4 out to the Unit 120 plant that went over and turned it in
5 100 barrels into 120 barrels of gasoline. And the sulfur
6 went to the sulfur plant, which made sulfuric acid.

7 You can imagine the dangerous stuff in the middle
8 of a refinery in Wilmington. I don't think anybody who
9 lived around Wilmington liked living there. I know that I
10 grew up around there. I grew up around refineries. And
11 there's times, you know, this stuff could not stop.

12 MS. BADIE: Thank you. Thank you, Bruce.

13 We're going to hear from Mary Dreyer next, if
14 you're still with us, Mary. And then after Mary, Lydia
15 Corey.

16 MS. DREYER: Hi, it's Dyer, D-R-E-Y-E-R. I'm
17 really nervous. And I'm a public education school teacher,
18 but I'm still nervous talking here. So bear with me.
19 Okay.

20 I think ever since I heard about this, which was
21 recently, it's been a nightmare. I feel like I can't wake
22 up. I live in Dana Point, a longtime resident of Dana
23 Point. And I'd like to thank the elderly people for being
24 here, because they're really here to protect people that
25 are coming after them, because the long-term effect will

1 affect their kids and grandkids and grandkids.

2 And I don't want to be a not-in-my-backyard
3 person. I wouldn't want this thing going in for any of you
4 guys. And I would protest alongside of you if it was
5 coming to your neighborhoods. So it's not us against you,
6 it's all of us. It's kind of a human thing.

7 That's it. Thank you.

8 MS. BADIE: Thank you, Mary.

9 All right. Lydia Corey, are you with us?

10 How about Tammy Welch? All right. Tammy, thank
11 you.

12 And then after Tammy, we'll hear from Thomas
13 Dunn.

14 MS. WELCH: Hi, I'm Tammy Welch, W-E-L-C-H. And
15 I was kind of going to say what she just said, that, you
16 know, first of all, I oppose this project. And do the
17 benefits outweigh the risks? And would any of you want
18 this facility within a mile of your home?

19 And that's all I have to say.

20 MS. BADIE: Thank you, Tammy.

21 After Thomas, we'll hear from Catherine
22 (phonetic) Robinson.

23 MR. DUNN: Good afternoon, everyone. And thank
24 you very much for coming to visit us.

25 I am -- I learned this morning that I'm a

1 sensitive receptor. I want to thank you for redefining me,
2 but I'm actually a resident of Laguna Niguel. And my home
3 is within 1,800 feet of this site.

4 Everyone here is probably familiar with the
5 residential communities that are touched by this facility.
6 And everyone that thinks about it, whether they live here
7 or they don't, they always keep using the word location.
8 And that's one of the famous phrases for realtors, it's
9 location, location, location.

10 So your ears are just full of that word. Our
11 ears are full of fear. And there's so many more sites for
12 this to be repositioned to. And even, I believe, that
13 ENGIE knows probably 15 to 20 more sites that would be
14 acceptable. And we'll leave it in your hands to determine
15 if this site is unacceptable. And we appreciate your
16 judgments.

17 Thank you.

18 MS. BADIE: Thank you.

19 All right. We have Catherine Robinson next. And
20 then Mickey Chintalan is back with us. And then that is
21 the last blue -- those are the last blue cards I have. So,
22 if anyone has any more, please bring them now. And then
23 we'll move to Zoom.

24 MS. ROBINSON: Hi, I'm Catherine Robinson. Thank
25 you all for being here. And thank you all for listening to

1 all of us, as you can see that we are gravely concerned
2 about this project. We all feel that this is not the right
3 location for this project.

4 I just got back from a shopping center convention
5 in Las Vegas. And I'm telling you, I'm a real estate
6 broker, there's lots of land out there that I could sell
7 you that would be a much better suited than this property.

8 This property originally was given to Saddleback
9 Church at a cost of \$20 million. They received this as a
10 gift. And it's really saddens me that they've sold it to
11 Compass Energy because that's just terrible that a gift
12 from God has been used in this way, and to possibly poison
13 us here in Orange County.

14 So I just want to say that because BESS
15 installations were labeled by the Biden administration and
16 Newsome administration and Clean Energy, These massive
17 facilities do not have measures to protect us. The toxic
18 chemical emissions. We all know about the Moss Landing
19 contaminants. And we're not against your project. We're
20 against your project being in our community. Please don't
21 poison us in this community.

22 Thank you for your time.

23 MS. BADIE: All right. And do we have Miki with
24 us? After Miki, we'll hear from Pam Busta. Miki's trying
25 to get up to the podium, if you could move aside?

1 MS. CSINTALAN: Hi, my name is Miki Csintalan,
2 last name C-S-I-N-T-A-L-A-N. I'm not from this area, I
3 live 13 miles away. I received an email from my sister who
4 lives in Laguna Heights. My brother also lives in Laguna
5 Heights. And when I heard about what's happening here, I
6 was shocked. And I hope this never happens to anybody in
7 Orange County or, for that matter, any other county in the
8 state of California.

9 So we are -- we -- I'm just, I'm here to express
10 our strong opposition to the construction and operation of
11 a BESS facility near a densely populated corridor,
12 residential neighborhoods, schools, and a major interstate
13 highway. While we support California's clean energy goals,
14 the placement of this industrial facility in close
15 proximity poses unacceptable risks to public safety,
16 health, property, and the environment.

17 We have emergency response challenges. Local
18 fire departments and emergency services may not be equipped
19 with the training or resources, especially with our severe
20 drought, to manage a BESS-related fire. Inadequate
21 preparation could delay response times, increase risk to
22 first responders, and amplify the scale of damage in the
23 event of a malfunction. And how will traffic be impacted
24 during a battery fire?

25 BESS proximity will negatively affect property

1 values. Residents will have difficulty obtaining or
2 maintaining home insurance. There will be reduced fire
3 interest in neighborhoods near industrial facilities. This
4 could lead to economic losses for homeowners, many of whom,
5 like I heard one of the earlier residents say that she's
6 invested a lot of money in her home, could lead to
7 devastating financial loss.

8 Other economic impacts need to be taken into
9 consideration if fire spreads and destroys homes, schools,
10 businesses, and infrastructure. The potential destruction,
11 together with the cost of evacuation, shelters, and
12 disaster response can add up to millions to billions of
13 dollars.

14 Just a few more seconds.

15 We are urging the Commission to reject any
16 proposal placing a BESS near residential areas and mandate
17 comprehensive risk and impact assessments moving forward,
18 and require full public transparency and participation in
19 citing decisions.

20 One other thing, industrial scale BESS facilities
21 do not belong in residential zones. There are
22 alternatives, as has already been mentioned. Remote
23 unpopulated locations with natural buffers, co-location
24 with existing industrial or utility infrastructure, and
25 areas with clear and easy evacuation routes.

1 Thank you.

2 MS. BADIE: Thank you.

3 Next, we're going to hear from Pam Busta. After
4 Pam, I think it's Nolene or Noreen Goodman.

5 MS. BUSTA: Hi, Busta, B-U-S-T-A. I came today
6 for support. I had not prepared anything. But I cannot
7 leave today without asking you to deny this proposal. I've
8 listened to the realtors with what they're dealing with,
9 with selling the homes and the land. You know, I've
10 listened to educators and just so many different people.

11 One of the most compelling to me was the
12 firefighter. I'm not sure that that was his title. But if
13 the firemen don't believe that they can adequately put out
14 a fire at this facility, everything is just bottom line to
15 me, but that is the most bottom line that you could have,
16 is hearing him represent his community, saying about what
17 had happened to a captain at Moss Landing, I believe it
18 was.

19 So I just ask that you would sincerely deny,
20 deny, deny this. Thank you.

21 MS. BADIE: Thank you, Pam.

22 After Noreen, we're going to hear from Noreen
23 next, and after Noreen, we'll hear from Nancy Schenk
24 (phonetic).

25 MS. GOODMAN: I didn't come up with a written

1 thing either.

2 I've had my home since 1992 and I'm right below
3 where this is going to happen. We went to the meeting
4 yesterday. There's fire hazard signs all over that cliff.
5 How this is even being allowed to me is criminal and
6 somebody is getting paid off because you're ruining all of
7 our lives, and we're not going to be able to get insurance
8 and we're going to lose our homes because 70 percent of all
9 battery farms burn down.

10 MS. BADIE: Thank you, Noreen.

11 MS. SCHENK: I have nothing prepared. But I'm
12 just going to tell you a story from the heart. I've lived
13 here over 40 years. I have two children, one 36, one 34.
14 And we lived in the area where the site is going to be. We
15 were above. And I still live close now but I did move.
16 But one July 4, about 40 years ago, I believe it was
17 Reverend Schuller, and he had his church there, and they
18 lit the fireworks. And I tell you, that whole hill, the
19 whole thing just went up like that. And here I am, a new
20 mom. And it was about maybe a row or two from my house.
21 That was the scariest thing I have ever been through.

22 And I can't imagine what this is going to do.
23 It's unsafe. We live in a high-fire area. You're just
24 bringing danger to us. There's got to be another way,
25 another place, where you can put the storage facility. I

1 know we need it. But it doesn't have to be where the I-5
2 is, where the railroad tracks are, where there's homes,
3 where there's three schools. We can do better.

4 Thank you.

5 MS. BADIE: Thank you.

6 We're going to transition to Zoom now. And we
7 can come back to the room. But I wanted to get to the
8 folks that have been waiting on Zoom. So if you are on
9 Zoom online or by phone and you want to comment, please
10 raise your hand at this time. You'll see a raise-hand
11 feature on your screen, it looks like an open palm, or you
12 can press star 9 if you're joining by phone. That's going
13 to let us know you'd like to comment. And I'm going to
14 call on folks in the order that they've raised their hand.

15 We are asking for comments to be two minutes or
16 less. And I'm going to call your name. And then I will
17 open your line.

18 So the first speaker we have is Sophia Markowska.
19 Sophia, I'm going to open your line. Just a reminder,
20 we're asking for comments to be two minutes or less.

21 MS. MARKOWSKA: Can you hear me?

22 MS. BADIE: Yes.

23 MS. MARKOWSKA: Great. Thank you. Good
24 afternoon. My name is Sophia Markowska. That's
25 S-O-P-H-I-A, Markowska, M-A-R-K-O-W-S-K-A. And I represent

1 Defenders of Wildlife, a national non-profit dedicated to
2 the protection of all native animals and plants and their
3 natural communities with over 75 years of experience and a
4 network of nearly 2.1 million members, of which 311,000
5 reside in California.

6 Defenders has long championed the principles of
7 smart-from-the-start and renewable energy planning. This
8 approach emphasizes proactive science-based siting of
9 energy projects to minimize impacts on wildlife and natural
10 habitats. Our 2019 report, Smart from the Start: Renewable
11 Energy in the West, outlined strategies for ensuring that
12 renewable energy projects are built close to existing
13 transmission on already degraded lands and away from
14 important habitat.

15 The Compass Energy Storage Project in San Juan
16 Capistrano appears to align with these principles. Located
17 on a 13-acre site adjacent to existing infrastructure, the
18 project utilizes agricultural lands, disturbed habitat, and
19 land allocated for urban development. It is located with
20 immediate proximity to existing transmission, minimizing
21 the need for new transmission infrastructure.

22 Moreover, the project's biological resource
23 assessment and the Defenders thorough review of the
24 California Department of Fish and Wildlife's California
25 Natural Diversity Database indicates a low likelihood of

1 special status species occurring on site, suggesting
2 minimal impacts on sensitive species. This aligns with our
3 goal of directing renewable energy development to low-
4 conflict areas, as highlighted in our Smart from the Start
5 report.

6 In conclusion, while we continue to advocate for
7 thorough environmental reviews and stakeholders and
8 community engagement, the Compass Energy Storage Project
9 demonstrates characteristics consistent with Smart from the
10 Start renewable energy development. We appreciate the
11 opportunity to provide input and look forward to ongoing
12 community collaboration to ensure that California's clean
13 energy future is both sustainable and wildlife friendly.

14 Thank you.

15 MS. BADIE: Thank you.

16 Next, we're going to go to David Martinez.

17 David, I'm going to open your line. And please unmute on
18 your end. We are asking for comments to be two minutes or
19 less.

20 MR. D. MARTINEZ: Hello, thank you. My name is
21 David Martinez, D-A-V-I-D M-A-R-T-I-N-E-Z. And I'm
22 speaking today in support of battery electric storage
23 facilities as a critical tool for building a clean,
24 reliable energy future.

25 As we transition away from fossil fuels, we need

1 smart infrastructure that ensures grid reliability while
2 reducing pollution and greenhouse gas emissions. Battery
3 storage allows us to capture clean energy when it's
4 abundant, like during the day from solar, and use it when
5 demand is high. This is essential to prevent blackouts and
6 reduce reliance on gas beaker plants, which are some of the
7 worst polluters in our communities.

8 Battery storage is also a more efficient and
9 flexible solution than fossil fuel alternatives. And it
10 helps us move toward California's clean energy goals while
11 protecting public health. I hope that you all can support
12 clean energy infrastructure, like battery storage, that
13 works with renewables, not against them, and helps ensure a
14 healthier, more sustainable future for all.

15 Thank you.

16 MS. BADIE: Thank you, David.

17 Next, we're going to hear from Elaine Gennawey.

18 Elaine, I'm going to open your line.

19 MS. GENNAWEY: Hey, good afternoon. This is
20 Elaine Gennawey, and that's G-E-N-N-A-W-E-Y. I am a 40-
21 year resident and former mayor of the City of Laguna
22 Niguel. And I very strongly oppose this project in this
23 location.

24 I was the mayor of Laguna Niguel during the 2022
25 Coastal Fire. And at that time, we experienced how quickly

1 and spontaneously fire can start, how quickly fire moves
2 and grows once it has started, and the challenges of
3 evacuating just a very small area in our city.

4 The applicant of the proposed facility needs to
5 do their homework and find a location that does not
6 compromise the safety and lives of thousands. You've heard
7 the safety concerns from all of the residents who have
8 spoken today and the hundreds upon hundreds who have
9 written letters to you. As a commissioner, each and every
10 one of you will need to decide between approving a facility
11 in what is known to be a location that puts at risk the
12 safety of our community and the lives of hundreds of
13 thousands.

14 Or you can recognize that the reason a human
15 being and not a textbook is seated in your seat and has
16 taken your oath of office is so that the very human factors
17 of community safety and saving lives are at the basis of
18 your decision. In your deliberations, please remember that
19 elected officials and appointed commissioners are to
20 protect and serve the people. Choose to keep our community
21 and our people safe by denying this application.

22 I thank you for your time and your consideration.

23 MS. BADIE: Thank you. Thank you.

24 Next, we'll hear from Carolyn McCuan. Carolyn,
25 I'm going to open your line. Carolyn, if you could, go

1 ahead. Oh, Carolyn, I think we need you to unmute on your
2 end and then you can begin. Carolyn, we're not -- oh,
3 there we go, I think. No. Carolyn, we're not getting any
4 audio from you. I'm going to move on and I'll try you in a
5 moment, okay?

6 Brian Siwecki, I'm going to open your line.

7 MR. SIWECKI: Hi, can you hear me?

8 MS. BADIE: Yes.

9 MR. SIWECKI: All right. Thank you for allowing
10 time to hear our public comments. My name is Brian Siwecki
11 and I've been a local resident for more than 30 years,
12 growing up in the City of Laguna Niguel, a former
13 government employee with the city. And in my graduate
14 program, I assisted the City of developing a disaster
15 preparedness pilot program for vulnerable members of the
16 community with local law enforcement and emergency
17 preparedness personnel.

18 Through the years of experiences, both living and
19 extensive research, I can assure you all a BESS facility
20 would be irresponsible and extremely hazardous here.
21 Examples of the Moss Landing in the San Diego battery plant
22 fires provide substantial evidence how hazardous and
23 detrimental a BESS facility is in a dense local community.
24 It contradicts safety, environmental and economic
25 opportunities, especially empathizing with families who

1 come from lower socioeconomic households or new generation
2 homeowners in our community.

3 History will always repeat itself. Understand
4 people that may not -- that people in general may not
5 remember exactly what you've said, but they'll never forget
6 how you made them feel.

7 Thank you.

8 MS. BADIE: Thank you.

9 Carolyn, I'm going to try your line again.
10 Carolyn McCuan. All right. We're not getting a way to
11 have you unmute. We can try again later.

12 Debbie Sullivan, I'm going to open your line.
13 And just a reminder to please state and spell your name for
14 our current reporter so we can have that in the record.
15 Debbie, if you could unmute on your end. All right.
16 Debbie, we're not getting any audio from you. I can come
17 back.

18 Next, we'll hear from Kathleen Miller. Kathleen,
19 I'm going to open your line. Just a reminder to spell your
20 name for the record.

21 MS. MAGUIRE MILLER: Yes, this is actually
22 Kathleen Maguire-Miller. My name is spelled
23 M-A-G-U-I-R-E. I'm a resident of Dana Point. I'm actually
24 home today with COVID. My family has been a resident in
25 Three Arch Bay and Laguna for 53 years.

1 As a former deputy mayor under Los Angeles Mayor
2 Richard Reardon, I'm well-versed on these types of
3 infrastructure projects and the community outreach needed
4 to secure support for this effort.

5 I raised my children in Pacific Palisades, where
6 I lived for 25 years. Four of my five homes are gone.
7 That fire did not have to happen. It was the direct result
8 of budget cuts and poor municipal leadership for over 20
9 years.

10 When I learned of this project, I quickly Googled
11 the site in relation to my home and my family's home.
12 Ironically, it's closer than the historic January 7
13 Palisades Fire.

14 My family also has a home in Monterey County.
15 How many ironies can you have? I visit there regularly.
16 Last month, I drove directly past the Moss Landing site.
17 There are crews working on trying to clean the area, which
18 is surrounded by farmland on the coast. It still reeks of
19 smoke. That fire started in January as well.

20 I'm horrified that the California Energy
21 Commission would consider this site for all the reasons
22 you've heard before me. I urge you to find a less
23 populated area, a more appropriate place to put your
24 lithium battery farm. It is inappropriate here. It is
25 foolish here. And it is not acceptable here.

1 Thank you very much.

2 MS. BADIE: Thank you.

3 Next, we're going to hear from Jo-Ann. Jo-Ann,
4 I'm going to open your line. Jo-Ann, you'll just need to
5 unmute on your end.

6 MS. DOWNEY: Yes, I think I did that. Can you
7 hear me?

8 MS. BADIE: Yes.

9 MS. DOWNEY: Okay. My name is Jo-Ann Downey,
10 D as, in David, -O-W-N-E-Y. I'm a 20-year resident of
11 Laguna Niguel.

12 I'm just getting involved in the process. So on
13 the very highest level, I'm really seeking input because
14 you all have been in this process for a long time. But at
15 the highest level, it seems to me that we're at sort of a
16 last resort location. And how did we get here? So how
17 many locations were on the long list of locations? How did
18 they get there? And how did they get taken off? And what
19 is the quote unquote "perfect location" for such a
20 facility?

21 And why would this location be the perfect
22 location? It seems very far from perfect. I just, I feel
23 like I don't know what the long list was. I don't know how
24 locations got on and off it. I don't know why we're on the
25 short list. And I am not hearing what a perfect location

1 is.

2 And that is my inquiry. And clearly, I'm
3 concerned about this location.

4 MS. BADIE: Thank you, Jo-Ann.

5 MS. BADIE: Next, we're going to hear from David
6 Slingluff. I'm going to open your line, David.

7 MR. SLINGLUFF: Yes. Can you hear me?

8 MS. BADIE: Yes.

9 MR. SLINGLUFF: Okay. Hey, I just learned about
10 this thing this morning. Silly me.

11 But my concern, I haven't heard anybody address
12 the potential for terrorism. And the reason I bring that
13 up is this Avery Battery Farm up by Avery, by Saddleback
14 College, it's there. Then you have San Onofre down in
15 South Orange County. Though it's not producing power, it
16 still has all the waste there. And so my concern is if
17 both of those were hit, you'd be trapped here.

18 And that same goes for a major fire like the one
19 down in San Diego that, you know, burned 300,000 acres back
20 in, I don't know when that was, in the '80s, let's say.
21 The only way out of here is Ortega Highway, and that would
22 be overwhelmed, you know, so quick. It'd be a cluster.

23 But anyways, that's all I have. My name is
24 Slingluff, S-L-I-N-G. Thank you.

25 MS. BADIE: Thank you.

1 All right. Next, we're going to hear from Holly
2 Mitchell. Holly, I'm going to open your line.

3 MS. MITCHELL: Hello, can you hear me?

4 MS. BADIE: Yes.

5 MS. MITCHELL: Excellent. Sounds like a little
6 echo to me. So this is Holly Mitchell, H-O-L-L-Y
7 M-I-T-C-H-E-L-L. I'm a broker associate of a branch of a
8 real estate office in San Clemente. I'm a San Clemente
9 local and a local of San Juan Capistrano for 35 years. I
10 have questions and statements.

11 For Dr. Alvin Greenberg, having been on the
12 safety staff for 31 years, did you anticipate the thermal
13 runaway event that caused the fire such as the ones in Moss
14 Landing? You didn't, did you? Why wasn't there safety and
15 oversight with the initial battery storage projects?
16 Because you didn't foresee what would happen or you were
17 negligent.

18 My question's for NG, the main presenter of the
19 attorney. What is ENGIE doing to mitigate and make the
20 residence whole that suffered the toxins released in the
21 Moss Landing, the air pollution caused by the fire, the
22 runoff that affected the local beaches, and perhaps the
23 groundwater?

24 For the project applicant, the fireman or the
25 fire chief, I'm not sure what his title was, that

1 participated in the applicant presentation, have you
2 received any form of compensation, salary, or gifts in
3 exchange for your participation in the presentation? Also,
4 you're not a local, so I think that much heavier weight
5 should be given to the local residents.

6 For CEC, you have been blinded by zero-carbon
7 emissions and overlooked the inherent toxicity of
8 batteries. Batteries are polluting our landfills and the
9 fires are poisoning our air, and also poison our waters.
10 ENGIE put a finger in the eye of San Juan Capistrano when
11 it ignored the city's rejection of the project and went
12 around the city to the state. We now turn that finger back
13 around at you. What NGOs are you referring to? Who are
14 the directors of those NGOs that will be receiving money
15 with this deal? Who's getting kickbacks to approve this
16 project? I'm going to do my best to find out.

17 Has it occurred to you that this will jack up
18 home insurance costs? Many insurance companies have
19 already left the state. What do you think this facility
20 will do to insurance rates?

21 Most people who spoke in favor are not locals.
22 Job creation is nice, but it's temporary. Poisoning humans
23 is forever. The clean energy religion is out of control in
24 the state of California. You're poisoning people's land

25 MS. BADIE: Please wrap up, Holly.

1 MS. MITCHELL: Thank you.

2 MS. BADIE: Thank you, Holly.

3 Next, we're going to hear from Chad Chahbazi.
4 Just a reminder, we are asking for comments to be two
5 minutes or less. There's going to be a timer on your
6 screen.

7 MS. CHAHBAZI: How you doing? My name is Chad
8 Chahbazi. Last name is C-H-A-H-B-A-Z-I. I'm nearly a
9 lifelong resident of South Orange County. I've been in
10 Orange County for 40 years. This year, as of 1985, most of
11 it in South Orange County. I'm a Laguna Nigga resident for
12 over 12 years.

13 I urge the support of this project. I think
14 there's been a lot of misinformation on battery energy
15 storage systems, and especially the difference between
16 lithium iron phosphate, which is the technology that's
17 being used in this project versus lithium ion. If you take
18 a look on YouTube, you can see the difference. The heat is
19 much lower on lithium iron phosphate. You have minimal to
20 no thermal runaway issues.

21 I'm actually really disappointed by the fear-
22 mongering among our community. I'm hoping that you
23 actually look at the facts and the data as it relates to
24 lithium iron phosphate technology. I think the CEC did a
25 great job in presenting the differences with that type of

1 technology, as well as the applicant.

2 We've had San Onofre shut down for over 12 years
3 now. If you want to talk about toxic material, look at the
4 spent fuel rods that are, you know, underground, and no
5 one's willing to take those. That has radioactive material
6 that's just, you know, 30 miles south of where we're at.

7 We're going to need this additional power in
8 South Orange County, and the reason is there's not enough
9 baseload power. So between 5 and 9 o'clock, especially,
10 you have issues where during the hot summer months, you're
11 going to have brownouts and blackouts. And this battery
12 energy storage system will help stabilize the grid.

13 So I urge you to look at the facts, not the fear-
14 mongering. I appreciate your time.

15 MS. BADIE: Thank you, Chad.

16 Next, we're going to hear from Kathy. Kathy, I'm
17 going to open your line. Kathy, if you can unmute on your
18 end, then you can begin. All right. Kathy, we're not
19 getting any audio from you. I'm going to try you in a
20 little bit.

21 How about Ted Rose? Ted, I'm going to open your
22 line.

23 MR. ROSE: Hello. Yeah. Can you all hear me?

24 MS. BADIE: Yes.

25 MR. ROSE: Yeah, good afternoon. And, again, I

1 want to offer my thanks for you all hearing us and taking
2 the time. My name is Ted Rose, that's R-O-S-E, just like a
3 flower. I'm a resident of Laguna Niguel. I've been here
4 for over 15 years.

5 As others have expressed, I'm also very concerned
6 about this project's potential for complete disaster for
7 our neighborhood and the city. Just like what, you know,
8 these other folks have already mentioned, documenting and
9 mentioning these previous incidents in Northern California,
10 like Moss Landing and others, the risks to me, especially
11 the exposure to toxic chemicals, are unacceptable, I think,
12 in residential areas such as ours.

13 And, you know, like others, I realize, you know,
14 we need to have these energy storage facilities. They need
15 to be built. They need to be implemented to support green
16 energy. But again, having these types of storage
17 facilities so close to homes, people, school, just makes no
18 sense to me. You know, when there's so many other areas,
19 like this other gentleman mentioned, San Onofre, that, to
20 me, that would be perfect.

21 So I'd really like to suggest that these other
22 areas be looked at. I, you know, strongly oppose this
23 particular project and hope that, you know, CEC and others
24 will find another better suitable location.

25 In summary, just please put safety first and find

1 another location away from where people live, including us.

2 Thank you again.

3 MS. BADIE: Thank you.

4 All right. Next, we're going to hear from phone
5 number ending in 111. I'm going to open your line. Just a
6 reminder, you'll press star six to unmute.

7 MS. REDFIELD: Hi, this is Andrea Redfield,
8 A-N-D-R-E-A R-E-D-F-I-E-L-D. I'm a fourth generation
9 Southern Californian with the majority of our family tenure
10 in the Laguna Niguel community area.

11 I find it interesting, yet not surprising, the
12 only comments and support of this project have been
13 presented by organizations and/or their representatives
14 with a clear and obvious monetary vested interest in the
15 building of this project. These organizations, along with
16 Sacramento, should in no way overrule our community at
17 large. I and we in the local community vehemently oppose
18 the location of this project.

19 The California Energy Commission should listen to
20 the community and not career politicians in bed with
21 developers. Just because it's convenient for the
22 developer, i.e. the infrastructure location and the limited
23 cost in upgrading any other infrastructure necessary to
24 transmit this energy should not mitigate the community
25 impact, including our wildlife, our oceans, and, of course,

1 our residents and businesses.

2 Developer's presentations suggest the new
3 technology will mitigate those dangers, but never mentioned
4 eliminate. Until there's no risk, we don't want the risk.
5 There are multitudes of other more viable locations. In my
6 opinion, put it in the Salton Sea, where supposedly the
7 lithium resides.

8 I thank you for your time, and I do please
9 implore the California Energy Commission and Sacramento to
10 oppose and deny this project. Thank you.

11 MS. BADIE: Thank you.

12 All right. Next, we have Mer Parhizkary. I'm
13 going to open your line, Mer.

14 MR. PARHIZKARY: Hello.

15 MS. BADIE: Yes, hello.

16 MR. PARHIZKARY: Yes, I was present, you know,
17 in the meeting, but I had to attend other meetings, and
18 that's why I left.

19 But thank you very much for CEC to convening this
20 meeting, to coming over here and actually seeing it.
21 Hopefully, you're going to deny the permit for them to, you
22 know, to build it over here.

23 My colleagues, that they denied it, which most of
24 the people has been, they spoke very eloquently about, you
25 know, why we do disagree with this location. Definitely,

1 we do need, you know, clean energy. We're all for that.
2 But the location for this is definitely disastrous.

3 While I was driving down to that meeting, I was
4 just passing by four assisted living facilities that in
5 case of, not in case, when the fire happens, they have to
6 be evacuated. And we saw that, what had happened, when one
7 assisted facility was again evacuated in Pasadena, how
8 disastrous that was.

9 Please, please consider all of these and, you
10 know, deny the permit for this. Thank you very much.

11 MS. BADIE: Thank you.

12 All right. Let's try Carolyn McCuan one more
13 time on Zoom. I'm going to open your line, Carolyn.
14 You'll have to unmute.

15 COMMISSIONER GALLARDO: Actually, Mona, I
16 apologize for interrupting you. I noticed that the
17 assembly member is here.

18 Assemblymember Dixon, Do you need a minute?
19 Okay. If you'd like to come up to the podium, we'd be
20 happy to hear your remarks. No rush.

21 ASSEMBLYMEMBER DIXON: Well, I just landed 15
22 minutes ago.

23 COMMISSIONER GALLARDO: Thank you.

24 ASSEMBLYMEMBER DIXON: Well, this is my priority
25 of the day. Well, thank you very much for your patience.

1 Yes, I am Assemblywoman Diane Dixon representing
2 Assembly District 72, which includes certainly neighboring
3 communities here, but it's all very important to all of us
4 in South Orange County. So thank you for letting me speak.
5 I'll just speak briefly. You've had a long day.

6 I'm here to express my concern about the
7 potential safety issues with having a battery storage
8 facility at this location in Orange County. As you are
9 aware, a number of recent fires throughout California
10 related to these facilities has indicated insufficient
11 protocols are in place, especially in the case where these
12 facilities are located in populated areas.

13 While it is imperative that we continue to have
14 innovative options for renewable energy, many people living
15 near the potential Compass Energy Storage Project have
16 cited safety concerns with this location. Specifically,
17 residents fear impacts to evacuation if a fire were to
18 break out.

19 In 2024 alone, two fires occurred on freeways,
20 causing the closure of a main south Southern California
21 thoroughfare. A spate of fires at battery storage
22 facilities in San Diego have required significant manpower,
23 including dedicated responders, as a fire burned for two
24 weeks straight. Another battery storage facility fire
25 resulted in the premature retirement of a firefighter after

1 he suffered significant injuries while attempting to
2 contain the blaze.

3 Assembly Bill 205 from 2022 gave the CEC the
4 authority to approve these types of projects. So it is to
5 you that I make a request that you ensure that there are
6 plans for fire prevention and mitigation should the worst
7 happen and that this site experiences complications or
8 catches fire. I would encourage you also to consider an
9 alternative site far removed from transportation arterials
10 and residential communities.

11 And I appreciate the time to speak with you today
12 and thank you for your good work. Thank you very much.

13 COMMISSIONER GALLARDO: All right.
14 Assemblymember Dixon, we appreciate you rushing over and
15 doing all you did to get here and thank you for your
16 remarks. Yes. Yes. It's quite a journey. We did it too.

17 Yes, we were just going to pause to see if she is
18 in the room. I don't see her. Okay. No. No.

19 Yeah, let's go back to the comments. And then
20 once we see her in the room, we'll take another pause.
21 Thank you, Mona.

22 MS. BADIE: Thank you.

23 So we're just going to try. We've got a few
24 folks on Zoom that we weren't able to get the audio to
25 work. And we're going to try one more time for Carolyn

1 McCuan. I'm going to open your line to see if you can
2 unmute on your end.

3 MS. MCCUAN: Hi, can you hear me?

4 MS. BADIE: Yes.

5 MS. MCCUAN: Okay, great. Sorry about the first
6 time. I was too late to click on the unmute and just
7 missed you.

8 Good afternoon. Thank you for this hearing and
9 for the opportunity for a public comment. My name is
10 Carolyn McCuan, C-A-R-O-L-Y-N, last name McQuown,
11 M-C-C-U-A-N. I'm a scientist and CEO of a clinical
12 research consulting firm and founder of a nonprofit called
13 Toxic Free OC. Our aim is to protect public health by
14 raising awareness and working to reduce the use of toxic
15 chemicals in our local environment.

16 I'm speaking up in strong opposition to the
17 location of this battery storage facility. I've been
18 living in OC for over 20 years. As a resident of San Juan
19 Capistrano, my family and I moved here from nearby Aliso
20 Viejo in order to get away from toxic chemicals. What drew
21 us to San Juan is the city's organic policies for managing
22 their parks and landscape.

23 This battery storage facility could not have been
24 proposed in a worse location. We live in a fire-prone area
25 where obtaining home fire insurance is nearly impossible.

1 We're battered by the fierce Santa Ana winds, which creates
2 the perfect cocktail for spreading wildfires, toxic fumes,
3 and heavy metals if a battery fire occurs. Thousands of us
4 live within a few miles radius of the proposed location,
5 and many have spoken about the difficulties of evacuating
6 the area.

7 Toxic algae bloom is poisoning our sea life and
8 coastal waters, a result of toxic debris from the recent
9 L.A. fires. Let's also not forget that we have spent
10 nuclear fuel stored right next door to us.

11 To the CEC, your fire consultant who spoke
12 earlier mentioned, and I quote, "If there is a fire within
13 the BESS, the best practice is to allow it to burn out."
14 Wow. Your other consultant admitted that fire season is no
15 longer just in the summertime, but now year round. Bribing
16 organizations in exchange for support or silence by
17 offering grants and, quote unquote, "community benefits" is
18 highly questionable. Sounds a lot like what DuPont did in
19 exchange for poisoning waters with forever chemicals.

20 To Saddleback Church, I implore you to think hard
21 and to pray about this. The safety of our children must
22 come first before money. Just say no.

23 Thank you.

24 MS. BADIE: Thank you.

25 Okay, next we're going to try Debbie Sullivan

1 again. Debbie, I'm going to unmute and then you'll just
2 unmute on your end. All right. Debbie, we're not getting
3 any audio from you.

4 And we have also Rachelle DeBaca. I'm going to
5 open your line. You'll unmute on your end. We are asking
6 for comments to be two minutes or less. And if you could
7 please spell your name for a court reporter, that really
8 helps us.

9 MS. DEBACA: Yes. Hi. Can you hear me?

10 MS. BADIE: Yes.

11 MS. DEBACA: Hi, I'm Rachelle DeBaca. My name, I
12 spell my name R-A-C-H-E-L-L-E. And DeBaca is D-E, capital
13 -B-A-C-A. And I am a resident of Laguna Niguel and I
14 strongly oppose the construction of a lithium storage
15 facility near our neighborhood. This project poses a
16 serious risk to both our community safety and the local
17 environment.

18 My husband is a Marine veteran who was previously
19 exposed to toxic burn pits during his service. The
20 potential for hazardous fires or chemical exposure from
21 such a facility so close to our home is deeply concerning
22 and entirely unacceptable.

23 Supporters of this project often include
24 organizations and individuals who have no direct connection
25 to our community. A prime example is Defenders of

1 Wildlife. They submitted comments in favor for the
2 project. Yet the California office is over 400 miles away
3 and most of their leadership isn't even based in the state.
4 They even incorrectly referred to the project as being a
5 long -- as they are a long State Route 72 Highway that
6 doesn't even exist anywhere near this site. That kind of
7 mistake makes it painfully obvious they do not understand
8 our geography or our risks.

9 Let's be clear. The people who do live near this
10 facility, the ones who will suffer the consequences if a
11 fire, chemical leak or other disaster occurs, are
12 overwhelmingly opposed. We're not just worried about the
13 hypothetical. Battery fires have already happened in other
14 parts of the country. This isn't fear mongering. This is
15 based on precedent.

16 Nearly every voice supporting this project either
17 stands to benefit financially or pushing a political
18 agenda. They won't have to evacuate their homes in the
19 middle of the night. They won't breathe in toxic smoke or
20 worry about their kids playing outside next to the high
21 risk industrial site.

22 Please prioritize the health and the well-being
23 of residents over industrial development. I urge you to
24 reconsider this project and seek alternative locations that
25 do not endanger residential communities.

1 Thank you for your time and consideration.

2 MS. BADIE: Thank you.

3 COMMISSIONER GALLARDO: All right, so we see that
4 Assemblymember Davies is in the room as well.

5 ASSEMBLYMEMBER DAVIES: I should come here more
6 often.

7 I just want to start off by saying thank you so
8 much to Commissioner Gallardo. You and your team, when we
9 had a chance to meet a couple of weeks ago, looking for the
10 right location, the right venue that would accommodate the
11 residents, the seniors, and the timing. So you did a
12 fantastic job. So thank you for that.

13 Good afternoon. My name is Laurie Davies, and I
14 have the privilege of representing South Orange County and
15 North San Diego County. I think you will find most of the
16 residents in South Orange County are supportive of clean
17 energy goals. And I, for one, am not opposed to battery
18 storage. However, I am deeply concerned with the push to
19 site battery storage facility that poses a threat to the
20 well-being and safety of the community.

21 Since its announcement, I have been on the record
22 in opposition to the Compass Lithium Battery Storage
23 Project, as its proximity is far too close to residential
24 neighborhoods and vegetation sites. The project would
25 construct a 250-megawatt battery storage system in the

1 northern portion of San Juan Capistrano, bordering Laguna
2 Niguel. While clean energy facilities will help us reach
3 our conversation goals, this project would have a
4 significant negative impact on our local community.

5 I've already sent letters to both the CEC and the
6 CPUC, urging them to deny the application for this project.
7 The Moss Landing Fire is one of the several damaging fires
8 that have recently occurred from a battery storage
9 facility. In 2024 alone, two fires occurred on freeways,
10 causing the closure of Southern California thoroughfares.
11 These incidents are in the back of everyone's mind and are
12 difficult to overcome. Additionally, in San Diego, several
13 battery storage facilities have burned for weeks, showing
14 us the significant strain on our first responders.

15 Despite new technology, there is not a human on
16 Earth that will ensure 100 percent safety with a battery
17 storage facility. If they do, they want to sell you
18 something and the buyer needs to be aware.

19 As a State Assembly member for San Juan
20 Capistrano and Laguna Niguel, when I look at these
21 residents in the face, I can't honestly ensure their
22 safety. I can't tell the parents and the nearby schools
23 their children will be safe. And neither can the Governor
24 or the Commission.

25 I have questions regarding the application

1 process for these types of facilities. Does the CEC
2 consider implementing setback guidelines that ensure that
3 BESS projects are located at safe distance from residential
4 and heavily populated areas? Has the CEC initiated a study
5 regarding the long-term environmental and health impacts of
6 fires at battery storage facilities, including potential
7 exposure to toxic chemicals? Does the Commission
8 understand the critical LOSSAN Rail Corridor, what it
9 really means to commuters, cargo, tourism, and our national
10 security. This rail is so close, way too close to consider
11 this location.

12 We all like football and we know how fast players
13 can get down the field. So can fires. This location is
14 three football fields away from homes.

15 As everyone is keenly aware, our climate is
16 changing and it's high fire seasons most of the year. The
17 winds that rip down this valley provide an opportunity for
18 a catastrophic fire.

19 It doesn't end with fire. The nearby stream will
20 be filled with toxins and will head out to the sea,
21 wreaking havoc along the way. No one really understands
22 the impact this will cause to our ocean and sea life. But
23 I can guarantee it won't be good.

24 I know you've heard about the impact, the I-5, if
25 there were a disaster. But reality is this is a major

1 transportation corridor that connects San Diego with Orange
2 County and it can't be compromised.

3 I hope you have the opportunity to hear from the
4 rank and file firefighters. They want to go home to their
5 families every night. However, they know the sad reality
6 of battery storage facility fires. They're extremely
7 tough. Local results in the prematurity [sic] retirement
8 of a firefighter after he suffered significant injury while
9 attempting to contain the blaze.

10 While we await a final decision, I've introduced
11 AB 615, which would require any proposed energy facility to
12 develop an emergency response action plan and
13 recommendations from first responders with the initial
14 application. My colleagues have also introduced bills
15 regarding BESS facilities, and we will see how they go
16 through the legislature and what is signed into law.

17 I know your role as commissioners is difficult
18 and finding ideal sites is extremely challenging. However,
19 this site is not an acceptable location. I join with many
20 residents, elected leaders, educators, and business owners
21 to respectfully ask for you to deny this project.

22 Thank you very much.

23 COMMISSIONER GALLARDO: All right. And before
24 she leaves the room, Donna, I wanted to make sure I thanked
25 you because you were instrumental in helping us secure this

1 venue. So it was a big team effort, and Assemblymember
2 Davies, you were part of that too.

3 All right. We'll transition back to Mona to
4 finish out our comments. Thank you.

5 MS. BADIE: Thank you.

6 Okay, so we've got a few more hands raised on
7 Zoom. We've gotten a few more blue cards, so I'm going to
8 go complete the Zoom, come back to the blue cards, and then
9 I will call the names of folks that I called on before that
10 weren't in the room just in case people rejoined us.

11 So next on Zoom, we've got George Trimm.
12 George, I'm going to open your line. You'll unmute on your
13 end. And just a reminder, we're asking for comments to be
14 two minutes or less.

15 MR. TRIMM: Awesome. Can you hear me?

16 MS. BADIE: Yes.

17 MR. TRIMM: Awesome. Thank you so much. It's
18 been so awesome hearing everybody's speeches today. I've
19 been working at home. I'm a film editor, so I've been
20 super into it.

21 My name is George Trim. I'm a filmmaker and
22 editor living in San Juan Capistrano with my wife, my four-
23 year-old son, and my two-year-old daughter. I'm on the
24 board of directors of my HOA on Alipaz Street. I strongly
25 oppose this project. I recently filmed the aftermath of

1 the Eaton fire in Altadena for a documentary, and I was
2 able to witness the destruction firsthand. When I saw this
3 proposal in my own town, I quickly realized we needed to
4 speak up.

5 Today, we've been so focused on safety only on
6 the intermediate area around or immediate area around the
7 proposed site, but fire doesn't stay contained. If a fire
8 starts here, it's not just the buildings, it's the air, our
9 infrastructure, our rivers, our coastline, and over 250
10 years of our city's history.

11 Another thing I filmed in Altadena, hundreds of
12 destroyed Tesla vehicles and home batteries. These were
13 treated as toxic waste by men wearing hazmat suits. Even
14 when this technology didn't spark the fire, these batteries
15 are still a toxic waste hazard in any natural disaster.

16 CEC, please reject the proposal. If something
17 goes wrong, it won't be ENGIE or Compass LLC or Saddleback
18 Church paying the price, it will be on us, the community.
19 The risk is simply too high.

20 Thank you.

21 MS. BADIE: Thank you, George.

22 Next, we're going to hear Mike P. Mike, I'm
23 going to open your line. You'll unmute on your end. We're
24 asking for comments to be two minutes or less. Mike, if
25 you can unmute on your end and then begin.

1 MR. MIKE P.: Got it. I think I'm unmuted.

2 MS. BADIE: We can hear you.

3 MR. MIKE P.: Okay. Well, first, thanks for
4 allowing me to speak.

5 My wife and I moved into Laguna Niguel, basically
6 right across the street from the site that's in question
7 right now in 1985. So we've been here, it will be 40 years
8 this August. And I'm not sure if anyone brought this up
9 earlier because I just came out of the meeting not too long
10 ago, but back in probably the late '80s, possibly early
11 '90s, the church, which used to be, I think, Robert
12 Schuller's church back then, they used to, it was great,
13 they shot up fireworks on the 4th of July. And me and my
14 wife and all the neighborhood and the kids used to go up on
15 to where the gazebos used to be and we'd watch the
16 fireworks.

17 One year during that time, an errant firework
18 caught the slope on fire. And, you know, the gentleman
19 earlier who said fear mongering, well, he wasn't standing
20 up on the slope as flames started coming up towards our
21 houses. Fortunately, firefighters did an excellent job,
22 put the fire out. But the church had the foresight and,
23 you know, the whatever, the knowledge to think, hey, that's
24 probably not a good idea. So they stopped doing that, even
25 though, you know, it was fun to watch. But I think they

1 realized the danger. And I'm not sure if they were told to
2 do it or they decide on their own. But whatever it was,
3 that kept us from worrying about that slope catching on
4 fire.

5 And it's the same slope, basically, where this
6 battery site will be. And should something happen, the
7 same flames are going to run up the hill just like they
8 did. I think it was mentioned earlier, there's a lot of
9 wind around here. And when that wind starts going, there's
10 nothing that can stop it.

11 So hopefully, this won't go through. And I
12 appreciate you allowing me to have the time to speak.
13 Thank you.

14 MS. BADIE: Thank you.

15 All right. We're going to try, Debbie, we're
16 going to try your line one more time. I'm going to open
17 your line. And you'll need to unmute on your end, Debbie
18 Sullivan.

19 MS. D. SULLIVAN: Okay. Can you hear me?

20 MS. BADIE: Yes.

21 MS. D. SULLIVAN: Okay. Great. I apologize. I
22 wasn't able to unmute earlier. Again, my name is Debbie
23 Sullivan, S-U-L-L-I-V-A-N. And I live on the ridge above
24 this proposed location in a high fire danger area.

25 I respectfully ask that you deny this project.

1 The location is just completely unsuitable and very
2 dangerous to the residents in the area, the schools in the
3 area, as well as the huge horse community in San Juan
4 Capistrano.

5 I'm a parent of a student at JSerra School, which
6 is located right across from it, which would be impacted,
7 as well as part of a barn that has almost 100 horses that
8 would be impacted if this project goes through. There's
9 just no amount of thermal runaway that would be safe within
10 our community. We're already in a very high fire risk
11 area. And I think there are other suitable locations that
12 can be looked at that have power lines to them that are not
13 surrounded by residents.

14 I would ask that you please listen to the
15 residents who have spoken today in opposition of this
16 project and not to the construction organizations and trade
17 groups that really don't have any skin in this game. The
18 firefighters who protect us are opposed to this project.
19 The City of San Juan, the City of Laguna Niguel are opposed
20 to this project.

21 So I would, again, respectfully ask that this be
22 denied. Thank you.

23 MS. BADIE: Thank you.

24 And I'm going to go -- we've got a few more blue
25 cards from in the room. And just doing also a last call

1 for a Zoom raised hands.

2 So next we're going to hear from Amy David, and
3 then LTC Carl David. And if you could just a reminder to
4 approach the podium. We are asking for comments to be two
5 minutes or less. There's going to be a timer on the
6 screen.

7 MS. DAVID: One quick second. I'm waiting for my
8 phone to get up. My name is Amy David, last name
9 D-A-V-I-D.

10 I want you to listen to this.

11 (Whereupon an indiscernible phone recording is
12 played).

13 MS. DAVID: That's the sound of the battery
14 storage facility. I'm wondering if a risk assessment study
15 has been done to evaluate the effects on our beloved
16 swallows in San Juan Capistrano. Conservation efforts and
17 safeguarding the swallows population and their habitats in
18 San Juan are ongoing. The effects of this type of noise
19 that I just played, toxic fumes, effects on the water
20 supply nearby, all affect the swallows and all the other
21 habitants. This battery storage facility would have an
22 impact on the environment and negatively affect the local
23 ecosystem and can harm wildlife.

24 San Juan Capistrano is a bird sanctuary city. A
25 fire or anything else would affect billions of insects, the

1 water supply, which they rely on for survival. The black
2 silhouettes of the swallows against the dark blue sky bring
3 visions and visitors from all over the world. Swallows
4 never returned after 1998 when repairs were made to the
5 iconic mission San Juan Capistrano. They arrive each year
6 on or around March 19th and return for the winter 6,000
7 miles away to Argentina.

8 Please reconsider and don't allow this site to be
9 here. Thank you.

10 MS. BADIE: Thank you.

11 After Carl, we're going to hear from Darren
12 Conant [sic], I'm sorry, I can't read that, but Darren will
13 be next.

14 Thanks, Carl.

15 MR. DAVID: I'm Carl David, Carl with a C and
16 David with a D. And I'm an over 30-year resident of Laguna
17 Niguel who lives within the two-mile radius of the best
18 site that Mayor Gennawey spoke about. And I'm one of those
19 37,000 evacuees that might have to do this.

20 Traffic is tough on a good day in this area and
21 I'm strongly opposed to this site. I will not repeat but
22 want to associate myself with the other thousands of
23 concerned residents about public safety issues mentioned
24 and the potential catastrophic effects of this project.

25 As a military strategic planner, I've lived and

1 taught international consequence management of weapons of
2 mass destruction, but have always considered prevention of
3 the effects on innocent civilians in such situations. In
4 this situation, ENGIE is inviting disastrous consequences
5 into our neighborhoods and hope that we can deal with the
6 mitigation.

7 My old boss and four-star general, Gordon
8 Sullivan, Army Chief of Staff, published a great book
9 titled, *Hope is Not a Method*, with a clear message for us
10 here. Please always remember, you may have authority
11 delegated to you in this situation, but our local leaders
12 have the responsibility for our lives that you cannot
13 assume. Please listen to them.

14 I urge you to dismiss this project as soon as
15 possible. Thank you.

16 MS. BADIE: Thank you, Carl.

17 And after Darren, we'll hear from Alyssa Cope.

18 MR. CONANT: Hello, my name is Darren Conant,
19 C-O-N-A-N-T. My name is Darren Conant. I'm a longtime
20 resident of Laguna Niguel, 15 years, another 10 years in
21 Aliso Viejo.

22 Let me start by saying, my family and I support
23 clean energy, we believe in progress, but this project and
24 this location feels like a step backward. It threatens the
25 very land and community it claims to serve.

1 I'm not just a concerned citizen. I'm someone
2 who uses this open space every single day. I hike here. I
3 mountain bike here. This land is my therapy, my connection
4 to nature, and it's my community shared sanctuary.

5 If this facility is built, we all know what it
6 brings, noise, industrial blight, massive fire risk, and
7 permanent damage to one of the last preserved open spaces
8 in this area. And when I think about it bringing here,
9 it's harder to accept is that in 20 years or 25 years, what
10 is it going to look like? What is this land going to look
11 like once it's done? Once you decommission the batteries,
12 you take them offline. What will it look like when my
13 granddaughter walks up there and takes a look over the
14 ledge? I don't know. No one will tell me what it will
15 look like.

16 You show me pictures from the freeway. I know
17 what that will look like, but I do not know what it will
18 look like when I look down from where I live, when I come
19 to my trail. I come every single day. I can't stand to
20 think that I'm going to be looking at 1,600 freight train-
21 sized batteries below me. Once the project is done and
22 operational, there's zero local jobs, it's just taken the
23 land that was once tribal land, and now it's being sold
24 off.

25 I haven't seen the general liability insurance or

1 the pollution liability insurance numbers. There's \$20
2 billion of real estate that surround a five-mile radius.

3 I went through all the CEC documents that come
4 through every day, and I got to the page where it said,
5 here are the petitions who approve of this, and they were
6 all from Riverside. I don't know, this is disingenuous,
7 isn't it? Why would you go to Riverside and get signatures
8 for a project that is like a quarter mile from my house at
9 best?

10 Is that my timer? Okay.

11 They're better sites, more remote, more
12 industrial, less invasive. Please do not build this.
13 Thank you.

14 MS. BADIE: Alissa? Are you Alissa? Yes,
15 Alissa. Okay.

16 I just want to say, so after we hear from Alissa,
17 we do have a few more blue cards. We're going to -- and
18 then we've got some folks on Zoom. We're going to take a
19 short break, and then we're going to come back.

20 But, yeah, thank you, Alyssa.

21 MS. COPE: Thank you. Thank you very much. My
22 name is Alyssa Cope, A-L-I-S-S-A, last name Cope.

23 So I have a degree in environmental science from
24 UC Riverside. I grew up in California. I am currently an
25 environmental planner and a CEQA practitioner. I

1 appreciate the CEC taking a hard look at this environmental
2 information presented by Dudek and the project proponent.
3 I urge you to look at it with a critical eye because a lot
4 of the information presented as fact is actually quite
5 skewed.

6 One of the main opt-in requirements is that the
7 project be located in an urban setting. I think if you
8 heard the speaker before me, clearly an open space area in
9 San Juan Capistrano does not qualify as an urban setting in
10 any manner. And the fact that the written documentation
11 would just say, San Juan is urban, therefore it qualifies,
12 really doesn't make any sense.

13 So I'm urging you to look at this with a critical
14 eye. A lot of that information is just factually
15 inaccurate. They're downplaying the risks, dismissing the
16 risks, not looking carefully at actually what each
17 environmental factor is. They're just pushing a lot of
18 paper.

19 I wanted to just get on the record about the CEQA
20 requirements, aesthetics. The gentleman before me talked
21 about what it looks like from the view shed above. There
22 really is no other industrial development at this scale
23 located anywhere near where they're proposing to locate it,
24 so it is out of character. The biological resources,
25 there's a creek nearby. Land use, it's completely

1 inconsistent with the land use guidelines that are from the
2 local cities. Transportation, it has one point of entry.
3 Even though the project proponent is saying that they've
4 added three points of entry, there's one point of entry
5 from the public street and it crosses a railroad track, and
6 it also crosses a creek.

7 Thank you for your time.

8 MS. BADIE: Thank you, Alissa.

9 So we're going to take a 15-minute break and
10 doing the math, let's just say 4:55. And then we're going
11 to come back and we've got more folks in the room that want
12 to comment on Zoom. And we're also going to have some
13 closing remarks as well.

14 (Off the record at 4:37 p.m.)

15 (On the record at 5:02 p.m.)

16 MS. BADIE: And we're going to start with folks
17 that have turned blue cards in, and then we are going to
18 come back to Zoom. We've got some more raised hands on
19 Zoom.

20 So first, we'll go to Kathleen Costello. And
21 after Kathleen, we'll hear from Sean Johnson -- Johnson
22 [sic], excuse me. And then just a reminder to please spell
23 your name for our court reporter as well. Thank you so
24 much.

25 MS. COSTELLO: I'm Kathleen, K-A-T-H-L-E-E-N,

1 Costello, C-O-S-T-E-L-L-O, Laguna Niguel resident.

2 I think all five commissioners are here today; is
3 that right? Thank you for coming to Orange County. Thank
4 you for leaving your homes in Sacramento.

5 COMMISSIONER GALLARDO: There are two of us here
6 today --

7 MS. COSTELLO: Two of you are here.

8 COMMISSIONER GALLARDO: -- just to be clear.
9 Yeah.

10 MS. COSTELLO: Well, thank two-fifths of you for
11 coming to Orange County from Sacramento. I hope you've had
12 some time to enjoy our county, our beaches, our gifts from
13 nature. And you know that that's why we're here too.

14 I worked for a state agency. And I remember when
15 I was hired, I had to swear an oath. And I think you
16 probably did too. And the oath, I wish you would revisit
17 it and search yourselves for what it means to you. It
18 meant to me that my duty was to uphold and serve the people
19 of the state of California, not the companies that want to
20 do business here. Please look after the interests of the
21 people of the state of California.

22 I was involved in fundraising. I heard Reverend
23 Schuller telling us about his conversations with John Crean
24 and how John Crean was moved to donate land that became
25 Crystal Cathedral, and eventually the parcel here off

1 Camino Capistrano. I remember passing by on the freeway
2 and seeing the nativity scenes up on the hillside of Camino
3 Capistrano. I remember when it changed hands to Saddleback
4 and they proposed to develop a crematorium right when I
5 bought my home there, and I did not want to be upwind of a
6 crematorium.

7 In fundraising, we were always trained to
8 consider donor intent above all else. You had to honor
9 what the donor intended or you couldn't accept the gift in
10 all honesty and all moral courage. And so I don't think
11 Saddleback has honored the intent of the donor of that land
12 by proposing to accept this land deal with Compass Energy.
13 I don't think they've considered the residents of South
14 Orange County.

15 I don't think the Commission -- I'm not convinced
16 because I don't know you all, I don't know what your
17 process is, but I have to assume that you may be putting
18 the interests of Compass Energy and their lawyers and their
19 lobbyists ahead of ours. We're just residents, but you owe
20 a duty to us. And I hope you will put our interests in the
21 hopper.

22 And I just want to leave with one question. Has
23 this process ever succeeded in denying a proposal?

24 Good. Thank you.

25 MS. BADIE: Thank you, Kathleen.

1 Next, we're going to hear from Sean Johnson, and
2 then Cynda Ormsby [sic].

3 Sean, are you with us? Okay. Great.

4 MR. JOHNSON: I'd just like to start out by
5 clarifying you said it right the first time, it's Sean
6 Johnson. That's Sean, S-E-A-N J-O-H-N-S-O-N.

7 My first message is really simple. Destroying
8 nature isn't green. I've been a lifelong California
9 resident, a proud Angeleno for 23 years of my life, and now
10 a proud resident of South Orange County. I've become part
11 of this territory. I've become part of this neighborhood.
12 And one of the things that drew me to this area is how open
13 it felt. And when my wife and I put down our payment to
14 buy our house in Laguna Niguel, we walked to the top of
15 Colinas Bluff Trail and we realized we found something. We
16 found gold here, something beautiful, something where we
17 can leave our busy hustle and bustle behind and we can
18 actually have a little release in the idea.

19 I work in the musical instrument trade. I have
20 seen the shipping containers that come off ships in the
21 Port of Long Beach carrying the products that eventually
22 get sold in my industry. These are massive. And to think
23 that these massive containers will eventually line the
24 valley, it's just insane to me.

25 Right now, it seems like California is doing a

1 lot, as it always has been. I remember in the '90s, when
2 the recycling cans started showing up at my childhood home
3 in Woodland Hills. I remember the efforts of save the
4 earth, save the plant, Nickelodeon's The Big help, I
5 remember that all. And there seems to be such a push right
6 now for us to do things that are green, but how green is it
7 to put metal in the middle of green? How is that green?
8 How are we protecting the environment when we're putting
9 foreign material, not to mention foreign material that's
10 susceptible to salt air, less than 10 miles from a beach?

11 All I'm asking is that I understand that we're
12 moving into a future where we need to be considerate of the
13 resources that the earth has given us. Earth is our mother
14 and we should take care of her. It's our jobs, a God-given
15 job to steward this planet that has been created for us to
16 live in. But we have to do a better job in putting foreign
17 material in a natural environment.

18 I urge you to deny this project, find a new
19 location for it that will better serve our area of Southern
20 California.

21 Thank you for your time.

22 MS. BADIE: Thank you, Sean. Thank you.

23 All right. Next we're going to hear from Cynda
24 Ormsby, and then after Cinda, we'll hear from Lyla
25 Tannenbaum.

1 MS. JOHNSON: Hi, my name is Cynda Johnson. That
2 was my husband just now, so I have to go after him.

3 First of all, we live in the neighborhood right
4 adjacent Laguna Heights, so it's right adjacent. And there
5 was a fire on June 15th, 2016 in this very valley. I
6 remember clearly because that's our anniversary and we were
7 out at a romantic lunch and my cousin called and asked if
8 I'd been evacuated. So we ran home and packed a bag of
9 clothes and all of our prized possessions so that if we
10 needed to run, we could. Luckily, the Orange County
11 firefighters got that fire out by bedtime. So we are
12 grateful for that. But that would not happen if one of
13 these batteries exploded. I'm sure people have mentioned
14 that throughout the day.

15 I did have a question. We were told at one of
16 these prior meetings that the reason this location was
17 chosen was because they were going to tap into the
18 underground transmission lines from the nuclear power plant
19 of San Onofre; is that correct?

20 MS. BADIE: So this is your time to speak. It's
21 not a Q&A session.

22 MS. JOHNSON: Okay. Well, I'm just I want
23 clarity on that because on Friday, President Trump signed
24 the Reinvigorating Nuclear Base or executive order. And
25 one of the parts, Section 4, says,

1 “To help achieve those objectives, the Secretary of
2 Energy shall subject requirements of Federal Credit
3 Reform Act and applicable law, prioritize activities
4 that support nuclear energy, including actions to make
5 available resources for restarting closed nuclear
6 power plants.”

7 And Section B says,

8 “The Secretary of Energy shall also coordinate with
9 the Secretary of Defense to assess the feasibility of
10 restarting and repurposing nuclear closed nuclear
11 power plants.”

12 So if San Onofre does reopen, would that not make
13 this project redundant and unnecessary?

14 Thank you.

15 MS. BADIE: Thank you, Cynda.

16 Next, we’re going to hear comments from Lyla, and
17 then after Lyla, Maryanne Osborne.

18 MS. TANNENBAUM: Hi, my name is Lila Tannenbaum,
19 L-Y-L-A space T-A-N-N-E-N-B-A-U-M.

20 I’m a seventh grader at (indiscernible) Middle
21 School, and I plan on going to Capo Valley High School.
22 I’m concerned for my safety at high school, and I’m also
23 concerned about the creek and how the toxins could go to
24 the ocean and pollute an environment that I surf and swim
25 in and me and my friends surf and swim in like a lot.

1 Yeah, thank you for listening. Yeah, thank you.

2 MS. BADIE: Thank you, Lyla.

3 Next, we're going to hear from Maryanne Osborne,
4 and then Maya Luna Osborne.

5 MS. MARYANNE OSBORNE: Hi, my name is Maryann
6 Osborne, it's M-A-R-Y-A-N-N-E, Osborne, it's
7 O-S-B-O-R-N-E.

8 MS. MAYA OSBORNE: Hello, my name is Maya
9 Osborne, M-A-Y-A O-S-B-O-R-N-E.

10 MS. MARYANNE OSBORNE: So we are Laguna Niguel
11 residents and we are just here. I'm sure you heard a
12 million already excuses for the reason to oppose this. But
13 as a mother, we are just requesting that for you guys to
14 really consider a different location. I think there's a
15 lot of economic and environmental and even traffic
16 components that can go wrong if you guys do approve this
17 here. So we're in opposition.

18 Did you want to say anything?

19 MS. MAYA OSBORNE: Hello, I'm Maya. I'm 10 years
20 old and I'm in fifth grade. And honestly, my school is
21 pretty close and I'm kind of worried. So, I oppose this
22 project.

23 MS. MARYANNE OSBORNE: Thank you. Thank you for
24 your time.

25 MS. BADIE: Thank you.

1 Next, we're going to hear from Caroline Sullivan,
2 and then Kristin Green.

3 MS. C. SULLIVAN: Hello there. Caroline
4 Sullivan, S-U-L-L-I-V-A-N.

5 So allowing a giant lithium ion battery storage
6 facility to be built at San Juan Capistrano is a terribly
7 bad idea. The area is high risk for fire. The chance for
8 a fire occurring is super high. And a fire would not be
9 like an ordinary fire. It would have to be allowed to just
10 burn itself out and while that happens, all these toxins
11 will go in the air.

12 So when I think about this, I'm really concerned
13 about what it's going to be like if such a facility is put
14 into an area. Am I going to, before I go to bed at night,
15 I'm going to have to worry, oh my gosh, you know, am I
16 going to have to evacuate or in the morning, that would
17 probably be the first thing that would come into my mind.

18 And I have two birds in a huge cage. I have a
19 cat and when the fires were burning in the Palisades, I was
20 thinking, oh my gosh, what am I going to do? How am I
21 going to get us all out of the house together? It's just
22 me, me and the animals, and there's quilts on the wall that
23 I may spend hours on. So having to evacuate is a major
24 thing for me. And, you know, I just really don't want to
25 have to worry about this all the time. There's a whole

1 bunch of other things that we have to deal with from day to
2 day and worrying whether or not I'm going to have to
3 evacuate and this terrible fire is going to happen.

4 Please, please deny this. It's a terrible idea
5 to put such a large battery storage facility in our
6 neighborhood where there's thousands of homes, businesses,
7 we're near a freeway, we're near the railroad track where
8 this proposed site is going to happen. So please, do not
9 do this. It would be terrible.

10 Thank you.

11 MS. BADIE: Thank you, Caroline.

12 We're going to hear from Kristin Green next, and
13 then after Kristin, we'll hear from Kristen Jepson
14 (phonetic).

15 MS. GREEN: Hi, I'm Kristin Green, K-R-I-S-T-I-N.
16 This is my daughter, Catherine.

17 I have been a lifelong resident of San Juan
18 Capistrano, my whole life, obviously, since the '80s and my
19 daughter goes to school in San Juan through Capo Unified
20 School District and I have worked at Silverado Senior
21 Living as well as the Shea Center as a speech language
22 pathologist.

23 I strongly oppose the proposed siting of a
24 lithium iron phosphate battery storage facility in this
25 location which is immediately adjacent to the I-5 freeway,

1 active train tracks, and a small creek that ultimately
2 drains into the Pacific Ocean. Additionally, it is
3 proposed to be next to schools, homes, other places where
4 people live, like other facilities that house older adults,
5 and also the Shea Center which has vulnerable populations
6 of children and veterans who go there for therapy.

7 So first of all, LFP batteries are touted to be
8 more stable than older lithium ion types, the fire risks
9 are not eliminated. Utility-scale failures have occurred
10 in California and across the globe, often without warning
11 and with devastating consequences. These facilities can
12 and do overheat, they emit toxic gases such as hydrogen
13 fluoride and in worst cases, they can explode. The public
14 pays the price when that happens.

15 The location proposed here is uniquely dangerous.
16 The I-5 is not just a highway, it is the main
17 transportation artery for this region, essential for
18 emergency evacuation, daily commerce and regional
19 connectivity. Siting a fire prone industrial facility next
20 to that corridor introduces a risk of major traffic
21 shutdowns mass scale evacuation failures and interruption
22 of emergency services. One fire, one plume, one closure
23 and the region is paralyzed.

24 Second, this facility would sit beside train
25 tracks which are used for passenger and freight movement.

1 A thermal event near that infrastructure could trigger
2 derailments, hazardous material incidents or catastrophic
3 delays. The risk is not theoretical. As well, train
4 movements can also generate ground-borne vibrations and
5 acoustic energy which can affect battery cells in a very
6 negative way.

7 Oh, am I over my time?

8 I implore you to research more about that with
9 the trains and everything.

10 Anyway, I was going to mention about the creek
11 which everyone knows there's a creek that leads to the
12 ocean and we don't want toxins in our ocean. We have to
13 eat fish and all the things that come with that. You know,
14 it's our planet. So let's just make a good choice here and
15 I implore you to find a better location.

16 Thank you.

17 MS. BADIE: Thank you.

18 All right. We're going to hear from Kristen
19 Jepson next, and then James, I think, Harris. Do we have a
20 Kristen Jepson in?

21 All right. How about James Harris? And after
22 James, we'll hear from Birgitt Gottschalk.

23 MR. HARRIS: So I think a lot is being said and
24 I'm hoping you're listening. Most of all, I hope that
25 you're listening to the will of the people of the South

1 Orange County. Our leadership here in South Orange County
2 have already spoken very loudly against this proposal.

3 I liken, you know, what's taking place to what's
4 taking place to the federal government with the state of
5 California. I know Sacramento is not happy with decisions
6 being pushed on them from the state of California. So our
7 local cities have already made a decision not to allow this
8 to take place and I'm hoping you honor that.

9 We've already had enough fires in Southern
10 California. We don't need another one. So please do not
11 allow this to happen.

12 Thank you.

13 MS. BADIE: Thank you, James.

14 After Birgitt, we'll hear from James Shemanski.

15 Birgitt, do we still have you here? Oh,
16 wonderful. Thank you.

17 MS. GOTTSCHALK: Good afternoon, commissioners.
18 My name is Bridget Gottschalk, G-O-T-T-S-C-H-A-L-K. I work
19 as a paralegal, and I am a long time, 30 years, resident of
20 Laguna Niguel. I strongly oppose the lithium storage
21 project, but I'm not against clean energy.

22 I don't want to repeat all the opposing reasons
23 that you have heard today a hundred times. I just -- it
24 does not make any sense to me to place this dangerous
25 lithium battery storage in a high fire risk area so close

1 to residents, schools, senior housing and hospitals. We
2 would have to leave this area should this project be
3 approved. We would no longer feel safe. Imagine if this
4 would happen at your home.

5 Please let common sense and Compassion for the
6 people and the environment win. I urge you to find a
7 better solution. There are so many other in uninhabited
8 spaces where this storage facility can be built.

9 Thank you for listening.

10 MS. BADIE: Thank you. All right. We're going
11 to hear from James Shemanski next, and after James, we'll
12 hear from Jane Perko (phonetic).

13 MR. SHEMANSKI: Yeah, hi, can you hear me?

14 MS. BADIE: Yes.

15 MR. SHEMANSKI: Hi, my name's Jim Shemanski, for
16 the record, S-H-E-M-A-N-S-K-I.

17 So again, I live with Bridget. You just heard
18 from her. I don't want to, again, repeat the same
19 arguments you've been hearing, but I've been listening all
20 day to the witnesses, both pro and against the plant, and I
21 feel it's a relevant question to ask is just how much safer
22 these batteries are? Do they have a proven safety record?
23 I know one witness just spoke to that. Because the
24 residents of Laguna Niguel have a right, as I'm sure you
25 feel, to not be exposed to increased fire risk nor toxic

1 smoke.

2 And I'd like to remind you as well, in 2021, when
3 the Monterey Plant was developed, they were saying these --
4 lithium -- Vistra representatives were saying these are
5 safe batteries, and we've all seen the results of what
6 happened there. So I'm wondering with lithium phosphate,
7 is there a safety record over time that would give us trust
8 that what happened in Monterey is not going to happen in
9 Laguna Niguel? And without that, I think that you're
10 putting obviously a whole region and a whole city at risk
11 of fire risk and toxic smoke, and we've seen what happened
12 in Monterey and, obviously, don't want that happening here.

13 So it's very reasonable to ask that question.
14 And I'm curious if, without that proven safety record, it
15 seems like we're being treated like guinea pigs and we're
16 asking for the same sort of results that occurred in
17 Monterey, which is obviously something that we all don't
18 want to occur.

19 So I appreciate your time. I know this has been
20 a long day for all of us, but we just simply want to
21 continue to live in an area we've grown to know and love.
22 And we don't want to have that kind of toxic smoke plume
23 that we saw in Monterey ever occur again.

24 So thank you for your time.

25 MS. BADIE: Thank you, James.

1 All right. And we're going to hear from Jane
2 Perko next, and then after Jane will be Barb Knode [sic].

3 MS. PERKO: Good evening and thank you very much
4 indeed for coming down. I live on the hill right up the
5 top here. And every day I look down on this area. We live
6 by the ocean. The winds blow. I don't know where --
7 you're from Sacramento; am I correct? Around Sacramento?

8 MS. BADIE: Yeah, this time is for you to speak
9 to us, not Q&A. So just want to make sure you have all the
10 time you need.

11 MS. PERKO: Thank you so much. But I'm assuming
12 you're from Sacramento.

13 MS. BADIE: Not everybody. Our headquarters are
14 there.

15 MS. PERKO: Well, that's whatever.

16 MS. BADIE: Yeah.

17 MS. PERKO: So when the wind blows, it affects
18 us, okay, air conditioning. Kids are playing outside. My
19 kid goes to school just down the road here and he is
20 outside all the time. Our kids are vulnerable. We have
21 climate change. This is a huge problem. There are a lot
22 of people living in this area who've lived here for years
23 and years. And you're right, I don't want to repeat what
24 other people have said. My mom is just up the way here and
25 she has cancer, all right?

1 And I have worked with wildlife birds at the Bird
2 of Prey Center. We have released bobcats down here. We've
3 released possums down here, all sorts of birds of prey.
4 And my husband and I hike down the trail here pretty much
5 every weekend. This is a sacred area, an incredibly sacred
6 area. I've lived here for 41 years and I don't think -- I
7 couldn't imagine not living here, and I couldn't imagine
8 not living here safely.

9 We have a problem with climate change and this is
10 just another thing we would have to deal with. Our lives
11 are important to us, as important to us as yours are to
12 you. So you can fly home to wherever you go to, but if
13 there is - something goes wrong with this lithium plant,
14 which it's going to do at some point, we all know that,
15 okay, I don't want it to be in our backyard affecting all
16 the people that have lived here. We own our homes here.
17 I've lived here for 40 years, up on that hill. And I don't
18 want to look down on the hill going, gosh, I wonder when
19 it's going to happen. Are my kids safe? Are we allowed to
20 live here in safety, all right?

21 We have one chance to talk to you all today, one
22 chance. And so this is it. Please, please don't put this
23 plant in here. Please don't do it. These are our lives
24 too. Our investments, everything we've worked for is down
25 here. This area should be left wild and should be left as

1 beautiful as it always has been. Please don't pollute it.

2 Thank you.

3 MS. BADIE: Thank you.

4 All right. Do we have Barb with us? After Barb,
5 we'll hear from Mark Whitehead.

6 Barb, yes. Thank you.

7 MS. KNODEL: My name is Barb Knodel, K-N-O-D-E-L.
8 And I was asking some questions.

9 First of all, I want to thank all of you for
10 coming down and being here and listening to us.

11 We moved into Laguna Niguel in 1986. We have
12 four children. My oldest daughter lost her home in the
13 Pacific Palisades Fire. And we went and did a tour around
14 there. It's worse than horrific. She saw her home burn at
15 three o'clock in the morning, and there was no firemen, no
16 water. It's devastating. This is through winds. This
17 other one's through the batteries. It's harder to put out
18 a lithium battery that's there.

19 My concern, we have -- Saddleback Church is
20 helping my daughter with Pacific Palisades Calvary
21 Christian Church, which I really, really appreciate.
22 They're with them for five years, ministers, rebuilding it.
23 It's a good church. I don't understand how it came to this
24 point. But my concern is the Saddleback Church down right
25 next to the area. I've been at retreats there. It's a

1 beautiful area.

2 Our kids have been with Larry Draluck, the Blues
3 soccer team. There's kids down there playing soccer. And
4 the children, they're our future. Has anyone contacted
5 OSHA or NIOSH to bring them in from Washington, D.C. to see
6 if this is chemically safe with this type of environment
7 that will be around children and about the congregation of
8 the church down there? So my concern is basically for the
9 future of the children and the safety of our kids and our
10 community. So please contact OSHA and NIOSH to make sure
11 this is chemically safe.

12 I thank you very much for your time and being
13 here. Thank you.

14 MS. BADIE: Thank you.

15 All right. After we hear from Mark, we'll hear
16 from Teresa Risch.

17 MR. WHITEHEAD: How you doing? I'm Mark
18 Whitehead. I'm a local resident of San Juan.

19 I'm completely against this. I'm completely
20 shocked that this would even be a consideration for a
21 battery storage farm like this in a location like this with
22 all the residential housing around. And, you know, hearing
23 some things about there's a 10-foot wall that's going to
24 be, you know, built around it so you can't see it as well.
25 I mean, if you drive down the 5 Freeway, the 5 Freeway is

1 elevated. You're going to be looking right into this
2 thing. It's going to look just like the Port of Long Beach
3 with all these containers everywhere.

4 And it's interesting that we need 11 hours today
5 to be able to have people speak about this. I mean, that
6 should show you something that this is obviously clearly
7 controversial and something that we don't want. And when
8 you have the local cities here fighting tooth and nail to
9 keep this thing out of here and then it's up to the state
10 to decide if this goes through, that's just not right.
11 That's just not how it should be.

12 You should really consider what our local cities
13 are doing and what they're saying, and then also all the
14 residents. It's just not an appropriate use of the land.
15 And this should be somewhere else away from everything.
16 You know the potential of the problem. Maybe it doesn't
17 happen, but what if it does? You know, you got schools,
18 everything. I mean, same thing everybody's been saying,
19 but it's just not the right use of this land.

20 So thank you.

21 MS. BADIE: Thank you.

22 And then I know some folks joined us a little bit
23 later. If you want to make a comment, we're asking folks
24 to fill out a blue card. They're at the back table and
25 that will help us plan ahead.

1 Thank you, Teresa.

2 After Teresa, we'll hear from Eileen McDermott.

3 MS. RISCH: Okay. Teresa Risch, long-term
4 resident in Laguna Niguel, three kids.

5 In recent years, we have borne witness to
6 unimaginable tragedy and devastation across California, the
7 kind that leaves permanent scars, not just on our land, but
8 on our communities, our families, and our future. The Camp
9 Fire, 153,000 acres, 86 lives claimed. Its cause, power
10 lines. Napa and Sonoma, 36,000 acres burned, 22 lives,
11 once again, electrical failure. Palisades Fire, 20,000
12 acres, eight dead. The Eaton Fire, 13,000 acres, 16 more
13 lives lost. Still no clear answers.

14 This year alone, if you look at the CAL FIRE app,
15 there's been 1,848 wildfires, 74,000 acres scorched, over
16 16,000 structures have been reduced to ashes. The damage
17 is measured in the billions, but the true cost, the human
18 cost, is immeasurable. If you open up the Watch Duty Fire
19 app, which our firefighters use, you will find right now
20 three fires burning in Kern, Mono, and Sacramento counties.

21 And still years later, there's hardworking, law-
22 abiding, taxpaying Californians living without homes. Not
23 because they were careless, but because insurance failed
24 them, or the state support never came.

25 So I ask you, how many more lives must we lose?

1 How many more homes? How many more forests? How many more
2 billions must go up in smoke before we take real,
3 responsible action?

4 California must stop reacting to disaster and
5 start preventing it. That begins with being proactive in
6 our infrastructure planning, in our energy regulations, and
7 in our building permit decisions. Approving the BESS
8 project is not just short-sighted, it's reckless. Placing
9 a massive flammable energy storage facility in the heart of
10 a densely populated, tender, dry community is not a
11 solution, it's a lit match waiting to be dropped. This is
12 not a question of if, it's a question of when.

13 You have the power to choose prevention over
14 tragedy, to stand with people you were appointed to
15 protect, to say enough is enough. Please do the right
16 thing and say no to the BESS project.

17 Thank you.

18 MS. BADIE: Thank you.

19 All right. After Eileen, we're going to hear
20 from Maureen Fitzpatrick.

21 MS. MCDERMOTT: Hi, Eileen McDermott, San Juan
22 Capistrano.

23 So May 22nd, the Senate overturned the
24 California's electric vehicle mandate. So most likely in
25 the future, with the new technology and everything that's

1 going on, are we even going to need this plant or this
2 storage facility?

3 So my question is, what my statement is, we need
4 to listen to we the people, us that live in this community.
5 We want you to do the right thing. And as we watch Robert
6 Kennedy Jr. dismantle all the health agencies and show all
7 the bad things that are going on, all the dangerous toxic
8 chemicals in the vaccines, all the chemtrails, whether you
9 believe it or not, I mean, you have to listen to it, all
10 the toxins in our food, all the toxins in our soil.
11 They're giving vaccines to our animals and then we eat that
12 food. They put toxins in our produce. And now you want to
13 put this lithium storage facility in our community.

14 We live here. We pay property taxes. This is
15 unfair. We shouldn't even be here. We need to stop. We
16 really need to reflect. What are we doing in this nation?
17 What are we doing in California? What did God give us? He
18 gave us a beautiful earth and man is destroying it. We
19 can't do this anymore. We need to start looking at what
20 we're doing.

21 And there are studies out there that tell you
22 that electric cars actually use more electricity and are
23 more toxic. And I love Elon Musk, but hey, I'm calling him
24 out on it. You know, it's not -- we don't need this, you
25 know? He made a bad product as far as the battery goes.

1 So we don't have to do -- use those. I'll never buy
2 electric car. I wasn't planning on it. I would have never
3 followed that mandate. I don't know what I would have
4 done, but I just don't believe I should be told what to do.
5 And I don't believe in this country that someone decides to
6 put garbage in our country, in our communities.

7 Thank you.

8 MS. BADIE: Thank you.

9 All right. We're going to hear from Maureen
10 next, and after Maureen, Kathleen.

11 MS. FITZPATRICK: Hi. Thanks for being here.
12 I'm Maureen Fitzpatrick. I'm a developmental psychologist,
13 which means I study development across the lifespan. And I
14 focus a lot on children. And what you are attempting to do
15 is putting our children at risk.

16 Let me just say a few things from your energy
17 storage Compass handout. This will generate \$50 million in
18 property tax revenues and additional \$9 million in sales
19 tax. That's \$59 million that you're going to generate by
20 this project. Well, how many lives are you going to hurt
21 with this project? \$59 million is nothing compared to the
22 fire costs that we've had across this state.

23 The other thing I want to talk about is, oh,
24 you're going to -- 130 construction jobs. Oh, wow, that's
25 wonderful. And \$750,000 is going to be granted to South

1 Orange County for work projects, for students. These are
2 drops in the bucket compared to how much this will cost us
3 as a state and as a community if anything bad happens.

4 Please, please, please consider these facts.
5 This is not a good benefit for our country. And it's not a
6 good benefit, certainly, for our towns and cities. By the
7 way, I'm San Juan resident.

8 I don't understand. And somebody said that this
9 wouldn't even be manned, it would be like remote
10 controlled. So why are you not putting it out in the
11 desert where there's no people? This is really -- and I
12 see at the bottom, community engagement and support,
13 supported by 400 residents from local communities. What
14 communities are they? And there's probably been more than
15 400 people here today denying this.

16 So please, please don't do this. Don't do this.
17 Think about the cost benefit analysis.

18 Thank you.

19 MS. BADIE: Thank you.

20 We're going to hear from Kathleen next, and then
21 Pete.

22 KATHLEEN: Hello. Thanks for being here. My
23 name is Kathleen.

24 So this is all for the environment that we have
25 lithium batteries. So I walk out every day and walk in the

1 hills and I just saw, two days, a beautiful deer. I see
2 little cottontails running around all over the place. I
3 almost stepped on a snake the other day. I've seen wolves.
4 I've seen bears out here. And there's a house at the end
5 of my walk. When I turn around, they have sheep. So --
6 and now looking like this, I swim in the ocean.

7 So I, the other day, had a pack of dolphins with
8 me. There's seals, little fishes, of course, your grunion,
9 and whales. So we are right smack in the middle of Mother
10 Earth. And we want to kill.

11 First of all, we know it's not going to be if
12 there's going to be a fire, it is when there's a fire. So
13 that's for the environment. All those sweet little animals
14 I see will be sick and dying. The ocean is right there.
15 It's horrible.

16 So I live here too. My parents live here. My
17 nieces and nephews go to this school right over here. What
18 is the cost of a human life? Okay, if we're not going to
19 care about our animals, what is the cost of a human life?

20 Please, we do not want this in our community. My
21 suggestion is these batteries came from someplace; right?
22 Pack them all up, put them on the boat, and send them back
23 where they came from, and let the people who made them deal
24 with it.

25 Thank you.

1 All right. We're going to hear from Pete next,
2 and then Kim Marycz.

3 Yes, Pete.

4 PETE: Hello, everybody. Hey, I'm coming to you
5 from a different approach, like most any other.

6 I'm a former employee of San Onofre. I worked
7 down there almost 20 years. There were so many rules,
8 regulations, missions, directions, people checking on
9 everything you did, okay? At the slightest scare of
10 anything, rumors started. Guess what? People got
11 paranoid. They got weirded out. Press releases going here
12 and everywhere. Well, after a length of time, they finally
13 decided, we better shut it down. The people are so
14 paranoid of it being around here.

15 Well, guess what? You guys got battery places
16 going up all over California, if not all over the United
17 Nations -- United States. Every time I pick up a newspaper
18 or social media, a newscast, anything, there's always a
19 battery fire.

20 I was just working the other day in my current
21 occupation in Long Beach. Right across the street was a
22 little substation. Guess what was on fire? It's a battery
23 farm; right? It's part of their substation. You know what
24 the firemen did when they got there? Nothing, because they
25 can't do nothing; right? These batteries are so toxic, so

1 lethal, they don't even approach them. They coordinate the
2 area off. They set up some temporary fire hoses and stuff
3 in case it gets a little out of control. But they stood
4 there for an hour and a half while I was working across the
5 street and did nothing.

6 You guys want to put this stuff in a community;
7 right? I dare any one of you to live on any one of the
8 sides of this battery farm. Prove it to us that these
9 things are safe. I dare any one of you, like I say, to
10 live next to it. These batteries are like beta stage. You
11 guys are just putting them out there and going, let's see
12 if we can figure out how to get them to work without
13 burning up.

14 Just recently, well, not recently, probably in
15 the last year, you had a giant battery farm up in Northern
16 California. It burned for weeks. What did you do about
17 it? Did you learn any lessons? Our firemen here
18 protesting because they can't do anything to put these
19 fires up.

20 Seriously, this has got to be as stupid as COVID
21 mask; right? This is ridiculous.

22 Thank you.

23 MS. BADIE: Thank you.

24 All right. We're going to hear from Kim Marycz,
25 and then Michelle Morgan.

1 MS. MARYCZ: Kim Marycz; right? Okay. Hi. So
2 Kim Moritz, K-I-M M-A-R-Y-C-Z. Okay, I don't speak in
3 public, so just bear with me.

4 Obviously, I'm a mother. So this is why I'm
5 standing here, is for my children. We live in San Juan. I
6 am so thankful that I get to raise my family here. It's
7 such a beautiful place to raise them.

8 I am also a medical professional. I work as a
9 nurse and I'm here because I haven't heard many people
10 speak regarding the issue of what happens if there is an
11 issue. If it does catch fire, our closest hospital is less
12 than two miles away. And if there is a shutdown, if we
13 have to evacuate, most of the people that work there live
14 within the radius and would have to evacuate, and that is
15 our healthcare workers. And if our hospital -- if nobody
16 can go to that hospital, what is going to happen? What is
17 going to happen if the I-5 is shut down? If we have to
18 travel south, the nearest hospital is down in San Diego
19 because we no longer have the San Clemente one.

20 As you know, even with the Santa Ana winds, some
21 children and even geriatric adults need acute care, and
22 that would be traveling far north or far south, and that is
23 putting them more at risk.

24 So I'm asking not just -- everybody has brought
25 up great points. I've been listening on and off throughout

1 the day. I agree with everything, but it's not -- it's
2 what if something were to happen and we have to evacuate,
3 because in Altadena, people still can't go to their homes.
4 I have a friend whose family member is still evacuated from
5 there because they can't go there and they can't even --
6 they're saying respiratory masks may not even be enough.

7 So I'm just asking, don't just think about us,
8 think about the children, think about healthcare
9 professionals. If they have to evacuate, the hospital is
10 less than two miles away, and then from there on, it's even
11 further. So that's my biggest concern.

12 Thank you.

13 MS. BADIE: Thank you.

14 And then we'll hear from Michelle Morgan next.

15 MS. MORGAN: Good evening. I've been a resident
16 in South Orange County for 25 years. Recent reports from
17 the Clean Energy Associates on the BESS system shows: 28
18 percent of your systems had defects in fire detection
19 systems; 19 percent of these systems had faulty auxiliary
20 circuit panels, increasing the risk of control system
21 failures; 15 percent of systems have thermostats and
22 thermal management defects, raising the risk of overheating
23 and accelerated degradation; 6 percent of systems failed
24 capacity tests, directly impacting energy delivery and
25 project performance.

1 Tariffs and lack of subsidies will add to the
2 negative viability of this project, as well as the safety
3 of our communities. Where does the liability lie if there
4 is a failure? If the failure is in the relay system,
5 Compass can claim that the problem belongs to SDG&E. The
6 finger-pointing and lawfare could go on for years, leaving
7 the residents, businesses, and cities on the hook to clean
8 up the mess.

9 This proposed location fails to meet the
10 standards for risk to cost-benefit, as many have expressed
11 today. Therefore, it's imperative this project be denied.
12 The science of climate change is filled with pseudoscience
13 that requires mandates and subsidies to exist. It cannot
14 change the facts of the actual physics of energy systems.
15 A pile of coal would provide four months of energy storage
16 versus this battery storage that can provide only two
17 hours.

18 When will this insanity stop?

19 MS. BADIE: Thank you.

20 All right. And we have been joined by Andy Hall
21 with the City of San Clemente. If you'd like to make your
22 comments now?

23 MR. HALL: Good afternoon. Appreciate you being
24 here. Appreciate you being willing to make public comment.
25 I just wanted to maybe express a few things from a

1 different perspective, perhaps one at a city level.

2 There's been a lot of talk about fire and what --
3 the potential fire from a battery storage. I think it kind
4 of becomes bigger than that. We're having to rethink
5 everything that's happening in our fire departments right
6 now. On one side, we have things like we've been hearing
7 today, battery storage and whatnot. The state is also
8 starting to dictate that we have things like five-story
9 buildings next to our bus stations. And the reality is we
10 don't have fire apparatus for that. We don't have fire
11 apparatus to fight these kinds of fires. The reality is
12 that a lot of these things are being placed on cities and
13 we simply don't have the ability to fight these fires or
14 whatnot.

15 So I think it's important that we take a look at
16 the cumulative effect of firefighting, what it's having on
17 local governments, because the reality is we do not have
18 the apparatus. We do not have the ability to fight the
19 fires that are being presented to us through changes in
20 legislation or these kinds of situations.

21 It was mentioned just a minute ago, and I think
22 we want to also be honest about the fact that this is not
23 reserve power. These cannot operate in a power outage.
24 There has to be some power. These are for brownout
25 situations. These cannot operate if there's not already

1 power available. So -- and I think some people think,
2 well, maybe a good thing is the power's out, we'll still
3 have power. That's not the case. So I want to make sure
4 that people understand what the battery storages are.

5 But the reality is that after the fires in Los
6 Angeles, what cities have been facing from our residents on
7 almost a daily basis is what are cities doing to reduce the
8 potential for fire damage in our communities? Just a week
9 or so after the fires in Los Angeles, we had 160 volunteers
10 show up and clear seven acres of weeds in our community
11 just because they wanted to do something.

12 And so on almost a daily basis now, our elected
13 officials are being asked, what are you doing to reduce
14 fire? What can you do? Save our communities. These
15 hillsides are very vulnerable. And the reality is, is that
16 it becomes very hard to have answers when the things that
17 are being placed in front of city councils, at almost a
18 mandate level, make it very hard for us to be able to be
19 honest with our residents and say, you're safer today than
20 you were yesterday because they're not.

21 So I hope that we will take these things serious.
22 I hope that you will listen. I really appreciate the fact,
23 I think this meeting started at nine o'clock. I had
24 meetings all day and I thought, I'm not going to be able to
25 make it. I really appreciate the fact that you've been

1 here all day taking very -- we're very passionate about
2 this part of the world. As you can tell, we love this
3 area. People put their hearts into it. And we're just
4 wanting to do everything we can to make it safe. And it's
5 a very vulnerable area when it comes to fire. There might
6 be better areas, better locations to put them than the
7 hillsides that you see with the dry brush in this area.

8 So anyway, thank you for your comments. Always
9 available if you have questions for the City of San
10 Clemente, but we want to come over and support some of the
11 challenges that I know our neighboring cities are having as
12 well, so thank you.

13 MS. BADIE: Thank you.

14 All right. Next, we're going to hear from
15 Michelle Hure, and then Cheryl.

16 MS. HURE: I should have worn my red scrubs today
17 instead of my green. So I'm Dr. Michelle Hure, H-U-R-E.
18 I'm a double board-certified physician and surgeon
19 practicing dermatology and pathology in San Juan Capistrano
20 in my office that I own near the historic Los Rios
21 District. I ran out of clinic to get here, so bear with
22 me. I didn't have a lot of time to write down.

23 So my kids are also in the public school closest
24 to the area in question. I'm also a former research
25 scientist and current leader in the field of how PFAS,

1 forever chemicals, affect patients and first responders as
2 it relates to dermatologic care. I've been listening to
3 the hearing on Zoom in between patients today and I've
4 heard a lot of great testimony in opposition to the storage
5 facility, so I will only say a few words to fill in the
6 gaps.

7 There are no credible people in favor of this
8 facility at this particular location that aren't
9 financially motivated or completely ignorant, completely
10 ignorant to the issues this facility poses at this
11 location. It's well known that these facilities pose a
12 known fire danger and routinely experience catastrophic
13 failures with the only method for containment being letting
14 it burn and dousing with aqueous firefighting foam which
15 consists of PFAS, which are the forever chemicals, to leach
16 into the land, watershed, ocean, and aquifers affecting us
17 for centuries down the road.

18 What is really upsetting is that this project is
19 being pushed because even ENGIE must realize that lithium
20 ion battery technology is nearing obsolescence now that
21 sodium ion batteries are so promising, cheaper, safer, more
22 efficient, and better for the environment. This is a money
23 grab at everyone's expense. Don't fall for it.

24 Thank you.

25 MS. BADIE: Thank you. After Cheryl, we're going

1 to hear from Carol Musurlian [sic]. I'm so sorry if I did
2 not pronounce that correctly.

3 CHERYL: To add to what was just said, if you
4 have any questions about the problems that people are
5 having, go to neveragainmosslanding.com and you will hear
6 the tragedy that these people are still suffering from,
7 rash, difficulty breathing, nosebleeds, skin and eye
8 irritations, digestive issues, metallic taste and smell,
9 dizziness, lack of energy. Citizens have had to do their
10 own citizen testing of human swabs and soil and water
11 testing. It is outrageous.

12 And all Vistra has done is hired CTEH, who's the
13 same contractor that was dealing with Ohio and trying to
14 make those people feel that everything's fine, and FDI, a
15 public relation firm that does nothing but mitigate for
16 these big corporations. This is outrageous. They've also
17 had wildlife effects, decline in pelican populations, and
18 so forth.

19 And Compass and their relationship with Dudek
20 shows a total false attempt to claim support for this
21 project. Multiple non-profits and entities have been
22 approached with cash grant awards and the City of San Juan
23 was offered money. South Coast Community College, as you
24 well know, took it, \$750,000, as once the approval of
25 construction starts. Many have turned down this blatant

1 attempt to be bought. How many others are willing to sell
2 out the safety of our community for cash remains to be
3 seen.

4 A perfect example of this approval letter is the
5 Defenders of Wildlife. The goal is to use their name to
6 reassure the public that this project is safe, when in
7 fact, while Defenders of Wildlife is located in Washington,
8 D.C. They have no field offices in Orange County or
9 Southern California. They've recently received a \$50,000
10 conservation grant from a company foundation which is
11 dedicated to transformative change and advancing renewable
12 energy initiatives. It is no surprise that on their Indeed
13 website, out of the 18 jobs listed, nine of them are for
14 energy and biodiversity programs, positions that are
15 ranging from \$77,000 to \$140,000 per year.

16 This is a blatant attempt to hold this public
17 meeting and to make people feel that this is safe. It is
18 not safe. There's nothing about this that is safe. You
19 must deny it.

20 MS. BADIE: All right. We're going to hear from
21 Carol, and then we're going to hear from Teale, I think,
22 Jatic (phonetic). I'm sorry if I mispronounce your name.
23 And then if just a reminder to please spell your name for
24 the court reporter as well, if you can.

25 MS. MUSURLIAN: Hi, my name is Carol Musurlian,

1 that's M-U-S-U-R-L-I-A-N. And you did a really good,
2 almost.

3 But anyways, I'm a resident of Laguna Niguel and
4 I'm going to make it short and sweet, I oppose. And I sure
5 you guys are tired of listening to everybody. But
6 everybody has their point here that this is not the place
7 to put this.

8 Thank you.

9 MS. BADIE: Thank you.

10 All right. And then we'll hear from Teala. That
11 is the last blue card I have in my hand. If anyone's
12 holding onto any blue cards, now is the time to bring them
13 up, please.

14 TILA: Hi, my name is Teala and I live in Laguna
15 Niguel. And thank you for listening to us. I really
16 appreciate your time.

17 And I just wanted to say that I'm opposed to this
18 because it's dangerous for everyone, and, you know, the
19 wildlife, the people. And we love this area so much. And
20 it's really our, -- it's our livelihood. I mean, like some
21 of us, like our houses are already paid off. We don't want
22 to move. We don't want to leave here. And we just want it
23 to be, you know, a beautiful place to go to the beach and
24 do our sports and go for walks and take our dogs to the
25 park and just live our lives. You know, that's all we want

1 to do.

2 And I really appreciate you listening to us.

3 Thank you.

4 MS. BADIE: Thank you.

5 All right. We've got one more card and then
6 we're going to go back to Zoom.

7 So Sarah Mehta, I feel like, Sarah, did we
8 already hear from you? No, because we're going to go back
9 to Zoom, but I will hold on to your card. Thank you so
10 much, Sarah.

11 Okay, let's go to Zoom. I'm going to call your
12 name and then I will open your line for the folks that have
13 raised their hand. And then you'll unmute on your end and
14 then you can begin. We are asking for comments to be two
15 minutes or less. And it also really helps if you can state
16 and spell your name for the record. Our timer doesn't
17 start until you're done stating and spelling your name, so
18 it won't cut in on your time. Okay.

19 McKellar [sic], I'm going to open your line and
20 you may begin.

21 MR. MCKELLAR: Hello. Can you hear me?

22 MS. BADIE: Yes.

23 MR. MCKELLAR: Hi. Sorry about the handle. My
24 name is Aaron McKellar. It's A-A-R-O-N M-C-K-E-L-L-A-R.

25 So I live right above the proposed site and I can

1 literally see it from my window as I'm talking to you right
2 now. So I really appreciate everyone that has voiced their
3 concerns about this.

4 So I just wanted to say that, you know, the
5 people have talked a lot about the batteries themselves
6 catching on fire. But I also wanted everyone to think
7 about the possibility of just the hill catching on fire
8 from a random source, which it has before, which has been
9 mentioned, and the possibility of just that spreading to
10 the battery facility. And can you imagine the whole
11 battery facility on fire because of this? You know, in
12 L.A., everything caught on fire. So imagine that and the
13 catastrophe that that would cause.

14 So, yeah, previously, if the hill caught on fire,
15 the firefighters' main concern would be to defend the
16 homes. But, you know, if we place this facility here, the
17 firefighters have to defend both the battery facility and
18 the homes because if the battery facility goes up, that's
19 not going to be very good.

20 So all I ask of the CEC folks is that they do the
21 right thing about this. And I think my community has made
22 it very clear on what that is. And, you know, there's a
23 lot of risk that we're talking about introducing here. And
24 I think it could be mitigated if we just put this in a more
25 thoughtful location.

1 And I thank you for your time. Thanks.

2 MS. BADIE: Thank you.

3 Okay, next we're going to hear from Ken Stelts.

4 Ken, I'm going to open your line and just a reminder to
5 please state and spell your name for the record. All
6 right, Ken, if you just unmute on your end, then you can
7 begin.

8 MR. STELTS: Okay. Am I unmuted now?

9 MS. BADIE: Yes, we can hear you.

10 MR. STELTS: Okay. Thank you. Hello. I'm Ken
11 Stelts, S-T-E-L-T-S. I've been a Laguna Niguel resident
12 for about 30 years.

13 First, I'd like to say that I'm a supporter of
14 clean renewable energy. And I also know that strengthening
15 the electrical grid should be a top priority. However,
16 this site is just not suited for this facility.

17 I was in the mandatory evacuation zone for the
18 Coastal Fire in Laguna Niguel in 2022. I witnessed how
19 fast the fire exploded uphill from the canyon and reached
20 the houses on top of the ridge.

21 In the case of a fire in this proposed facility,
22 the people living on the ridge above could be in a life-
23 threatening situation. It would be very difficult for
24 first responders to arrive in time to help in the
25 evacuation and firefighting needed in the residential area.

1 Add in toxic smoke on top of the fire and it becomes truly
2 terrifying for our neighbors. Beyond the immediate area,
3 much of Laguna Niguel is in a high-risk fire zone and we
4 could have a major disaster for much of the city if things
5 were to get out of hand.

6 Common sense says this is just not an appropriate
7 location for this facility and I respectfully urge you to
8 not approve the project.

9 Thank you.

10 MS. BADIE: Thank you.

11 Next, we're going to hear from Tony and Linda
12 Williams. I'm going to open your line. Your line is open.
13 Tony and Linda, you've unmuted but we're not hearing audio
14 in the room. All right. I'm going to go on and then come
15 back to you.

16 Next, we're going to hear from Everett. Everett,
17 I'm going to open your line. Everett, if you can please
18 unmute on your end and then you can begin. All right,
19 Everett, we're not seeing the unmuting happening on your
20 end. I'm going to come back.

21 Next, we'll hear from Dana Butler. Dana, I'm
22 going to open your line now. Dana, if you could please
23 unmute on your end.

24 MS. BUTLER-MOBERG: Hello, can you hear me?

25 MS. BADIE: Yes.

1 MS. BUTLER-MOBERG: Thank you very much. Thank
2 you for hearing me out. You heard the concerns about
3 safety. My letter was referenced by the Mayor of Laguna
4 Niguel earlier today. I am Dana Butler-Moberg. I'm the
5 CEO of the Shea Center in San Juan Capistrano. My name is
6 spelled D-A-N-A Butler, B-U-T-L-E-R hyphen Moberg, M, like
7 Mary, -O-B, like boy, -U-R-G. And I'm the CEO here at
8 Shea.

9 You've heard all the safety concerns. You've
10 heard compelling comments about the destruction of
11 habitats. And you've heard who supports this project, the
12 people who stand to make dramatic amounts of money. You've
13 heard about experts paid for by the multi-billion dollar
14 Compass Energy Corporation. You've also heard from people
15 who refuted these experts, one of which said the plan for a
16 battery fire is to let it burn out. You've heard from
17 people who have degrees in science and are experts in
18 entitlement. They don't support this project.

19 California is a state of great resources and
20 abundance. It's the world's fifth largest economy. And we
21 do need renewable energy, but at what cost?

22 The Shea Center represents a community of
23 disabled children, adults, and veterans. We have more than
24 750 community volunteers giving 28,000 hours of
25 volunteerism to 1,500 people with disabilities. So my

1 question about this project and to each of you is this:
2 Who protects the vulnerable? Who cares for the children,
3 seniors, underserved and disabled from environmental
4 disaster? It's you. It's you as the commissioners because
5 that power has been given to you.

6 The Moss Landing Fire in Monterey Bay left toxic
7 levels of heavy metals in the soil that among other things
8 put children at risk for cancer. There's currently a
9 lawsuit pending in this very topic about toxic chemical
10 levels for kids with cancer. Among the 78 disabilities we
11 treat each year at the Shea Center, we treat kids with
12 cancer. We see these children throughout the year, and
13 last year we lost an 11 year old to her cancer battle.

14 There is not one child's life worth a battery
15 storage facility in San Juan Capistrano. Not one. You are
16 gambling with people's lives if you approve this project.
17 You're gambling with the lives of first responders. And is
18 it really worth that level of human disaster that would
19 come by approving this project?

20 Would you want this project in your backyard? My
21 bet is that you would say no. Who protects the vulnerable
22 and it would be you. And we all do. But you have the
23 power to avoid great human suffering and environmental
24 disaster at an epic scale.

25 I thank you for listening to me and for your many

1 hours today listening to the concerns of others. Please do
2 not allow this project.

3 Thank you.

4 MS. BADIE: Thank you.

5 Next, we're going to go to Donald. Donald, I'm
6 going to open your line. You'll unmute on your end.

7 MR. BEAL: Hello, can you hear me?

8 MS. BADIE: Yes.

9 MR. BEAL: Yes. My name is Donald Beal, last
10 name is B-E-A-L, and we live on the ridge above this
11 proposed site. And for all the reasons mentioned below,
12 for all the reasons mentioned before, we strongly oppose
13 the project.

14 Thank you.

15 MS. BADIE: Thank you.

16 All right. Next, we're going to hear from Ruthie
17 Brock. Ruth, I'm going to open your line. You'll unmute
18 on your end.

19 MS. BROCK: Can you hear me?

20 MS. BADIE: Yes.

21 MS. BROCK: Hi. Thank you. My name is Ruthie
22 Brock, R-U-T-H-I-E B-R-O-C-K.

23 I'm not a resident of San Juan Capistrano or the
24 surrounding area. But I'd like to point out that there are
25 actually many communities up and down the state of

1 California that are actively opposing identical projects,
2 such as this Compass BESS. What is the common denominator
3 in all of these projects that are resulting in strong
4 community opposition? It's the lithium-ion batteries.

5 After the Moss Landing Vistra Fire, it should be
6 no surprise to anyone that lithium-ion batteries are proven
7 to be risky, fire-prone, and extremely toxic. Because
8 these lithium-ion batteries have proven themselves to be a
9 liability for the energy industry, developers have now
10 pivoted to what they tout as a safe alternative. But
11 lithium-iron phosphate, a lithium-ion subtype, have become
12 the new preferred choice for use in battery energy storage
13 projects. And while they might indeed be more stable and
14 slightly more heat-resistant than lithium-ion, they are not
15 by any means safe.

16 When lithium-iron phosphate batteries overheat,
17 and they do, they also react and burn, and they are capable
18 of thermal runaway, and they actually produce a greater
19 percentage of highly flammable and toxic hydrogen-based
20 gases. So these batteries might be more safe than lithium-
21 ion, but by no means are they safe.

22 These dangerous and toxic batteries have been
23 allowed to roll out as the predominant technology deployed
24 for battery storage. Its popularity has soared due to its
25 favorable energy density and constantly declining prices.

1 These predominant lithium-based BESS projects have been
2 pushed out ahead of foundational safety for first
3 responders and ahead of regulations for safe project siting
4 and public safety.

5 Please do not approve this project. It would be
6 catastrophic for the people of San Juan Capistrano. And I
7 urge you to listen to everybody that has spoken today and
8 letting you know their feelings that this project needs to
9 be denied.

10 Thank you for your time.

11 MS. BADIE: Thank you.

12 And next, we're going to hear from Laura Freese
13 on Zoom. Laura, I'm going to open your line. You'll
14 unmute on your end. We're asking for comments to be two
15 minutes or less.

16 MS. FREESE: Hello. Thank you for letting me
17 speak. Can you hear me?

18 MS. BADIE: Yes.

19 MS. FREESE: It's L-A-U-R-A F, as in Frank,
20 -R-E-E-S, as in Sam, -E. And I am speaking today about the
21 City of San Juan Capistrano.

22 Our mission in San Juan Capistrano was built in
23 1776. The oldest residential street in the state of
24 California is right by the Mission and it's still a
25 residential street.

1 The old part of the City of San Juan Capistrano
2 is something precious, not only precious to the residents,
3 but precious to the state of California. And we're putting
4 it in jeopardy when we put this lithium farm right next to
5 it. So please find another place.

6 Thank you very much.

7 MS. BADIE: Thank you.

8 Okay, we're going to try Linda. Tony and Linda,
9 I'm going to try to open your line again. You'll need to
10 unmute on your end and then you may begin.

11 MR. WILLIAMS: Can you hear me now?

12 MS. BADIE: Yes.

13 MR. WILLIAMS: Oh, good. So my name is Tony
14 Williams. I live in Laguna Niguel. I'm very pro green,
15 but very much against this project in this location.

16 By way of background, I'm a retired electrical
17 engineer and have spent 30 years working on power plant
18 development. This included in the majority cogeneration
19 and green projects. So I have some experience in this
20 area. In all cases, I was involved in the siting of these
21 projects and we did numerous projects in California.

22 Others have spoken very eloquently about the
23 safety and fire issues, so I wanted to address the location
24 issue. This location, as a few others have mentioned, may
25 be a good location, but from my experience, there are many

1 better locations. The prime locations for projects like
2 this, as I'm sure the CEC is well aware, are in locations
3 that are at or adjacent to existing solar projects. And I
4 know some of the solar projects in California still do not
5 have battery installations. And even those that do, do not
6 have more than an hour and a half or two hours of supply at
7 the rating that they've been given.

8 So I would suggest that CEC looks very intently
9 at and suggesting to this developer that he look at
10 locations that are at or adjacent to the solar projects.
11 They come with many benefits. One is that economically,
12 they almost always would beat a project where it's
13 presently being suggested. Because if the storage could
14 come from the solar project, then that means that during
15 peak hours, there would be a lot less power being
16 transmitted along the power lines that come from that power
17 plant. So there would be great savings in energy losses
18 that would occur on the line.

19 So I see that my time is up. So I think that the
20 strong point is, this location is not as good as many
21 others within the state of California.

22 Thank you.

23 MS. BADIE: Thank you, Tony.

24 All right. We're going to try Everett one more
25 time. Everett, I'm going to open your line. You'll need

1 to unmute on your end. We are asking for comments to be
2 two minutes or less. All right, Everett, we're not seeing
3 that you're able to unmute on your end. We can come back
4 later, but we'll move back to folks in the room.

5 All right. Next we're going to hear from Nancy
6 McCain in the room. Nancy, after you, we'll hear from
7 Tricia Wolski. Do we still have Nancy? Oh, wonderful.
8 And then just a reminder to spell your name for a current
9 reporter.

10 MS. MCKAIN: Good evening. I'm Nancy McKain. My
11 name is spelled M-C, capital -K-A-I-N. And the first name
12 is N-A-N-C-Y. I am a resident of Dana Point. And I live
13 not too far away from the proposed location.

14 I am wholly opposed to this. And I was reading
15 what the Moss Landing project said that it would not do and
16 it, in fact, did. Some of it was that said project will
17 not have the potential to significantly degrade the quality
18 of the environment, that said project will have no
19 significant impact on long-term environmental goals, that
20 said project will have no significant cumulative effect on
21 the environment, and that said project will not cause
22 substantial adverse effects on human beings either directly
23 or indirectly.

24 They were wrong. Many people are affected by
25 that. And we as residents fear that we will also be

1 affected by anything that would occur similar to that if
2 this were approved.

3 So thanks very much. I appreciate your efforts.

4 MS. BADIE: Thank you.

5 All right. After Tricia, we're going to hear
6 from Don Boyd. We'll hear from Tricia first and then Dawn
7 Boyd. Thanks, Don.

8 MS. WALSKY: Hi, I'm Tricia Wolsky, T-R-I-C-I-A
9 W-O-L-S-K-Y. I am a resident of Laguna Niguel. Thank you
10 so much for allowing us time to be here and express our
11 concerns and our opinions.

12 I didn't prepare anything. I just came after
13 work. I've been involved since the beginning. But I also
14 attend the church where the land is located. I understand
15 the need for the energy. But this is just not the
16 location. We've seen the battery fires over the past year.
17 We've seen the devastation. The City of San Juan said no.
18 The community said no. And it's been bypassed, as we
19 understand, to the CEC.

20 If it's so safe, I have to ask, why is it not in
21 your backyard? Why are we not starting there to put it in
22 your backyard with a safer battery, and we can do the
23 testing and prove it before we bring it here to a community
24 that is concerned about their own safety, the access routes
25 in and out? It's just not the location. We all know we

1 need this stuff. But it needs to be in an area where it's
2 not impacting the safety and the lives of so many who have
3 said no.

4 Again, thank you for your time. I appreciate it.

5 MS. BADIE: Thank you.

6 We're going to hear from Don Boyd next. And
7 after Don, we're going to hear from Marnie White.

8 MR. BOYD: Good evening. Thank you for letting
9 me comment. My name is Don Boyd, Donald Boyd, B-O-Y-D
10 D-O-N-A-L-D.

11 And I decided to do some research this afternoon
12 online, deep online, trying to go to all the different
13 sites and finding information about these BESS storage
14 systems. And it's really incredible. There is no -- they
15 don't have a handle on this fire thing. They've had 10 to
16 15 incidents per year still. Worldwide, I know that Korea
17 has many of these units installed in their country. And I
18 think really above everything else, they've had the most
19 fires of all. But still, even with like the lady was
20 saying, Moss Landing, things like that, they still occur.

21 And so my point is, is clearly, clearly, we do
22 not have a handle on this fire thing. I mean, I have some
23 information here. I was just -- this is one incident in
24 Arizona. It burned for 10 days. But, you know, that's
25 pretty serious.

1 So thank you for your time.

2 MS. BADIE: Thank you, Don.

3 All right. After Marnie, we'll hear from
4 Harrison Taylor. And just another reminder, we're asking
5 for comments to be two minutes or less. There will be a
6 timer on the screen. And it's helpful if you can spell
7 your name for the court reporter as well.

8 MS. WHITE: Okay, thank you. I'm Marnie White,
9 M-A-R-N-I-E, White, W-H-I-T-E. I am a 10-year resident of
10 Laguna Niguel. Oh, okay. Sorry.

11 I'm a 10-year resident of Laguna Niguel and a
12 prior resident of San Diego County. The reason I'm saying
13 I'm a prior resident of San Diego County is San Diego
14 County in both the southern end and the northern end had
15 two fires at these facilities. Those fires were unable --
16 you know, they just had to burn out. Fortunately, those
17 fires were located in more desolate areas, so it wasn't in
18 areas where you have homes right above.

19 I come to you as an educator in Laguna Niguel,
20 and also a volunteer at the Shea Center whose CEO spoke via
21 Zoom a few minutes ago. The Shea Center is a therapeutic
22 riding facility for special needs children, as well as a
23 lot of veteran programs. My time there is magical, the
24 growth of the clients. The area that we are in, we take
25 clients on horses into the two miles from where this

1 facility is going to be. We take them to the beach, which
2 is the creek that runs through this canyon. I can't
3 imagine what would happen if or when there's a malfunction
4 and a fire happens, getting those horses out. These horses
5 are magical. They are horses that, you know, our most
6 vulnerable children are on.

7 And I just hope that you guys listen to all of
8 the wonderful community support against this project, and
9 please deny it just for everyone.

10 Thank you.

11 MS. BADIE: Thank you.

12 After Harrison, we'll hear from Roger Hamilton.

13 MR. TAYLOR: Thank you, members of the CEC. I'm
14 joined here with my four children. I'm a lifelong resident
15 of San Juan Capistrano. My name is Harrison Taylor. For
16 the record, that's H-A-R-R-I-S-O-N T-A-Y-L-O-R.

17 My kids are age three, five, seven, and nine. We
18 would be in like the direct path if something were to
19 happen to this energy storage facility, so I'm seriously
20 concerned. So I'm here tonight to voice strong opposition
21 to the proposed battery storage facility at Saddleback
22 Church Rancho Capistrano site. This is the gateway to our
23 town, a place filled with families, schools, churches,
24 horse trails, and natural beauty. It's not the place for a
25 massive industrial battery facility with real fire risks

1 and toxic exposure.

2 Frankly, Saddleback Church should have never
3 entered into this agreement. It's disappointing that a
4 faith-based -- it's disappointing that a faith-based
5 organization meant to serve the community would approve a
6 project that so clearly endangers it.

7 And I have to say, I was here since 10:00 a.m.
8 this morning, went back to work, and then came and brought
9 the family back because it means so much to me personally.

10 And I was actually a member of Saddleback Church
11 for my whole entire childhood. So we're no longer members.
12 It saddens me to have to remove myself from that
13 organization, but I think it's the right thing to do. And
14 I want to just send that message to the church, that they
15 have a choice to make. I understand that the energy
16 developer claims that it's too late, but it's never too
17 late.

18 And I'm not against renewable energy, but I am
19 for responsible planning. This facility does not belong in
20 the heart of a family community like ours. As a parent and
21 neighbor, I urge you please protect San Juan Capistrano and
22 say no to this project.

23 And thank you for hearing all of our voices.
24 Thank you.

25 MS. BADIE: Thank you.

1 All right. We're going to hear from Roger
2 Hamilton next. And after Roger, we'll hear from Heather
3 Rosenblatt.

4 MR. HAMILTON: Good evening. My name is Roger
5 Hamilton. My first name is spelled R-O-G-E-R. My last
6 name is spelled H-A-M-I-L-T-O-N.

7 I'd like to start at the top. We live in a high
8 seismic area. And it is no mystery to me that many power
9 plants throughout the state that are in current operation
10 have also had to apply the standards for environmental
11 qualification. And I think that that is a very important
12 thing to do in this case, as well, because this particular
13 site will remain unmanned.

14 I think that also considering that we have
15 thermal runaway in these particular batteries, I think that
16 I'd like to know what the maximum temperatures of operation
17 are to be because we do tend to get a lot of warm weather
18 down here, maybe potentially unlike other parts of the
19 state.

20 Also, continuing on with the environmental part
21 of the discussion, how will waste fire water be treated for
22 the runoff from this particular facility? I don't see
23 anything that's been discussed in the plans that I saw
24 about how the waste water would be handled.

25 And also we have a trauma center that is not very

1 far from here from this particular site as well, which is
2 Mission Providence/Mission Hospital. I think that that
3 should preclude any further development of this particular
4 proposal because of the ingress and egress plan for putting
5 people into -- emergency preparedness folks into these
6 particular places, and also being able to egress people
7 away from the site of where this fire is.

8 Also, what is the network security plan? Okay.
9 The company that I work for, I get regular updates on how
10 many attempts at attacks on the infrastructure there. I
11 would like to have a better understanding as to what --
12 this is supposed to be unmanned and who's going to be
13 monitoring this and what are they going to do in case of a
14 terrorist attack or something like that on this particular
15 site. I mean, it would be very easy to jump a 10-foot
16 wall, get across the barrier and then do nefarious
17 activities.

18 MS. BADIE: Roger, if you could please wrap up?

19 MR. HAMILTON: Okay. So in summary, I am opposed
20 to this particular proposal for the reasons that I have
21 stated.

22 Thank you for your attention.

23 MS. BADIE: Thank you.

24 All right. After Heather, we're going to hear
25 from Dr. Michaela Mohrmann.

1 MS. ROSENBLATT: Hi, good evening. My name is
2 Heather Rosenblatt. That's spelled H-E-A-T-H-E-R, last
3 name Rosenblatt, R-O-S-E-N-B-L-A-T-T.

4 I'm here as a Laguna Niguel resident who lives up
5 on the ridge. I'm here to strongly oppose the BESS project
6 planned near my community. If built, this facility poses
7 serious and long-term risks that we simply cannot afford to
8 ignore. As a parent of two children in the Capo District,
9 I'm deeply concerned for their safety and well-being along
10 with all of the other families who live, learn and grow in
11 this area.

12 I have several firefighters who live in my
13 neighborhood. They are trained professionals who
14 understand the systems and they are deeply concerned. They
15 know firsthand how dangerous lithium batteries are, how
16 fast they spread, how toxic the smoke is, how hard they are
17 to contain, and how limited the tools are to fight them.
18 When the people whose job it is to protect us say, this is
19 a bad idea, we need to listen.

20 MS. BADIE: All right. We're going to hear --

21 MS. ROSENBLATT: This isn't just a neighborhood
22 issue.

23 MS. BADIE: Sorry.

24 MS. ROSENBLATT: The proposed site, critical
25 infrastructure we rely on, including the 5 Freeway, the 73

1 toll road and Amtrak lines, a fire or explosion here
2 wouldn't just endanger our community, it could disrupt
3 transportation across the entire region.

4 There are also serious environmental concerns
5 from long-term air quality issues to potential soil and
6 groundwater contamination. These are risks we will be
7 forced to live with and our children will inherit.

8 And perhaps most importantly, this project brings
9 uncertain but very real health risks to our families,
10 especially to children and older adults. As a mother, I
11 can't ignore these risks.

12 Once this plant is built, it is here for good.
13 This is our one chance to stop it before it becomes a
14 permanent threat to our safety, our environment and our way
15 of life. Please say no to this facility. Let's put the
16 health and safety of our community and our children first.

17 Thank you.

18 MS. BADIE: Thank you.

19 Okay, so next we're going to hear from Dr.
20 Mikayla Mormon. And after Michaela, we'll hear from Gavin
21 Mohrmann.

22 DR. MOHRMANN: Hi, I'm Michaela Mohrmann. I live
23 in San Juan Capistrano, just a few minutes away from where
24 this plant will be built. I've been here for three years
25 and I have come to really love this community. And I'm

1 here to really speak from the heart and tell you about how
2 exceptional this community is.

3 Over the weekend, Charlos Bentley was hit by a
4 drunk driver and the entire community came together last
5 night to worship and pray for him and sing songs and hold
6 hands. There's care, there's love, there's kinship here,
7 and this is the kind of community you would be hurting by
8 allowing such a project to take place.

9 So I have to ask and I ask this humbly as a
10 Christian woman, what is your moral code and would it allow
11 for something like this to take place, to risk and
12 potentially sacrifice a minority of Californians for the
13 majority? Is that American? Is that moral? Is that
14 Christian? Whatever you believe in, whether it is my God,
15 Jesus Christ, or some other higher power, I ask you, please
16 tap into your hearts and have mercy on us. Just have
17 mercy. I am not above begging for this community.

18 So please, thank you for listening and consider
19 that what you allow to take place here will continue to
20 happen elsewhere to other Californians and other Americans.
21 Please stop it here.

22 Thank you.

23 MS. BADIE: Thank you. Thank you.

24 And then after Gavin, we'll hear from Dorothea
25 Sist (phonetic).

1 MR. MORMON: Hi. Gavin Mormon. I'm her husband.
2 I -- yeah, G-A-V-I-N Mormon. I'll keep it short because
3 everyone was so eloquent.

4 I love my wife. I love this community. I, you
5 know, I'm also a former combat veteran and I spent,
6 unfortunately, a lot of time sitting next to burn pits.
7 And I'd prefer not to have to do that in my home community
8 if that ever came down to that. So I strongly oppose this
9 legislation, this project. It's not good for the
10 community.

11 I thought the electrical engineer said it best,
12 just there's better locations out there that are better
13 suited for it. So again, I strongly oppose this and thank
14 you for your time.

15 MS. BADIE: Thank you.

16 After Dorothea, we'll hear from Marilyn
17 Ratcliffe -- Ratliff.

18 MS. SIST: Thank you. I'm Dorothea Sist and I'm
19 a resident of Dana Point. And over the last 16 years, I've
20 driven over 500,000 miles with a lithium ion battery right
21 behind my back. And I am just surrounded by other cars
22 that are powered by lithium ion batteries, Priuses
23 everywhere, all kinds of electrical cars.

24 Twenty-five percent of all the cars sold in
25 California are either hybrid or electric. So this seems

1 like a huge case of NIMBYitis. You know, if you believe in
2 renewable energy, you have to realize that if the risk was
3 so high, you should be fighting against hybrid and electric
4 cars, not just this thing that's in your backyard.

5 MS. BADIE: Thank you.

6 After Marilyn, we will hear from Rick Yartz.

7 MS. RATLIFF: I'm Marilyn Ratliff,
8 M-A-R-I-L-Y-N R-A-T-L-I-F, -F, as in Frank.

9 I live in Mariners Bluff. I'm one of the
10 original people in Laguna Niguel. I got here before we
11 became a city in 1986. And I didn't expect that something
12 like this would happen. Bad enough that San Onofre is.
13 I'm within the 50 miles of San Onofre. I don't understand
14 why you don't put it in San Onofre. That's a great place
15 for it. You can plug in there and it's already open and
16 has bad things.

17 I don't want to come home and have my kitties,
18 that's what I have at home these days, subjected to some
19 kind of air quality issue because we have a fire. And I'm
20 at the very top of the hill right there in Mariners Bluff,
21 number 6 St. Croix. So that fire is going to come down
22 south and it's going to come up my hill. And I really
23 don't want to have to worry about that.

24 So I would like to see that someplace else has
25 this, like San Onofre. And I'm in strongly, strongly

1 against having it in my backyard.

2 Thank you for hearing me.

3 MS. BADIE: All right. After Rick, we will hear
4 from Ken Cathcart.

5 MR. YARTZ: Well, that was fast. I just walked
6 in, so I wasn't really expecting to speak that quickly. My
7 name is Rick Yartz. I'm a 50-year resident of Laguna
8 Niguel. I live literally directly above the proposed site.

9 One of the residents mentioned firefighter. I
10 work as a firefighter. I've been a firefighter for 35
11 years. So one of the terms I use a lot is risk versus
12 gain; right? I can't really speak on what you have to gain
13 as a private company. I can only assume. But I can talk
14 about risks.

15 When I look at things and I make assessments on
16 whether we want to act on something, I look at what I risk
17 losing. With this project, you have, and I'm surprised
18 there's no Mission Viejo residents here, you have a Level 1
19 trauma center with a helipad in the direct wind path of
20 this facility. You have a college. You have a high
21 school. You have residents everywhere around there. You
22 have a railroad that runs parallel with it. You have a
23 freeway that runs parallel with it. You have the slope
24 below my house that's just been, I guess, listed as a high
25 fire hazard area.

1 This makes no sense. You know what I mean? Like
2 I can dumb it down as much as I want. I can read as much
3 as I want about the BESS facility, and it makes no sense to
4 me.

5 From what I understand, there's been other sites
6 proposed. I was told that this site was designated because
7 of access to the power system. I can tell you right now,
8 if you look at Eaton Fire, Palisades, SCE is looking at 18
9 homicide cases right now brought up against SCE. They also
10 have a risk of \$40 billion, and because it's a criminal
11 investigation, that gets doubled. So you're talking \$80
12 billion against SCE for not maintaining their systems.
13 Those are risks that are easily mitigated yet weren't done.
14 There's lines there that were powered for 50 years that
15 weren't maintained.

16 So thank you for my time. It looks like I'm
17 over. I appreciate it. I do oppose this project. Thank
18 you.

19 MS. BADIE: Thank you.

20 We're going to hear from Ken Cathcart next, and
21 after Ken, Paul Corey.

22 MR. CATHCART: Yeah, my name is Ken Cathcart, C-
23 A-T-H-C-A-R-T. I'm a 40-year resident of Laguna Niguel.

24 My house is at the very top of the hill, directly
25 above this proposed facility. I've been here, like I said,

1 40 years. I've seen that hill burned three times,
2 helicopters over, and they barely can put out the grass
3 that's there. You want to compound this with what you're
4 proposing is enormous.

5 Rick, how many gallons of water that you did you
6 do last time? You just told me this.

7 Anyways, many, many, many gallons of water go to
8 even just these small fires, even car fires like Tesla's
9 and such. What would be proposed to actually contain and
10 dampen this fire? That much water is going to run down
11 that creek, totally erode that whole creek and system.
12 It's going to take those toxins right down into Doheny
13 Beach, Dana Point, Laguna Beach. Everything is going to be
14 toxic. Our fish supply is going to be -- you know, the
15 fishing industry down there is going to be terminated.

16 This has compounding, everlasting effects, not
17 just on our families. The smoke, the toxins from that
18 would be drifting all the way back into Saddleback, Trabuco
19 Canyon, all that wind. It's not going to stop in Mission
20 Viejo. It's going to keep going, and it's going to get
21 into our food systems.

22 I mean, this has been proven a failure many times
23 in many instances from San Diego to L.A. and other areas.
24 This is a no-go. I vehemently oppose this project. I hope
25 it never breaks ground. The day it does, I'll be super

1 sad.

2 And then I'm going to worry about how am I going
3 to afford or am I going to have the ability to get fire
4 insurance on my property? Will I lose my property because
5 I can't afford to have insurance on my property? Will you
6 guys be providing insurance? Will you be providing any
7 bonus for those of us who lose our home and potentially
8 lose our home?

9 My time is up. I oppose this. I think you're
10 smart people. You'll do the right thing.

11 MS. BADIE: Thank you.

12 All right. We've got Paul Corey next, and after
13 Paul, Carl May.

14 MR. COREY: Good afternoon, everybody. My name
15 is Paul Corey. I'm a resident of Laguna Niguel, and I'm
16 speaking today on behalf of the Ecology Center in San Juan
17 Capistrano, where I serve as the Director of Finance.

18 Just a few miles from the site of the proposed
19 lithium battery storage facility, the Ecology Center is a
20 working regenerative organic farm, certified that is, an
21 environmental education hub, and a vital part of the local
22 food system. We operate a school, employ over 100 team
23 members, and welcome families every day who believe in a
24 better way forward, rooted in stewardship, sustainability,
25 and community, while acknowledging the sacred land of the

1 Acjachemen tribe.

2 This proposal poses a direct threat to everything
3 we work so hard for every day to protect. A Facility of
4 this scale introduces the risk of chemical leaks, toxic air
5 emissions, and fire hazards, any of which could jeopardize
6 the safety of our soil, our water, and the health of our
7 employees, students, and visitors. Even the perception of
8 contamination could erode public trust in local agriculture
9 and regenerative food systems.

10 We're not against innovation. We support clean
11 energy. I drive an electric car. I love the technology.
12 This is the wrong project in the wrong place, and it's why
13 we turned down a seven-figure donation offer from this
14 company.

15 San Juan Capistrano is not just a city, it's a
16 living ecosystem with deep cultural roots and a community
17 that values open space, clean air, and healthy food. This
18 project would undermine all of that, offering no clear
19 benefit to the people who live and farm here.

20 On behalf of the Ecology Center, I urge you to
21 oppose this development. Protect what makes this community
22 so special. Protect the farmers, families, and future
23 generations who depend on thoughtful, sustainable land use,
24 not industrial shortcuts.

25 Thank you.

1 MS. BADIE: Thank you.

2 All right. After Carl, we're going to hear from
3 Jonathan Volzke.

4 MR. MAY: Hello, my name's Carl May.

5 I want to start off by offering a very heartfelt
6 and sincere apology to the people of this community for the
7 part that my church played in getting involved in this
8 project. It's definitely a very bad idea. I want the
9 community to know that the members of that church were not
10 informed. We were kept in the dark, just like all of them.

11 And I'm thoroughly embarrassed, myself, that the
12 leadership of our church could make such a heinous and
13 misguided decision to allow something like this to go
14 forward. The members have been aware that this would have
15 never gone as far as it has right now. And I sincerely
16 hope that this project does not go forward. If it does, in
17 fact, go forward, when it burns up, I hope that you hold
18 the CFO of the church responsible and not the church
19 itself, because the members of that church are good people
20 just like all of these people here.

21 I'm very opposed to this project, and I sincerely
22 hope it does not go through.

23 Thank you for listening.

24 MS. BADIE: Thank you, Carl.

25 After Jonathan, we'll hear from, I want to say,

1 Gene Welch. I'm sorry if I did not pronounce your name
2 correctly.

3 Thank you, Jonathan.

4 MR. VOLZKEE: Thank you. My name is Jonathan
5 Volsky. I'm a longtime resident of the area.

6 First, I want to thank you all for being down
7 here and hearing from the residents in the area directly.
8 You see the statements here about community engagement and
9 support, and as the previous gentleman just made the point
10 so well, it's not the local people that are engaging in
11 support, it's people far away. And I understand that.

12 This is a great concept. This is a concept of
13 the future. This is something we need. This is a horrible
14 location. I'm very familiar with the area. I'm sure
15 you've heard it all. I won't repeat too much of it, but
16 the fire danger, the creeks eroding, there's no access. I
17 don't think you could find a worse place for this.

18 So I support the concept, and if they find a
19 better location, I'll go and speak in favor of that. But
20 please do not allow it here.

21 Thank you.

22 MS. BADIE: All right. After Gene, we'll hear
23 from Francis Wong.

24 GENE: Hello. I'm just curious how many people
25 in the area actually know about this? I've talked to

1 people at my work -- by the way, I'm a San Clemente
2 resident -- and not many people are informed about what is
3 going on. It wasn't until just maybe a month ago or so
4 that I became informed. But I'm just curious, you know, is
5 there an outreach really to the community? I mean, this
6 is, you know, one aspect of it, I guess.

7 But just -- and I also, I look at this, and I see
8 that this is not your typical or run-of-the-mill business
9 that's going in; right? So it may be a private agreement,
10 and I'm not all up to speed on all this, and you guys have
11 talked all about this, I'm sure, but this business or
12 facility comes with some inherent risk. It introduces some
13 public safety concerns. And that involves the residents,
14 and the residents really need to be informed about this.

15 And I can't say -- I mean, I live close enough to
16 be affected, and I'm concerned. I mean, we've all seen
17 the -- and I'm sure you've heard all this about the fires
18 of these Teslas that can't be put out, it generates its own
19 oxygen. It's just, it's a big risk.

20 In fact, you know, when you go on an airline,
21 they do not want lithium-ion batteries in the luggage
22 department. Did you know that? I mean, it's a risk. So
23 why do we want a huge farm of this in our backyard?

24 I'm opposed to this because of the risk and the
25 harm is too great.

1 Thank you.

2 MS. BADIE: Thank you.

3 All right. We will hear from Francis Wong next,
4 and then I'm going to transition back to Zoom. We've got
5 some folks that have their hands raised on Zoom.

6 MR. WONG: Hi, my name is Francis Wong, W-O-N-G.
7 I'm a resident in Laguna Hill since 1986. I love this
8 area. I've been back and forth with a job transfer. I
9 just came back five years ago, retired.

10 So I've been listening to this online for three
11 hours. So I had to come down here and share my view to
12 support everybody in this community.

13 This is dangerous. I work for Boeing. The 787
14 has the lithium battery in there, so you heard the story
15 about that.

16 I don't oppose the lithium battery, but you have
17 to be using in the wise location, away from the population
18 here. And I don't want to add any more about reasoning.
19 You know, everybody already says so. I oppose this
20 project. And I don't want to see the citizens to file a
21 lawsuit to turn this decision over. It costs money for
22 everybody.

23 I hope you guys -- I appreciate you guys coming
24 down here from Sacramento and listening to us.

25 It seems like it's like dictatorship. There's no

1 voice from the citizen. A citizen is the power pillar for
2 this city and for this country. We don't want to be like
3 communism. That's where I came from, my background. I
4 don't want to see that. I want a free America, democracy.
5 Listen to the people.

6 Thank you for listening.

7 MS. BADIE: Thank you.

8 All right. We're going to transition back to
9 Zoom. So we've got Patty Nemeth who's raised their hand.
10 Patty, I'm going to open your line. You'll have to unmute
11 on your end. We are asking for comments to be two minutes
12 or less. There will be a timer on the screen. Patty,
13 you'll need to unmute on your end. There we go.

14 MS. NEMETH: Hi. Thank you. My name is Patty
15 Nemeth, N-E-M-E-T-H. My husband and I have been proud --

16 MS. BADIE: Patty, we're not getting any audio in
17 the room from you, but I know that you're unmuted.

18 MS. NEMETH: Okay.

19 MS. BADIE: Can you try again, Patty?

20 MS. NEMETH: Can you hear me now?

21 MS. BADIE: Yes.

22 MS. NEMETH: Thank you. My name is Patty Nemeth,
23 N-E-M-E-T-H. My husband and I have been proud owners of a
24 home in Laguna Niguel for over 25 years. We've lived on
25 the ridge. In this time, we've endured three fires,

1 including one where fire trucks were stationed in front of
2 our house and behind our house for over 24 hours due to a
3 simple brush fire started by a homeless person.

4 We are adamantly opposed to this installation of
5 this battery storage facility in our neighborhood. The
6 health and the safety risks have been well documented by
7 others. I've been on the call for more than two hours and
8 I won't reiterate those points. However, I must emphasize
9 the significant danger this facility poses to our community
10 and our employees.

11 As the Chief Human Resources Officer at
12 Fluidmaster, a renowned brand in toilet repair with
13 headquarters and the largest employer in San Juan, directly
14 off of JSerra, I can attest that our company is fully,
15 fully against this battery storage facility. The potential
16 hazards it introduces are unacceptable. A battery energy
17 storage system collects energy from the grid, stores it,
18 and then discharges it to provide electrical during peak
19 demand. While this technology is beneficial -- sorry, I'm
20 getting unstable connectivity -- placing such a facility in
21 this residential area is reckless and endangers the well-
22 being of our community and my workforce.

23 We urge you to consider the severe implication
24 and reject the proposal for this battery storage facility.
25 Our community's safety and health must be the top priority.

1 Thank you for your time.

2 MS. BADIE: Thank you.

3 All right. Next we're going to hear from Bill
4 Arcudi. Bill, I'm going to open your line. You'll unmute
5 on your end, and then you may begin.

6 MR. ARCUDI: Hi, my name is Bill Arcudi,
7 A-R-C-U-D-I. I am a 30-plus year resident of Laguna
8 Niguel.

9 First off, I am so proud of B.L.E.S.S.I.N., our
10 civic leaders, and all of the residents who showed up today
11 to voice their opposition to this project. But what a
12 position the CEC is in. I really feel for you. You just
13 have to feel the passion of these people and agree that
14 this is a really bad idea. But you have a boss that's
15 mandating these facilities, risks be damned.

16 The only win-win here is to find a more suitable
17 location for this facility. They exist, and even San Juan
18 Capistrano has offered alternatives. Please choose the
19 win-win option. Deny this application and tell Compass to
20 find a more suitable location.

21 Thank you.

22 MS. BADIE: Thank you.

23 All right. We are going to try Everett.
24 Everett, this is our last try to have you speak because we
25 still have your hand raised, but we weren't able to get

1 your audio to work. So I'm going to open your line one
2 more time. You'll need to unmute on your end for us to be
3 able to hear you. We are asking for comments to be two
4 minutes or less. All right. We were not able to get you
5 on audio, Everett.

6 I'm going to go to Rachel Hargrove. Rachel, I'm
7 going to open your line. Please unmute on your end, and
8 we're asking for comments to be two minutes or less.

9 MS. HARGROVE: Hi, my name is Rachel Hargrove,
10 R-A-C-H-E-L, last name H-A-R-G-R-O-V-E. Can you hear me
11 all?

12 MS. BADIE: Yes.

13 MS. HARGROVE: Okay. Good. So I am a physician.
14 I'm a resident, also, of San Juan Capistrano. I have two
15 small children and a family here.

16 I have just a few comments to repeat from what
17 other people have echoed. But I would say that, you know,
18 when we look at this proposed plan and site, it's not
19 something that we need for our community. There are many
20 things that we do need. We need safety. We need a clean
21 environment free of toxins. We need the ability to have
22 healthy living and open spaces where we can have productive
23 and really healthy lives.

24 What we don't need is to store something for a
25 company. And I hope that after many hours of hearing

1 everyone voice their concerns, you can recognize that there
2 are things that we do need and that we don't. And a
3 problem like this and potential for future problems to
4 continue on thereafter if there was a disaster is something
5 that we absolutely don't need.

6 There's been many, many people who have come both
7 virtually and in person to express their denial of this
8 facility. And I hope that all of their voices inspire all
9 of you there to have the courage to take action. Everyone
10 knows what is right and what is not in this instance.
11 There's nothing right about storing toxic batteries
12 forever.

13 But there are things that are right. Protecting
14 our community and planning for the future is right. And
15 what it takes is it's going to take courage. Just like
16 each person to come and speak today, it will take your
17 courage to stand up for us and be our voice and say, no,
18 we've heard them echoing throughout hours and hours. And
19 please say no for us and protect us from this type of bad
20 decision.

21 MS. BADIE: Thank you.

22 All right. And I've got two more blue cards, so
23 we're going to ask folks to come to the podium. If you're
24 joining us in person, we've got Nancy Thee, and then Susan
25 Senkbeil. And then just a reminder, we're asking for

1 comments to be two minutes or less, and there will be a
2 timer on the screen.

3 MS. NANCY THEE.: Hi. My experience with lithium
4 batteries was a few years ago when my neighbor rented out
5 his house and the renters had a child who had a lithium
6 battery toy. It caught fire. It did so much damage to the
7 house that they had the house down to the studs to repair
8 it.

9 And so I am totally against any kind of battery
10 farm going up. All someone has to do is some crazy shoot
11 through one of those containers and that will be that. It
12 will cause all this damage throughout our community.

13 So that's all I have to say. I hope we vote
14 down.

15 MS. BADIE: Thank you, Nancy.

16 And then next we'll hear from Susan Senkbeil.
17 Thank you, Susan.

18 MS. SENKBEIL: Hi, Senkbeil, S-E-N-K-B-E-I-L.
19 That's my last name. Thank you for coming.

20 I wanted to just bring up the fact that,
21 listening to the gentleman from the Ecology Center, that
22 they refused a payment. I think that we have been for the
23 last first part of this year, realizing a lot of payments
24 for a lot of things for a lot of people that are basically
25 bribes. So I don't know if that's what that was.

1 I don't know what they're trying to accomplish by
2 paying people or giving them, offering them donations. But
3 I would follow the money on that, especially when you have
4 cities, several cities and citizens that are opposing this.
5 And from what I understood from the very beginning of this,
6 that Saddleback had said if, I'm not sure, you know, I
7 can't do it and I can't prove it right now, but that if the
8 city and the citizens did not want this facility, that they
9 wouldn't have sold it to that company.

10 So those kind of things, when they went ahead and
11 did it anyway, and the citizens are trying to fight for
12 their property, for the nature that we live in, and the
13 beautiful area that we have, and we're sitting this kind of
14 facility right in the middle of it, is outrageous.

15 So thank you for listening.

16 MS. BADIE: Thank you.

17 All right. And then we've got Peter Soderin.
18 Peter, if you want to come up to the podium now. And just
19 a reminder to please spell your name for our court
20 reporter.

21 MR. SODERIN: Good afternoon. My name is Peter
22 Soderin, P-E-T-E-R S-O-D-E-R-I-N.

23 I come to you today as a resident of San Juan
24 Capistrano, also an educator in the area. I'm currently
25 the 2025 Teacher of the Year for Saddleback Unified School

1 District. I come representing my future, my students, the
2 voice that they have.

3 I currently live here in San Juan. I literally
4 pay flood insurance because I'm that close to the river
5 that this will be affecting. I am very worried about any
6 kind of fire.

7 I teach at RSM Intermediate School. Early this
8 year, I watched a Saddleback mountain burned, worrying that
9 the wind would blow this way and could disrupt the entire
10 community of Rancho Santa Margarita. I saw what that fire
11 did. I can only imagine if another fire started around
12 these batteries, what would happen, let alone if they were
13 to combust on their own.

14 I just urge you to please look into this further
15 for a better location. I would hope that being next to a
16 river would eliminate this as being an option. I would
17 hope that this being near a railroad would eliminate this
18 as being an option. I would hope that this being next to
19 the 5 Freeway, where 500,000-plus people travel every day,
20 would eliminate this from being an option. Yet here we
21 have all these together and somehow this is the chosen
22 place. I just simply don't see it as the best choice.

23 I have an electric car myself. I realize the
24 benefits of all this, but there's always a better place and
25 a better time. And here in 2025, as Teacher of the Year, I

1 hope that you would always be looking for something better
2 than what this current proposal is.

3 Thank you for your time.

4 MS. BADIE: Thank you.

5 All right. Next, we're going to hear from Vieda
6 Cantacessi, and then Nate Truax, I think Truax. Sorry if I
7 mispronounced that.

8 MS. CANTACESSI: Hi, my name is Vieda Cantacessi.
9 V-I-E-D-A, Cantacessi, C-A-N-T-A-C-E-, double S, like Sam,
10 -I. I've been listening to this on Zoom since 10 o'clock
11 this morning.

12 I'm here now to just ask one question. I'm
13 totally opposed. I agree with everything everybody said.
14 It would be redundant. I would just like to say there's
15 any representative here from Compass. Do you have the
16 moral courage to rescind your application?

17 MR. TRUAX: Thank you for having me speak today.
18 My name is Nate Truax. I'm a resident of San Juan
19 Capistrano, a board member of the Open Space Foundation, a
20 volunteer for B.L.E.S.S.I.N., and an avid outdoorsman who
21 uses this area frequently.

22 It would be a total shame, and it's putting
23 everyone's safety at risk, this lithium battery plant.
24 Everything that's behind it in other areas has seen very
25 difficult problems with them. There's a huge environmental

1 impact as far as the animals that live in that area and the
2 waterways.

3 And the community identity is another problem
4 that hasn't been discussed, is just having this unsightly
5 battery plant in the entrance to our community in Laguna
6 Niguel and San Juan Capistrano, it's just a shame.

7 So me as well, I would like to ask Compass to
8 rescind this, and I hope that we don't have this project go
9 forward.

10 Thank you very much.

11 MS. BADIE: All right. I don't have any more
12 blue cards in front of me, and I have one hand on Zoom, so
13 I'm going to go to Zoom.

14 Heather, I'm going to open your line. Please
15 unmute on your end, and we're asking for comments to be two
16 minutes or less. Heather, you've unmuted, but we didn't
17 get any audio. If you could please unmute on your end.
18 All right. Heather, we're not getting audio for you.

19 I'm going to move to Frans. Frans, I'm going to open
20 your line. You'll unmute on your end, and then you may
21 begin. We are asking for comments to be two minutes or
22 less.

23 MR. ERKELENS: Yes. Can you hear me?

24 MS. BADIE: Yes.

25 MR. ERKELENS: All right. Very good. My name is

1 Frans Erkelens, F-R-A-N-S, last name Erkelens,
2 E-R-K-E-L-E-N-S.

3 I, too, oppose the lithium battery plant for all
4 reasons stated prior. It would be shameful for the
5 community and the environment.

6 Thank you for letting me speak to this.

7 MS. BADIE: Thank you.

8 All right. Let's try Heather one more time.
9 Heather, I'm going to open your line. You'll have to
10 unmute on your end for us to hear your comment. Heather,
11 you have unmuted, but we're not getting any audio on your
12 end.

13 All right. Let's move to Rosemarie Fernandez.
14 I'm going to open your line, Rosemarie. You'll unmute on
15 your end, and then you may begin.

16 MS. FERNANDEZ: Good evening. Thank you. Again,
17 my name is Rosemarie Fernandez. I'm a local resident in
18 Laguna Niguel and an active member of the Laguna Niguel
19 Women's Club.

20 And first off, thank you for having this hearing.
21 I think it's important for you to hear from residents from
22 both of the cities.

23 I, too, am an electric car owner and a proponent
24 of keeping our environment safe. However, when you weigh
25 the pluses and deltas of having a facility such as this so

1 close to the proximity of homes, it's unconscionable that
2 it would happen. I don't see that there are advantages for
3 the proximity of where it's located. I think there are
4 alternatives that need to be pursued by the Energy
5 Commission that would be more viable for residents outside
6 of this area.

7 And I thank you for your time.

8 MS. BADIE: Thank you.

9 All right. I'm going to toggle to blue cards
10 again. We've got Amy Capelle, if I said that right, I hope
11 so. And then after that, Kristina Brown.

12 MS. CAPELLE: Hi, my name is Amy Capelle. You
13 were close. And I am a resident of San Juan Capistrano.
14 I've been listening to most of the meeting since this
15 morning. And I thank you for having this public hearing
16 and making your way down here.

17 A lot has already been talked about very, very
18 eloquently by many people ahead of me. What I don't know
19 if anyone has raised an issue about is on evacuations.

20 If you've been to the area, it sits on a one-
21 lane -- or two-lane road, one in either direction. And
22 there are schools within a mile of there. There's a senior
23 center with -- of memory-impaired folks there. There's
24 horses. There are stables. There are homes in village, in
25 the villas there of thousands of people, many of whom don't

1 have their own transportation to get out. They rely on
2 public transportation. And a fire in that area would be
3 catastrophic, not to mention, you know, the air quality
4 that people have already talked about. I know that having
5 gone through several fires in this area and ones that
6 weren't even that close affected air quality to the
7 detriment of everybody here.

8 And I just wanted to just reiterate what everyone
9 else had to say in that there are better locations for
10 this. And if you haven't already taken a tour of what's
11 here and what the area is before you go back to Sacramento,
12 I highly recommend that you do that and see what are would
13 be -- what would be impacted in this area and the wonderful
14 community that lives here.

15 I urge you to vote no. Thank you.

16 MS. BADIE: Thank you.

17 Okay. We're going to hear from Kristina Brown
18 and then Jayne Du.

19 MS. BROWN: Hello. I hate public speaking, so
20 this must mean a lot for me to stand up here.

21 I am a San Juan resident and I have three little
22 kids, twin five-year-olds and a seven-year-old. They go to
23 Ambuehl. And I love San Juan and I deny the battery
24 storage facility. I think there's just a lot of risks
25 involved. A lot of what I was going to say is a lot of

1 what a lot of other people have already said. So I won't
2 reiterate that.

3 But I just wanted to say that, you know, if
4 anything does go awry, which it has in the past in other
5 areas, you know, the damage that goes into the waterways,
6 stuff like that, you just can't reverse. Once it happens,
7 anything in the air, it affects all the neighborhoods --
8 I'm sorry -- that are around. And it's just, it's a scary
9 thought that if something did happen, that it could affect
10 your family, your home, your kids, the schools, the
11 environment.

12 So I just wanted to come here today and just say,
13 please think about it. Think about how this affects the
14 residents. I am so pro, you know, electric, but I just
15 think it's just the wrong place for it. So I wanted to
16 come up and speak my mind.

17 Thank you so much.

18 MS. BADIE: Thank you.

19 MS. DU: Good evening, members of the CEC.
20 Thank you. My name is Jayne Du. And I am a Laguna Niguel
21 resident. That's J-A-Y-N, as in Nancy, -E, D, Delta, -U.

22 Thank you for being here and for hearing us.

23 Aside from being on private land, the chosen
24 location for the Compass Lithium Ion Battery Storage Plant
25 happens to be the only place where a wildfire occurred last

1 summer.

2 Furthermore, the testing conditions for the
3 technology to be used has been performed in a closed lab
4 setting and has not simulated the searing conditions of a
5 wildfire risk.

6 Yesterday, we learned from the OCFA that the same
7 area has a 60 percent chance annually for a wildfire to
8 occur. A 60 percent instance of wildfire per year, or to
9 put in another way, more likely than not, a wildfire will
10 occur there in that location every year. We are at the
11 moment discussing placing a fire risk project in a wildfire
12 risk zone.

13 Furthermore, the location of the project happens
14 to be the place of evacuation should a wildfire or a
15 lithium fire were to occur. The location has residents
16 only two miles away, train tracks nearby, and is the
17 evacuation route should the winds shift east towards
18 Capistrano Valley High School and Saddleback College.

19 The technical argument, furthermore, the
20 technical argument for the location of the project, aside
21 from classic market greed, is that the SDG&E Trabuco to
22 Capistrano 138 kilowatt transmission line is nearby.
23 However, the argument for the reliability of a mass battery
24 plant to shield from energy disruptions has now been
25 debunked.

1 On April 28, 2025, a mass blackout was
2 experienced by Portugal, Spain, and the South of France
3 collectively, where the region all experienced a total
4 blackout for 23 hours. People couldn't get money out of
5 the ATM, and the blackout affected three countries. In
6 researching about solar components, you may have heard that
7 China dominates the market for solar parts. However, you
8 should know that China poached all of their solar power
9 from Spain. So despite having decentralized battery
10 storage capacities all over the region, why was Spain
11 victim to the total blackout, you may ask? The answer,
12 because the batteries were connected to the main grid.

13 There is no viable technical argument for the
14 battery storage facility to be located at Camino
15 Capistrano. I strongly urge the CEC to vote against this
16 proposal.

17 Thank you.

18 MS. BADIE: Thank you.

19 Next, we're going to hear from Joanne Litterelle.

20 MS. LITTERELLE: Hello. I'm Joanne Litterelle,
21 L-I-T-T-E-R-E-L-L-E.

22 I'm a 40-year resident of Laguna Niguel, a former
23 member of Saddleback Church. I had a large ministry there,
24 and I'm now so unhappy with having this as a proposed site
25 in my backyard. My children live nearby.

1 One of my biggest issues, and I'm not sure,
2 because I was listening on Zoom, I'm not sure if it's been
3 addressed yet, is the stability of the land. I did get the
4 geology reports from Compass, and I gave them to two
5 geologists and they said that they're inadequate. Whatever
6 that means, that means it's very frightening to me. I'm
7 hoping that this will be further researched.

8 I do know there were no additional structures put
9 on the land at Saddleback Church because the land was
10 considered unstable. So if that's the case, I can't
11 imagine them putting an explosive battery farm in a place
12 that's considered unstable. I know there's adjacent land
13 that has not been developed for as long as I've been there.
14 It's been supposed to be developed, and it has not been
15 because that's unstable. So if that's something that could
16 be further looked into, it's just another issue that would
17 make this a more dangerous site for an explosive battery
18 farm.

19 Thank you.

20 MS. BADIE: Thank you.

21 All right. We are going to transition to Zoom
22 again. I think we need our speaker help. All right.
23 We've got John Faraone. John, I'm going to open your line.
24 You'll need to unmute on your end so that we can hear you
25 in the room. All right, John. There we go.

1 MR. FARAONE: Can you hear me?

2 MS. BADIE: Yes.

3 MR. FARAONE: Okay. First off, I want to say
4 thank you very much for being here. It's been a long day
5 for you and a long two and a half years for the community.

6 My name is John Faraone. My last name is spelled
7 F, as in Frank, -A-R-A-O-N-E, and I'm a resident of Lagana
8 Niguel.

9 Earlier today, a Compass Energy representative
10 admitted that there will be approximately 150 to 200
11 employees that would normally work at this facility.
12 However, due to safety factors, they will be working
13 remotely. Why would anybody approve a venture like this,
14 that would be a dangerous workplace for its employees, and
15 yet be safe enough to place within 300 yards from
16 neighborhoods?

17 At the same time, a union member in favor of this
18 project earlier said it would create jobs, however, not
19 longstanding jobs because the employees will be working
20 remotely. He also mentioned that only one half percent of
21 fires are started by lithium battery facilities. It's been
22 reported over years that 99 percent of airplanes land and
23 take off safely every day. How would you like to be part
24 of the one percent factor that applies to airlines, and
25 you're asking us to be a part of a half percent factor of

1 dangerous toxic fires?

2 The mayor of San Juan Capistrano also spoke
3 eloquently today and mentioned he's a builder, and he's
4 tried to develop this property multiple times and has been
5 denied the permits to do so. How is it possible that this
6 area is unsuitable for either homes or retail, and yet
7 would be safe enough for a dangerous facility like this?

8 Back in September of 2024, a city work crew was
9 working in Trabuco Canyon and by accident created a spark
10 that developed into what is now known as the Airport Fire
11 that burned over 23,000 acres. Can you imagine if there
12 was a lithium battery facility storage there?

13 Fire insurance in California is almost impossible
14 to get and highly expensive from the few remaining
15 companies operating in California. Placing a facility like
16 this in our backyards will make insurance not only
17 unaffordable, even if available.

18 Secondly, home values will plummet if this
19 facility is placed in the San Antonio Capistrano property
20 as it has in other parts of the country.

21 No one ever imagined the catastrophic events of
22 January 2025 with the Palisade and Eaton Fires destroying
23 12 to 14,000 homes and businesses. 60 Minutes reported
24 this last Sunday about the cleanup that is going on in
25 those areas, with all the contamination from the forms of

1 lithium batteries, that California has also run out of
2 areas to store toxic waste. Can you imagine if there was a
3 lithium battery storage facility in one of those
4 neighborhoods?

5 MS. BADIE: John, if you could please wrap up?

6 MR. FARAONE: I fully support the decision by the
7 City of San Juan Capistrano and the City of Laguna Niguel
8 to deny this project and looking for your support in
9 denying it as well.

10 Thank you for the opportunity.

11 MS. BADIE: Thank you.

12 All right, so we had some cards that people came
13 in person and turned in, but then when their name was
14 called, maybe they were outside of the room momentarily, so
15 we want to make sure we've captured everyone who came in
16 person today. So I'm just going to quickly go through the
17 names, and if one of the names is your name, please raise
18 your hand and come to the front, and then we're going to
19 hear from you, okay?

20 So I've got Kristen Jepson, Mark Brewers-Baker,
21 John Kinney, Andrew Messorre, Randy Wetmore -- or Wettman,
22 excuse me, Kathy Weinberg, Henry Hillebrecht, Rita
23 Tayanaka, Sally Graves, Gloria Laub, Susan Sturz, Kathy
24 Smith, Lydia Corey, Dale Kraai -- oh wait, sorry, those --
25 okay, so from the folks that we've already heard from

1 today, we're going to conclude the public comment now. If
2 new folks come in, we will take those cards.

3 And I just want to remind folks that we have e-
4 commenting. We have -- you can docket your letter, that
5 will be a comment. And also, we have an event next week
6 that's via Zoom that we will take more comments, that's on
7 the 3rd. And also we're going to have, as the stages of
8 this proceeding progress, we will have more public events
9 as well.

10 And so I thank you for all of your comments. We
11 had over 130 people comment today.

12 And I'm going to hand this back over to Kaycee.

13 MS. CHANG: Thank you, Mona, and thank you
14 everyone. Thank you all for taking the time today and
15 sharing your comments.

16 Can we get the next slide, please?

17 To kind of reiterate what Mona just said, and so
18 you take a picture of the slide, which will also be
19 available in our docket, as Mona mentioned, you can submit
20 comments anytime. I wanted to point out that we did file a
21 Notice of Preparation to our docket on May 2nd, and wanted
22 to note that the comments on the scope and content of the
23 environmental document in response to the Notice of
24 Preparation are due June 4th, 2025. And as mentioned, the
25 comments can be submitted electronically via the e-comment

1 system on the CEC webpage for the proposed Compass Energy
2 Storage Project, or mailed directly to the CEC at the
3 address identified on this slide.

4 We'll just take a moment for anyone to take their
5 pictures.

6 Next slide, please.

7 So I wanted to put the dates on a slide as well.
8 So CEC welcomes public participation, and we would like to
9 provide everyone who would like the opportunity to speak
10 the chance to do so. So we have set up a Zoom meeting on
11 June 3rd, 2025, next week to receive comments starting at
12 10:00 a.m. Please refer to the meeting notice for more
13 information on how to participate, including the Zoom link.

14 Again, the comment period on the notice of
15 preparation closes on June 4th, 2025. We will consider all
16 comments received as we prepare the staff assessment that
17 will include a complete Draft Environmental Impact Report
18 for the proposed project. We anticipate the staff
19 assessment will be published and circulated for public
20 review in fall of 2025.

21 I will now pass it over to Commissioner Gallardo
22 for closing comments.

23 COMMISSIONER GALLARDO: Hello, everyone. Before
24 we do closing comments, I just wanted to check one more
25 time if there's anyone else in the room who hasn't already

1 spoken that wants to make comments, we want to give
2 everyone a chance.

3 So I see a hand raised in the back. Come up
4 front, sir, to the podium, and if we could put back the
5 two-minute timer? Yes, of course, sir.

6 MR. BARTA: And I wasn't here earlier, and I went
7 to some of the meetings for the B.L.E.S.S.I.N. before,
8 B.L.E.S.S.I.N. before.

9 COMMISSIONER GALLARDO: No problem. Just make
10 sure you give us your name and spelling, please.

11 MR. BARTA: My name is Andrew Barta. I'm a
12 resident of Laguna Niguel. I live pretty close to the
13 hill. And I know you guys probably talked about how, like,
14 there's maybe 20, 30 days of big Santa Ana winds that blow
15 straight up that hill. So if anything ever happens during
16 those areas -- I mean, to those batteries during that time,
17 it's going to go, you know, straight up the hill and all
18 that. There's schools there. You guys know all that.

19 But just going to make a few points that I
20 haven't heard.

21 Has anyone thought about reduction? I know it's
22 one of those things where people, you know, that whole not
23 in my backyard thing, but, you know, I drive all across
24 Orange County, Riverside, blah, blah, blah. There's plenty
25 of spread out, old industrial areas that have big vacant

1 lots. I think instead of putting, I don't even remember
2 the numbers, but 30 battery packs in one area, if it's
3 possible to spread them out, and if nobody wants them in
4 their backyard, then maybe you could mandate that, okay,
5 Anaheim takes one, Riverside takes one, you spread them out
6 instead of having one area where if one goes bad, like Moss
7 Landing, that they could potentially all catch on fire.

8 The other thing, which, no offense to you guys, I
9 know how the government works, but Sacramento took this
10 decision out of the hands of all the local people. So I
11 understand the state government needs -- you can't let
12 every individual make decisions, the government's got to do
13 it, but this is a pretty big area with hundreds of
14 thousands of people. And I know they vote for people, but
15 this decision was taken out of their hands and left to your
16 guys' mercy.

17 You know, so years ago when they passed that law,
18 just like they did with the ADUs, you know, they changed
19 all the, you know, the local planning restrictions. So I
20 feel like the local people kind of know better. They
21 should be at least given the leeway to try to have more say
22 in deciding whether something should be done in their area.
23 And we're not talking, like I said, one individual that's
24 crazy, like, oh, you know, I'm a Luddite, I don't want
25 anything. I'm saying that, like, you have a pretty huge

1 population here, that if it was left to them, if they were
2 South Orange County, California, they would have probably
3 never given the state the power to just skirt all their
4 codes.

5 So I would say spread it out, you know? And like
6 I said, we're at your mercy now, Newsome signed the law, so
7 it's really up to you. It's all been taken away from us.
8 All we can do is talk to you.

9 And the other thing which somebody kind of just
10 talked about a while ago was that, you know, like a drug
11 testing, I don't know if there's like, for these battery
12 systems -- it's just like I work on a contractor, there's
13 lighting systems, you know, where people, they test things,
14 but they haven't been out in the field for a long time, so
15 the LED lights fail in five years when they said they'd
16 last 20 blah, blah, blah, it's just like a drug test. I
17 don't know if they require each individual battery pack to
18 prove its safety over a certain time period. So maybe it
19 should be in a test area, and it should be put somewhere.
20 And if after two years, they have a 99.9 percent safety
21 rate, that's fine.

22 But speaking of the odds is like, I don't know if
23 there were 100 battery plants the size of Moss Landing,
24 which I never heard of until a couple months ago, but --

25 MS. BADIE: Andrew, if you could please wrap up?

1 MR. BARTA: Okay. I don't know if there's 100 of
2 those in the state. But in that limited time period that
3 we've been exposed to already, one of them burnt in the
4 ground. So say if there's 100, that's a one in 100 chance
5 the next one could, I mean, not technically, but you know
6 that it could burn in the ground. So that's something to
7 keep that in mind.

8 Thanks.

9 COMMISSIONER GALLARDO: All right. So go ahead,
10 come up, sir. And then I see the hand in the back.

11 MS. BADIE: We also have a card from Dena
12 Khosravi (phonetic).

13 COMMISSIONER GALLARDO: Yeah, we see you with the
14 hands, and we'll get to you soon.

15 MR. ROSLOWSKI: Okay. Great. Great. My name is
16 David Roslowski (phonetic). I'm a homeowner up on the hill
17 over the proposed site, and also a member of Saddleback
18 Church. And I've been kind of involved with this project
19 here for the last almost two years. I actually spoke at
20 the original city council meeting here in San Juan
21 Capistrano.

22 And I'm sure throughout this day, I had to work
23 throughout the whole day, but I'm sure everybody mentioned
24 a lot of these points, but a couple of things that I wanted
25 to reiterate, or if it hasn't been spoken, become aware of.

1 And one of the things is just all of the accidents that
2 have been happening around California, and not just
3 California, around the country.

4 I work in commercial enforcement with motor
5 carriers. A lithium-ion battery, actually, truck flipped
6 over on the I-15 freeway not too long ago on the way to
7 Vegas. On my way back from Vegas, it shut down that whole
8 freeway for three days. You can't put these fires out.

9 And, you know, these hills over here can torch
10 very easily. Matter of fact, a station in Laguna Beach
11 actually caught fire, and we actually lost a whole track of
12 homes up on the ridge there probably about a year or two
13 ago.

14 One other thing I want to bring attention to, and
15 maybe nobody's ever thought about, was domestic terrorism
16 to this facility. And I know that Public Utility
17 Commission and public energy stations have been already
18 attacked. The FBI has already put out information on this
19 to the general public, and this is a ripe area for that to
20 happen. Not only from just being visibility from the
21 freeway and a major artery, but a very side exit road,
22 Camino Capistrano, where you could easily be up on the
23 ridge there, pull out any type of weapon, and actually
24 light up those containers right there.

25 I think it's a place where it needs to be

1 somewhere remote if it has to be anywhere, but nothing that
2 is something right in the residential community that is
3 going to affect the whole neighborhood there. But this
4 domestic terrorism could be a really big thing here with
5 these containers. And if they shoot them up and they light
6 them up, it's going to be very hard to put those fires out.
7 And if they do it at the right timing, it's going to be
8 when the Santa Ana winds are coming. And I don't know if
9 you're all from around the area here or all from
10 Sacramento, but they really come in pretty fierce. And as
11 you saw what happened in the Palisades and how quickly you
12 could destroy an entire community like that.

13 And we just don't want that here in San Juan
14 Capistrano or Laguna Niguel. And we definitely don't want
15 the gateway of our city to look like some military base
16 back from 1940 with about 1,100 shipping containers sitting
17 there as you come through the entrance of our community.

18 That's all I have for right now --

19 MS. BADIE: Thank you.

20 MR. ROSLOWSKI: -- so thank you.

21 MS. BADIE: I'd like to call Dena Khosravi to the
22 podium to make comments.

23 MS. KHOSRAVI: My name is Dena and I'm 10 years
24 old. I love where we live. I love the trees, the birds,
25 and playing outside. But this project scares me. I don't

1 want to grow up breathing bad air or worrying about
2 explosions.

3 Please don't build up something that could hurt
4 our health or future. Kids like me deserve to be safe.
5 Please say no to the battery farm.

6 Thank you.

7 MS. BADIE: Thank you.

8 And I don't have any blue cards. I see one
9 raised hand with someone in a beige jacket. Okay.

10 And then just a reminder, please, to state and
11 spell your name for the court reporter as well.

12 MS. VANGUILDER: Thank you very much for this
13 opportunity. Donna Van Gilder, V, as in Victor, -A-N,
14 capital -G-U-I-L-D-E-R, a 40-year resident of Beacon Hill
15 in Laguna Niguel. Nothing prepared, but I just wanted to
16 give a little history.

17 I was raised in San Pedro with World War II
18 parents, with a mother who grew up fearing an attack from
19 Japan, had lived through Pearl Harbor, and we had soldiers
20 all up and down our coast because it was feared there was
21 going to be another attack. The Japanese actually did have
22 the technology to put planes in a sub, and three fires were
23 lit along our California coast. I grew up next to a Nike
24 base where once a month missiles came out of the ground,
25 and we feared that we would be a target.

1 What worries me every day as we hear about World
2 War III. we don't need to worry about nuclear or
3 hypersonic weapons. A drone could light this up. So it
4 scares me.

5 Thank you very much.

6 MS. BADIE: All right. And we have Monica
7 Mlstead, I think.

8 MS. MLSTEAD: Correct. Perfect. Hi there. My
9 name is Monica, and I attended Saddleback Church for a
10 number of years at Rancho Capistrano. I was a resource
11 coach there, kind of like a counselor, and I also was
12 active with the farm. And recently when I -- I was so
13 stunned to hear that they would take that farmland, and I
14 think they tried to sell it, if I'm correct, to this energy
15 company, but then now I understand it's more of a rental
16 with a renewal clause.

17 So I was really alarmed by this and shocked that
18 Saddleback Church would take its farm and do that because
19 we fed most of the community during COVID. We grew
20 vegetables and distributed it. It was incredible. So I
21 was really stunned to hear it.

22 And then I learned about the electrical lines
23 that go over that property. So it's a -- this is a -- this
24 would be less expensive for this company to operate there.
25 They would just tie into San Diego Gas & Electric versus

1 maybe putting this somewhere remote where at their expense
2 they'd have to connect the electrical lines.

3 And this community is a very, sort of a sacred
4 place in Orange County because it's South County, and it's
5 just a beautiful place to live.

6 So most important, I was at Rancho right around
7 Good Friday. This was maybe a year or two ago. And there
8 was a problem where a small car got stuck on the railroad
9 tracks. And we were all lined up because the service was
10 over, and it was time to go home, and we could not leave.
11 There was only one way in and one way out, and the railroad
12 tracks, which are right there, were blocked. So this was
13 very alarming because they were trying to alert the railway
14 that there's a big problem, and we've got a car, and there
15 could be a very serious accident. So we were all pretty
16 nervous, and we were watching this, waiting, waiting,
17 waiting.

18 MS. BADIE: Monica, if you could please wrap up?

19 MS. MLSTEAD: Yes. And finally, they got a tow
20 truck that moved the car, and within five minutes, the
21 train went by. It was that close of call.

22 So to me, having the one railroad track right
23 there is just crazy for this, and large, heavy equipment
24 going across that right through the area that's Saddleback
25 Church, I'm just -- it's just so unsafe.

1 Finally, on the fire issue, I live in Dana Point.
2 There is a waterway that goes all the way to the ocean, and
3 we're pretty convinced that if there was a terrible fire,
4 toxicity would travel down this waterway right into the
5 ocean. And I'm concerned my house could burn down, and
6 I've invested everything I have in it. I'm 73 years old.
7 It's all I've got.

8 So I would ask you to listen to the community and
9 realize this is not an option for this community.

10 Thank you.

11 MS. BADIE: Next we're going to hear from
12 Emmanuel Ibarra, and after Emmanuel, Sasha MacSween.

13 MR. IBARRA: Hi, my name is Emmanuel Ibarra. I'm
14 a homeowner in Palm Court near the site, proposed site.

15 I'm here representing myself and speaking for
16 myself, but I work for an EV company, and I have worked for
17 the past six years at the factory, and I've seen firsthand
18 multiple times the type of fires that an electric battery
19 can start, and it's extremely hard to control them once
20 they start.

21 The state of Illinois, where this factory is, has
22 very strict control of the amount of charge that batteries
23 can have on the vehicles, and it cannot be over 30 percent.
24 So you cannot have a mass of vehicles over 30 percent
25 charged at any given time, and yet there's been pretty hard

1 to control accidents. So when I heard that we had this
2 proposal, it was just terrifying to think how many hundreds
3 of packs would be stacked together potentially at very high
4 charges.

5 I'm a software cybersecurity engineer, and I know
6 firsthand how juicy of a target this would be for sabotage
7 of any sorts. So it doesn't have to be a bomb or anything
8 physical like that. You can easily play with your
9 electricity voltages and currents to cause damage, and it's
10 going to be extremely hard to control.

11 And that's -- you know, please consider that.
12 Say no to the battery farm in San Juan Capistrano.

13 Thank you.

14 MS. BADIE: Thank you.

15 All right. After we hear from Sasha, we'll hear
16 Don Cantacessi.

17 MS. MACSWEEN: Good evening. My name is Sasha
18 MacSween, and I'm just here today speaking for myself as a
19 concerned homeowner.

20 I live in a homeowners association community that
21 is directly on the other side of the 5 Freeway from where
22 they are planning on putting this site. It's called
23 Village San Juan. And our community consists of multiple
24 townhomes, duplexes, and single-family residences. In our
25 community, there is only two ways out of this massive

1 homeowners association community, and both ways out of the
2 community lead to the same road, which is Rancho Village
3 Road. And from there, it's kind of like PCH on Laguna
4 Beach, there's only one way to go in each direction.

5 If there were a fire, we would have moments of
6 evacuation notice. I fear that we would not have enough
7 time for even all of the residents. Between where I live,
8 all along that road, there's multi-million dollar homes,
9 Spotted Bull, and all these roads that go all the way back
10 from Ortega Highway all the way to Avery Parkway. We would
11 all be using the exact one road with only two lanes in each
12 direction to try to evacuate from this area. There's no
13 way that all of us would be able to get out, especially if
14 this were to happen in the middle of the night.

15 As we have heard from the Pacific Palisades and
16 Malibu Fires and the Altadena Fires, some people didn't
17 even receive the evacuation notice. Some people didn't
18 even realize that they were being evacuated until the fires
19 were right outside of their very own homes. This is
20 something that I really don't want for myself.

21 So in addition to the danger of the fire and the
22 evacuation and how incredibly difficult it would be,
23 there's so many factors that make this something that is
24 incredibly terrifying for me personally. My husband also
25 works within less -- works and lives within less than five

1 miles of this facility. So that means if there were -- if
2 it were to catch on fire or an explosion or anything along
3 those lines, there's a high likelihood that he's going to
4 be in the area.

5 We have old animals. Our association has a lake
6 with multiple animals there. And we back right up to a
7 hillside of Ladera Ranch hills and Arroyo Trabuco Golf
8 Course, where once it got past our community, this fire
9 would run rampant all the way through the hills, all the
10 way to Covenant Hills. It could go all the way to the
11 Ortega Highway. I mean --

12 MS. BADIE: Sasha, if you could please wrap up?
13 Thank you.

14 MS. MACSWEEN: Sure. The Pacific Palisades Fire
15 burned, I think it was something like 29,000 acres or
16 something like that. That's like 36 miles. So any homes
17 or anything within 36 miles of this place would be in
18 danger. And as we've already heard, once a fire like this
19 starts burning, because it's such a high likelihood for it
20 to reignite, as long as there's any lithium battery left,
21 they usually will just let it burn out. And so that is
22 really dangerous and terrifying.

23 So I'm just asking as a concerned homeowner, like
24 I don't have any solution, but if this has to be put
25 somewhere, please put it somewhere else. This is not the

1 place.

2 Thank you.

3 MS. BADIE: All right. We'll hear from Don next.
4 And just a reminder, we're asking for comments to be two
5 minutes or less.

6 MR. CANTACESSI: Thank you for being here. My
7 name is Don Cantacessi, C-A-N-T-A-C-E-S-S-I. I've been a
8 37-year resident of Laguna Niguel, and such a beautiful
9 community. I've really been blessed to live there for so
10 long.

11 And there's a trail along the ridge that goes
12 along the -- above the site that we're talking about. And
13 the site from that ridge line trail, which runs about two
14 miles, you can see everything, all the way from Saddleback
15 Mountain, the freeway, the trail, the river, the railroad
16 tracks, and all the homes, I mean, many, many homes, I
17 mean, thousands of homes.

18 And the subject or the topic that one of the
19 gentlemen brought up about terrorism, you know, is very
20 real these days. And that trail is like the perfect place
21 to set fire on that storage facility. I mean, it's like a
22 bird's eye view, right down to the -- you can see
23 everything. And it's so easy to get away from that site,
24 because there's so many roads and access to get away. So I
25 definitely want to thank the gentleman that brought that

1 up.

2 Thank you.

3 MS. BADIE: All right. I'm going to try to call
4 on people. Let's see. The woman in the black V-neck, if
5 you'd like to come up? It would be helpful if you state
6 your name for the record. It's not required, but it does
7 help us.

8 MS. ALLEN: Good evening, everybody. My name is
9 Milana, M-I-L-A-N-A, Allen, A-L-L-E-N. I'm a Laguna Niguel
10 resident.

11 So I also have an MD in physical chemistry, which
12 is a little different. And I haven't seen the studies of
13 the lithium leaking into the soil. I bought a pack of
14 batteries for my son's toys, and they leak. They're going
15 to leak. The time frame of the leak, lithium into the
16 soil, it's 300 to 500 years to -- the contamination of the
17 soil lasts up to 500 years. That means the soil, the
18 water, the ocean is very close by.

19 I'm not going to talk about -- we already
20 mentioned a lot of stuff, but we just had recently updates
21 on a fire zone change, and they raised Mission Viejo,
22 Laguna Niguel, and the rest of them. Why? Why? They put
23 us in a red zone. Why? We were never in the red zone.
24 That area, Mission Viejo, all the way up to the lake, why?

25 Beaches will be affected. I guarantee you.

1 Oceans too.

2 We don't need this. Residents of this part, I
3 don't think that we need the battery facilities, because
4 they're not going to serve us. They're going to serve the
5 companies. Not us. We don't use them; right?

6 I want to ask each one of you, would you put your
7 kid to live next to it? Because I for sure don't want my
8 kid to live next to that type of facility.

9 Thank you for your time.

10 MS. BADIE: All right. We've got a gentleman in
11 a button-up blue shirt. I'm sorry, I don't have blue
12 cards, so I don't have your name. You can defer if you
13 want, but thank you. And just a reminder to please state
14 and spell your name for the record if you can share that.

15 MR. JONES: My name is Joe Jones.

16 MS. BADIE: Oh, if you can go to the mic, we
17 need -- because we want the folks on Zoom, and we want to
18 capture it.

19 MR. JONES: My name is Joe Jones, and that's
20 J-O-E J-O-N-E-S. How's your guys' day going? Huh? Pretty
21 fun. About nine more hours of everybody complaining.

22 Well, this is a dumb idea. Nobody likes it. So
23 I want to ask, who was the brainiac that selected this spot
24 as the area that was the best spot in Orange County or
25 Southern California? What was the selection criteria used

1 to select Laguna Niguel, one of the bright spots in the
2 county? Is this a two-way conversation or just me
3 blabbing? What's that? It's just me?

4 COMMISSIONER GALLARDO: Yeah, it's just you.
5 It's your chance to tell us something.

6 MR. JONES: Okay.

7 COMMISSIONER GALLARDO: It's not Q&A, so, yeah.

8 MR. JONES: Oh, that's a bummer.

9 Okay, so here's the last question I have. The
10 only thing that we're concerned with, everyone, I guarantee
11 this is, all we're concerned with, how do we stop it? All
12 I want to know is how I stop it. By hook or crook or
13 whatever, I want it stopped because it will ruin my house.
14 My house looks down on it, right on the hill, right down in
15 front of it. We're toast if anything happens like that.
16 The engineers spoke to us.

17 But how can we make a decision to put that damn
18 thing in Laguna Niguel? We've got 18 miles of Camp
19 Pendleton. It'd be a good exercise for them to guard
20 something like that. We have millions of acres of federal
21 land that's unused, and they're talking about
22 reappropriating it. Why don't we put these damn plants on
23 federal land that's not being used?

24 Okay, you guys, have a great -- have a better day
25 tomorrow.

1 MS. BADIE: Thank you.

2 And then just a reminder, if you could please
3 state and spell your name for the record. Thank you so
4 much.

5 MS. O'NEILL: My name is Lisa O'Neill, L-I-S-A
6 O-N-E-I-L-L. I'm a long-time resident of San Clemente. I
7 echo what many here have said. We don't need it in San
8 Clemente, by the way. We don't want it anywhere down here.

9 When I was first told about this, I literally
10 couldn't believe my friend who told me because I thought
11 there is no way. You're talking about a highly populated
12 environment. You're talking about the kind of one freeway
13 that goes through. You're talking about people who have to
14 work real hard now to afford these homes that we live in,
15 the natural beauty, the ocean. This is insane. It's
16 insane that we have to even stand here for hours of people
17 coming up to saying this is crazy.

18 There's not very many reasonable solutions to how
19 this would even have happened except for money exchanging
20 hands in weird ways. It appears that -- as I sat here, I
21 figured out because I didn't know very much to be honest,
22 this is the CEC, California Energy Commission. I think the
23 people all in the back of the room are maybe here from
24 Sacramento. How could this even be going on? We will
25 fight, all of us, South Orange County. This doesn't belong

1 in a highly populated area and everybody knows it.

2 So I want to draw everyone's attention to the
3 papers in the back because there's some handouts back
4 there, none of which yet say the Zoom and the information
5 for the upcoming meetings, by the way, because a lot of
6 people do not know that this is going on. We all need to
7 leave here and go tell every single person we know in South
8 Orange County what's about to happen because the papers in
9 the back will tell you that there had to be a public
10 hearing from what I'm reading. This is nice that you're
11 all here, but it seems like this is a requirement. Is this
12 really going to be about what people need or is this a
13 motion that has to go through until corporations can get
14 what they need and want?

15 The other thing is in the Opt-In Certification
16 Program fact sheet, you will notice that where it says
17 Background, this is talking about the Senate Bill 100 from
18 2008 requires all electricity in California to come from
19 renewable and zero-carbon resources by 2045. Please get
20 the paper and read the rest of the paragraph. You can
21 think you're for renewable energy and electric vehicles and
22 all this stuff all you want. Everything is connected. And
23 it would appear that we're rushing, rushing technology and
24 rushing forward trying to create a zero-carbon emission
25 future when we know there are a bunch of corporations

1 behind this lobbying for things, not working for our good,
2 not working for any of our good.

3 Don't we all live in California? Don't we all
4 love California? This shouldn't even be happening. Nobody
5 should have to be sitting here for all these hours and
6 meeting after meeting. Go look at what you're talking
7 about. It's in the middle of a densely populated place for
8 miles.

9 The man before me I think just talked about we
10 all know there's plenty of space in California. If this
11 has to happen, at least use some common sense and put it
12 somewhere that it makes sense. There's got to be some
13 sense up in Sacramento somewhere. I really believe there's
14 got to be some sense.

15 Thank you very much.

16 MS. BADIE: All right. We've got some hands
17 raised on Zoom. Do we have any other hands in the room?
18 All right. We've got one more hand in the room. And just
19 a reminder to please state and spell your name for the
20 record. We are asking for comments to be two minutes or
21 less.

22 MS. GRIMES: Hi. Gayle Grimes, G-A-Y-L-E
23 G-R-I-M-E-S. Sorry, I'm a little nervous.

24 I live in a senior community on the hill, and I'm
25 just really concerned about any fires, toxic smoke. A lot

1 of people there don't have cars, like the man said, and
2 aren't able to evacuate.

3 I hike on the hill above the proposed site. And
4 I know someone has mentioned, I talked to a retired
5 firefighter who has been to many of these meetings before,
6 who lives also on a hill of Laguna Niguel above the
7 proposed site, and he said that they are saying that we
8 should shelter in place, is what we've been told, if there
9 is a fire, exactly, which is not practical at all.

10 So anyway, my main concern is a toxic smoke from
11 a fire and any emissions and greenhouse gases.

12 Thank you.

13 MS. BADIE: Thank you.

14 All right. I think we need our IT help for our
15 Zoom feed. Sorry. Okay.

16 So I've got Katie with a hand raised on Zoom.
17 Katie, I'm going to open your line. You'll unmute on your
18 end, and then you can begin. We are asking for comments to
19 be two minutes or less.

20 MS. RUNION: All right. Can you hear me?

21 MS. BADIE: Yes.

22 MS. RUNION: Okay. This is Katie Runion.

23 I'm a mom of three, and I moved here to San Juan
24 about five years ago. And this makes me very emotional
25 because this is my beloved community. This is my beloved

1 area. And to know that to the unfeeling, to take this land
2 away, because I feel like it's a not if, it's a when, when
3 this area will go up in flames, when my house will burn
4 down.

5 And I just ask that they reconsider the location.

6 Thank you.

7 MS. BADIE: Thank you, Katie.

8 Next, we're going to hear from Kristen. Kristen,
9 I'm going to open your line. You'll unmute on your end.

10 MS. JEPSON: Okay. Can you hear me?

11 DR. GREENWOOD: Yes.

12 MS JEPSON: Hi, my name is Kristen Jepson. I'm
13 also a San Juan resident. I was there earlier today and
14 didn't get a chance to speak.

15 But some of the basics that everybody else has
16 said is this is one of the main arteries between Los
17 Angeles and San Diego. And not only is it an eyesore to
18 the community and a fire hazard to all the residents and to
19 all of us within 10 miles of this burning up, but today, I
20 spoke with one of the gentlemen that was part of the team
21 trying to get it to go through and he was saying, oh, well,
22 it's next to the freeway. It's not that big of an eyesore,
23 and stating other things like, well, you guys were the ones
24 that banned the toll road coming through, so the 5 is your
25 only option.

1 And I'm like, yeah, there was an accident here
2 last week where a truck overturned. And if anybody in the
3 area was around, there's no access to get out. And it was
4 right in front of where the battery farm is supposed to be.
5 And traffic was backed up with miles on all the side
6 streets for hours trying to get this truck cleared off the
7 freeway. That's a truck accident.

8 If this were to burn up or a terrorist attack was
9 to happen in this area, there's literally no way out. And
10 then it's going to shut down commerce and business between
11 the major cities and counties of California.

12 It's just not a -- I can't even believe that we
13 have to sit here like everybody's saying and fight this.
14 We had no knowledge of this until a neighbor put something
15 on our door. And I think having this meeting at this time
16 of the year is a busy time for everybody and intentional,
17 so that people don't know about what's going on. Our local
18 *Capo Dispatch* hasn't said a peep in it. I've been
19 watching. I'm shocked that the local news finally came out
20 yesterday to support us. But it's obvious that none of the
21 mayors, none of the city councils want this. None of the
22 firefighters want this. Why?

23 It's just I agree with all the prior comments
24 said, relocate it, find a better spot for it. I understand
25 with the technology that they need it to be within all the

1 houses, but this is not the place. No one in San Juan
2 wants it. No one in the local cities want it. And once
3 people start understanding the hazards, people are not for
4 it. I refuse to accept this project as well.

5 Thank you.

6 MS. BADIE: Thank you.

7 Next, we're going to hear from Steph Morris.
8 Steph, I'm going to open your line. You'll have to unmute
9 on your end and then you can begin.

10 MR. MORRIS: Can you hear me?

11 MS. BADIE: Yes.

12 MR. MORRIS: Sorry, I forgot I've got a zoom
13 picture of my kid with me.

14 But as a 30 year-plus resident in Orange County,
15 where my wife and I have both grown up, and we've now
16 continued to raise our children here, I support this
17 project wholeheartedly. I think the continued effort to
18 ensure our power stability and security is paramount for
19 both our businesses and homes here.

20 Furthermore, I strongly prefer a professional
21 private operator, like an ENGIE, as opposed to an SDG&E or
22 PG&E to operate this project on a go forward basis.

23 I appreciate the CEC's strict oversight and
24 ongoing monitoring requirements that they're imposing on
25 this project to ensure that the long-term viability and

1 safety of the neighborhood and our community is protected.
2 I think that based on the new technologies, this will be
3 one of the safest projects in the United States.

4 After losing my home in 2015, I had to rebuild
5 with my family. When we rebuilt our house, we not only put
6 solar on our house, but we also installed lithium batteries
7 next to our master bedroom. I spent months researching the
8 technology and became fully comfortable with placing the
9 same battery chemistry that's being used in this BESS
10 project adjacent to my bedroom window.

11 So on a go forward basis, I support this project,
12 and I appreciate everybody's effort to put security and
13 safety first.

14 Thank you.

15 MS. BADIE: Thank you.

16 Next, we're going to hear from Larry Ward.
17 Larry, I'm going to open your line. You'll unmute on your
18 end, and then you may begin.

19 MR. WARD: Thank you very much. I appreciate the
20 opportunity to speak.

21 I live on the hill above Laguna Niguel. I can
22 understand the need for this type of renewable energy.
23 That being said, every time the Santa Ana winds blow,
24 there's going to be an enormous risk at this site.

25 I called the City of San Juan three times last

1 year to mow a defensible barrier. Nobody returned my call.
2 So when we're in in an environment where people are upset,
3 it literally takes one kid, one person with a flame and 60
4 mile an hour winds, and it will be Lahaina all over again.
5 Except in this case, when this burns, it's going to be so
6 bad that anyone who is for this project will live with that
7 for the rest of their lives. It will be an uninhabitable
8 area. And it's really unfortunate that we can't find a
9 better solution that's not a minimum of two miles from a
10 population center. It doesn't make sense to me.

11 I think the communication has been abhorrent.
12 And I think that the solution for this is to involve the
13 community on a deeper level, truly slow things down, look
14 at whether or not it's worth the risk instead of trying to
15 slide things forward when it's not even been involved with
16 most of the community. I saw a flyer at my condo. That's
17 the only reason I know about this project.

18 It hasn't been presented in the right way. I
19 don't think it's an effective solution. I think the
20 location is a terrible idea. And if you think that it's a
21 good location, I would reassess the way that you look at
22 risk, especially in the current environment.

23 So anyway, I used to live in Lahaina. That fire
24 was really, really bad. The L.A. thing was really bad.
25 And it's, I don't think, worth the risk to put that around

1 this many people, and I hope you reconsider, and God bless
2 you. Make the right choice.

3 MS. BADIE: Thank you.

4 We're going to hear from Andrew Runion next.
5 Andrew, I'm going to open your line. You'll unmute on your
6 end.

7 MR. RUNION: Hi, I'm Andrew Runion, R-U-N-I-O-N
8 is that last name.

9 I'm strongly opposed to this project because this
10 is just such a small island of open space that I enjoy
11 almost every day with my kids. I take them for bike rides
12 and hikes back there. I know that there's group runs and
13 bike rides that go right through our neighborhood that's
14 just right down the creek that I would be very concerned if
15 anything were to happen that my livelihood would be taken
16 away.

17 I also surf right at the end of that creek, and I
18 would be concerned about any damage to that creek that's
19 already kind of polluted.

20 So thank you for your time. I just don't want to
21 see this thing go in and erode what little bit of open
22 space we have left.

23 MS. BADIE: Thank you for your comment.

24 Next, we're going to hear from Emily Beck.
25 Emily, I'm going to open your line, and then you'll unmute

1 on your end, and then you can begin.

2 MS. BECK: Testing 1-2-3.

3 MS. BADIE: We can hear you.

4 MS. BECK: Okay. Hi, my name is Emily Beck.

5 I'm a 36-year-old mother of three in Dana Point,
6 and I drive the 5 Freeway many times per week. I would say
7 I'm on it between five and ten times per week taking my
8 children to after-school activities, gymnastics in Laguna
9 Hills, speech therapy in San Juan and Ladera Ranch. And
10 this section of the 5 Freeway is very, very, very important
11 to access from where I live to the north and vice versa.

12 Also, if there were some kind of fire at a BESS,
13 it's not really an option to do anything except put it out,
14 which affects everybody who comes and goes, not just who
15 lives up the hill from it or in the City of San Juan
16 Capistrano.

17 So I'm unequivocally opposed to this, not from a
18 NIMBY standpoint, but from a let's use the resources that
19 we have in the areas that we have, and we have hundreds of
20 thousands of square miles of open land in California within
21 a 90-mile radius inland. Obviously, the ocean is not part
22 of that, but this is just not the place to be putting a
23 BESS. And frankly, fire with lithium-ion batteries is not
24 if, but when. So, please, California Energy Commission,
25 please, please, please reconsider.

1 I'd just like to end with asking, have any of you
2 walked around the land where this would be? Have any of
3 you been to the schools in the area? Have any of you met
4 the people who live on the hill above it in Laguna Miguel?
5 I think this is a really, really serious proposal, and a
6 BESS is not best placed in the heart of Orange County.

7 Thank you for your time.

8 MS. BADIE: Thank you for your comments.

9 All right. And we have a raised hand. The
10 person in the pink sweater, if you want to approach the
11 podium? And just a reminder to please state and spell your
12 name for the record, and we're asking for comments to be
13 two minutes or less. Sorry, one moment.

14 MS. TOOMEY: Okay.

15 MS. BADIE: I don't think we have the mic on.
16 Can you just do a little test?

17 MS. TOOMEY: Hello.

18 MS. BADIE: Oh, there you go.

19 MS. TOOMEY: Good evening. My name is Pamela
20 Toomey, that's P-A-M-E-L-A, Toomey is T-O-O-M, as in Mary,
21 -E-Y.

22 I live in Village San Juan. And while we are not
23 directly up the hill from BESS, we are the proposed BESS,
24 we are directly across the freeway. We've all seen in
25 other fires how quickly fires can jump the freeway. We

1 have slightly less than 800 homes with only two exits, two
2 exits to get all those people out in case of a fire. We
3 would literally be trapped and killed.

4 So I take it from my own selfishness, we have --
5 most of us have wood fences. There are trees everywhere.
6 That's the beauty of Village San Juan. And to think that
7 it could be destroyed in a blink of a moment because we
8 need to put batteries right there instead of out in a
9 desolate area.

10 So that's all I had to say. Thank you.

11 MS. BADIE: Thank you. I think I saw another
12 hand raised. All right. This person in the front row.

13 MS. CONKLE: My name is Olivia Conkle, it's
14 O-L-I-V-I-A, and it's C-O-N-K-L-E.

15 I just, on a whim, came here. I saw -- I
16 recognize you, from next door is the only reason that I
17 heard about this. And so she said, who's showing up? And
18 I was like, well, damn, I am. And that's just me. You
19 know, there's hundreds more out there, like maybe
20 thousands, who just -- it was at the end of the day, just
21 came over here. My son dropped me off. We were in the
22 car.

23 And I grew up in Laguna Niguel. We moved in 1987
24 at the top of the Highlands. My dad is a very established
25 and well-known businessman in the area, and he's also a

1 priest at St. Michael's in San Clemente. I went to Niguel
2 Hills Junior High School. I went to Dana Hills High School
3 and graduated from CBCS. Both my boys graduated San
4 Clemente High School.

5 There's absolutely no reason that this beautiful
6 area that's historic, that's wealthy in values and wealthy
7 financially, in beauty and everything, you're within a view
8 of like, what, three schools, four schools? Beautiful
9 homes. People that bought them back like when we did in
10 the '80s, right, have been here forever, ever, ever. And
11 you just want to go and put in a lithium factory with 70
12 percent burning chance. Why would you do that? I mean,
13 money's the only reason; right?

14 So how about let that wash away and use your
15 hearts? Because in your heads, this doesn't make any sort
16 of sense. You put this on a map and it's just like, what,
17 you know? I mean, what's going on? I don't understand.
18 And if you could explain that to me, I'd really like to
19 know and openly and honestly about it, because I just don't
20 understand this. This is a beautiful area. It's in the
21 hearts of so many people, whether they live here anymore or
22 not.

23 And so if one of them, one of them, little old me
24 shows up, you know, out of a command from the next door,
25 you know, but from -- I mean, people are really fired up

1 about this. And I got my butt down here. When this starts
2 getting out in the world and out there, you're going to
3 have -- you're going to need more cops, you're going to
4 need more security. You're going to need more like parking
5 spaces. I'm not kidding. Like I don't know how full
6 y'all's room is on a normal basis, but I'm sure it's a
7 little bit more full today.

8 So please just listen to this. It's from the
9 heart of a mother and the heart of a person that's been
10 here forever, moved away and came back to, so thank you.

11 MS. BADIE: Thank you.

12 Are there more raised hands in the room? We've
13 got someone on zoom. Yes. The person in the blue shirt,
14 if you want to come up? Yes. Thank you. Oh, sorry about
15 that. And then if just a reminder to please say it and
16 spell your name for the record, we are asking you for
17 comments to be two minutes or less.

18 MS. CARR: Thank you. Hi, my name is Tiffany
19 Carr, T-I-F-F-A-N-Y C-A-R-R, and I live right by this,
20 right behind the Valley.

21 And it is all about money. I want to piggyback
22 on what she said. I mean, Saddleback Church got this, all
23 this land donated to them from Hobby Lobby, and now they
24 want to sell it for profit. And when we go to the church,
25 they say, oh, well, during 2020 tithings went down, this

1 and that. They don't care at all about us and our safety
2 and our children and all the horses down at all Sycamore
3 Trails and all the trails out there. They just care about
4 the profits. And that's really greedy.

5 We, my husband and I, we travel everywhere. We
6 see there's tons of land, put it there. Why put it in the
7 backyards of us? It's ridiculous. It's all for greed.
8 And how can a church do that? It's so backwards. This is
9 not what churches are about. It's a bunch of baloney.

10 Thank you.

11 MS. BADIE: All right. I'm going to transition
12 back to Zoom. I'm so sorry, our IT. And there is a caller
13 identified as the Swan Team Real Estate. I'm going to open
14 your line. You'll unmute on your end and then you can
15 begin.

16 MS. SWAN: Hi, this is Leslie Swan. Can you hear
17 me?

18 MS. BADIE: Yes.

19 MS. SWAN: Great. It's L-E-S-L-I-E S-W-A-N. And
20 just so you know, I don't see the timer going, but that's
21 okay. Oh, now it started.

22 So I am the President of the Capo Valley High
23 School Foundation. And I strongly oppose this BESS being
24 put in so close to not only Capo Valley High School, but
25 also there are -- there's JSerra that's close. There's

1 also -- I'm blanking on the name of the school that's
2 directly across from Capo, but there is already so much
3 congestion in that area, and from a safety perspective,
4 obviously, as everyone else has said with fires.

5 I'm also a realtor. And knowing the real estate
6 values in Orange County, this land would be much better
7 served in producing housing. And whoever sells it would
8 make a lot more money than, I imagine, just dumping
9 batteries there. As a lot of people have said before,
10 there is plenty of other areas that are more desolate
11 throughout Orange County where this wouldn't be such an
12 eyesore as well.

13 I think that, you know, one of the many things
14 that people love about Orange County is how beautiful
15 things are and how things are well kept. And putting this
16 here right off of the 5 where there's a ton of congestion
17 and traffic as it is, I just think is a really bad idea.
18 And again, we don't want to have any unnecessary fires in
19 South Orange County, in the Mission Viejo, San Juan
20 Capistrano, Laguna Niguel areas. So many people would be
21 affected by this. And again, I think there are better
22 places in other real estate where this could go.

23 So thank you so much.

24 MS. BADIE: Thank you, Leslie. All right. Do we
25 have anyone else in the room that wanted to comment? Okay.

1 So I'm going to turn it back over to Commissioner
2 Gallardo.

3 COMMISSIONER GALLARDO: Thank you, Mona.

4 So before I start with the closing remarks, I
5 wanted to check in, Kaycee. If we could put back the slide
6 with the information about the next steps just to make sure
7 folks who joined late can also see that? And, Kaycee,
8 could you go over it again just quickly?

9 MS. CHANG: Yes. Again, thank you everyone for
10 your comments. We do welcome public participation in every
11 step of our process. And we want to provide everyone who
12 would like the opportunity to speak the chance to do so.

13 So the next step is for us to host a Zoom meeting
14 on June 3rd to receive comments. And that starts at 10:00
15 a.m. There is a meeting notice on our docket. You can
16 find it from our project webpage, go to the docket, and you
17 can find the meeting notice for the information on how to
18 join via Zoom.

19 There's a comment period that closes on our
20 Notice of Preparation, and that's on June 4th. Again, we
21 will consider all comments received as we prepare the staff
22 assessment that will include the Draft Environmental Impact
23 Report.

24 COMMISSIONER GALLARDO: Thank you, Kaycee. And
25 let's leave that slide up for folks.

1 So again, I said this in the morning, but we were
2 having some echoing issues, so I just want to thank the
3 community for allowing us to be here to listen to all of
4 the insight that you had to share. We really appreciate
5 everyone who participated of all generations. It was nice
6 to see the youth here, too.

7 We also really appreciate the support and help of
8 the elected leaders who helped us secure this venue where
9 we heard that more people would be comfortable and
10 familiar. And I believe we had almost 160 or possibly 160
11 people who commented. So again, we really appreciate that.
12 It adds a lot of value.

13 I also want to give a big thank you to our CHP
14 officers who were here with us the whole day making sure
15 that, you know, we had everything in order. So thank you
16 to you.

17 I also want to thank the interpreters for
18 providing their services.

19 And also the workers here at the facility who
20 also supported us the entire day.

21 I want to thank the Applicant for presenting
22 their project. It enabled us to learn more.

23 And also to our staff for putting on this
24 workshop, for doing all the great work and all the
25 diligence.

1 And this won't be the last time that we come out
2 here. We will come back again once we have our staff
3 assessment drafted, and that will enable you to learn more
4 information. That's when we'll have our analysis and our
5 findings. So there's still that opportunity for you to
6 engage with us and to continue providing your insight.

7 So if there is any additional material that you
8 think of that we should know about, please feel free to
9 submit it to the docket. We will be looking at everything.
10 And on that note, Mayor Bourne from San Juan Capistrano had
11 mentioned some historic engineering studies that we will be
12 seeking, so I wanted to let you know that.

13 Before I adjourn, I want to also see if our Chair
14 and our Executive Director want to make some comments.

15 CHAIR HOCHSCHLD: Thank you, Commissioner. And
16 let me add my thanks as well to all of you. We started at
17 10:00 a.m. It's 8:20 and we've been going all day.

18 I really want to thank, especially, the parents
19 who brought their children to participate. I think they
20 had to take them back to dinner. But that was really nice
21 to see young people participating.

22 I did want to just reiterate a few points.
23 Obviously, we're not taking any action today. This is
24 really a listening session and a chance to sort of set the
25 table with the basic facts.

1 But again, the Energy Commission does not select
2 the sites. What we do is evaluate what comes to us. And
3 the context is that the legislature and the governor has
4 directed this process to be set up because electric load in
5 California is growing. We're having hotter summers. It's
6 more air conditioning demand. There's a whole bunch of
7 other upward pressure. For a long time, electric demand in
8 California was flat because we're so energy efficient.
9 It's now been going up. And so the state has added about
10 27 gigawatts of new capacity by including energy storage,
11 you know, over the last six years. And so that is what
12 we're doing, responding to the cases that are coming in and
13 evaluating on the merits. And this is a big part of the
14 process. And we look at all the different facets of that.
15 So just to provide that context.

16 And I really want to, again, thank you all for
17 joining and participating so thoroughly.

18 EXECUTIVE DIRECTOR BOHAN: Yeah, just very
19 briefly, I want to also share my gratitude with a lot of
20 people who've come this room today in the last 10 hours,
21 but a few faces have been here the whole time. So this is
22 our job. We take it very seriously. We know it's not
23 yours. And we're grateful for you coming out and sharing
24 your views with us today. Thank you.

25 COMMISSIONER GALLARDO: All right. With that,

1 we'll adjourn. Thank you.

2 (The meeting at 8:19 p.m.)

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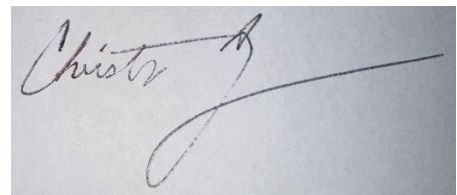
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IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of June, 2025.

A handwritten signature in dark ink, appearing to read "Chris Caplan", with a long horizontal flourish extending to the right.

Chris Caplan
Electronic Reporter
CER**1971

CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

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IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of June, 2025.

A handwritten signature in black ink, appearing to read 'Shane Stranahan', written over a horizontal line.

SHANE STRANAHAN, CERT**4021

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I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

July 8, 2025

MARTHA L. NELSON, CERT**367