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Opposition to Corby Project

This letter is in opposition to the proposed "Corby Project" for BESS storage in Vacaville, California (the "Project"). As referenced numerous times in the docket, this Project is unsuitable for the proposed location in Vacaville. First, the land is prime agricultural land. This is evidenced by the fact that it is currently (and has been historically) zoned for agricultural use. Building an industrial facility on this land will forever ruin the land from agricultural use. How can Californians "buy local" and support "farm to fork" restaurants when our farmland is destroyed?

Second, the residents of the City of Vacaville have already spoken on the matter and there is a ban on BESS. Currently, the CEC has the ultimate authority under SB 294 to approve BESS. However, CEC is still required by law to consider public opinion. (Sec 25545.7.2 of Public Resources Code). As evidenced by the current ban on BESS (and the voluminous opposition comments) the public opinion in this matter is clear. BESS is not wanted by the residents.

Third, as required by Section 25545.9 (a) (b) of the Public Resources Code, the City of Vacaville may rebut the presumption that the Project is a net positive economic benefit to the community. It is clear that any "economic benefit" the Project has is greatly offset by the current benefit to the City by the agricultural use of the land and its surrounding lands. Put differently, the tax revenue from the property taxes on the agricultural land and surrounding is not offset by the Project.

Finally, there are several legal challenges that can be made to SB 294. Importantly, there is a legitimate legal question if SB 294 violates federal law which states the Federal Energy Regulatory Commission (FERC) has exclusive jurisdiction over interstate electricity transmission and sales in the wholesale electricity market. Additionally, there are legal challenges to an approval by the CEC when a local ordinance has already denied these types of facilities. Therefore, it follows that the City of Vacaville will have legal avenues to challenge the Project.

In conclusion, there are several legitimate and critical issues with the current Project. The City of Vacaville has spoken and it is not supported or endorsed. There are also legal challenges to the CEC's approval of the Project given the City ban and resident opposition.

Thank you for your time and consideration.

Natalie Kuzma