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Comments on Environmental Risks and Protection, & Biological Resources - Potentia (SCH 2025090227)

Additional submitted attachment is included below.

March 27, 2026

Subject: Comments on Environmental Risks and Protection, and Biological Resources – Potentia-Viridi Battery Energy Storage System (BESS), Staff Assessment (SCH #2025090227)

Dear Mr. Eric Veerkamp,
CEC Project Manager

Thank you for the opportunity to comment on the Staff Assessment for the proposed Potentia-Viridi BESS. Given the project's location within a conservation planning area and the presence of environmental risks and sensitive species, I recommend strengthening several aspects of the analysis and mitigation framework.

Cumulative, Indirect, and Environmental Risks

Additional analysis is warranted for indirect and cumulative impacts, including habitat fragmentation, lighting, and disturbance. Also, the EIR should strengthen evaluation of the following:

- High winds, including fire behavior, smoke dispersion, and dust emissions under very windy conditions
- Extreme heat, ensuring cooling systems remain effective during prolonged heat waves
- Flooding and stormwater, including resilience to extreme storm events
- Seismic risk, especially cascading scenarios (earthquake leading to equipment failure and fire)

Fire Safety and Transparency

In-depth analysis should be provided to address responses, both from naming agencies and their expected response times, and the expectant time for alert responses from the project site, when emergency personnel are needed. Further analysis is warranted on the materials used to suppress fires. Given the scale of the facility, final vendor-specific safety documentation (i.e. UL 9540A testing, hazard mitigation analysis, and emergency response plans should be completed and made publicly available prior to approval of the project.

Wildlife Connectivity and Mitigation Effectiveness

The project site contributes to regional wildlife movement, including for the San Joaquin kit fox. While a 3:1 mitigation ratio is proposed, the EIR does not ensure that the mitigation will maintain local connectivity. Mitigation lands should be located within the same ecological region, prioritize connectivity, and include clear habitat quality and performance standards. A formal connectivity analysis and post-construction monitoring should be required.

Habitat Avoidance and Species Protection

The DEIR emphasizes minimization rather than avoidance. The project should avoid high-value habitat features (e.i. dens, riparian areas) to the maximum extent feasible and include species-specific management plans with seasonal restrictions and clear protocols.

Long-Term Monitoring and Adaptive Management

Mitigation should include multi-year monitoring of flora and fauna species presence, habitat condition, and movement, along with adaptive management requirements if performance standards are not met.

Alternatives

Alternative sites in the area of the Tesla Substation were evaluated and rejected. Further explanations were not provided for seeking another substation in California, which would have less environmental impacts and be safer for the public and for fauna and flora, as a viable generation tie lines route for a battery energy storage system.

Accountability and Oversight

Were elected officials and the public, from the cities of Tracy, Livermore, and Mountain House, given proper notification and sufficient time to review this lengthy DEIR? Independent monitoring, public reporting, and clear enforcement mechanisms should be required to ensure mitigation measures are fully implemented and effective over time.

In summary, this site warrants a stronger emphasis on avoidance, connectivity, resilience, and long-term performance. Strengthening these elements would improve protection of sensitive species and ensure more robust environmental outcomes.

Sincerely,

Carol Silva