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Comments for Potentia-Viridi BESS Project

March 27,2026

Mr. Eric Veerkamp
CEC Project Manger
Potentia-Viridi BESS Project

Dear Mr. Veerkamp:

Thank you for the opportunity to comment on the Staff Assessment and the Draft EIR (DEIR) for the Potentia-Viridi Project. The document provides a lengthy review; however, the proposed location is within a conservation planning area home to many sensitive and endangered species. Furthermore, the location and the design pose many potential environmental and public health risks. I respectfully request further analysis of several areas of the DEIR and strengthening of possible mitigations.

I. Incomplete Project Description of Battery Technology to be utilized.

1.The DEIR states" a specific manufacturer and model is undetermined...the CEC staff expects potential environmental impacts that would be similar, or less than, those analyzed" (section 3-8 project description) This is not an acceptable premise. The project is utility scale and will use hundreds of LFP batteries; the impacts could vary considerably depending on the specific manufacturer and specifications relating to the batteries---past safety record, use in high heat, etc. Given the scale of the facility, final vendor safety documentation should be completed and made available to the public for comment.
Without more information, the public cannot make informed comments as required by CEQA.

II. Public Health and Safety

1. Utility-based BESS failures in California (4.4 -19-26)
The DEIR states that " utility scale BESS failure rate has sharply decreased BUT---- BESS failure rate incident data and transparency is limited because there is no publicly disclosed data that links incidents by cause of failure." According to the DEIR, the lack of information is due to "industry reticence to disclose failures and the prevalence of non-disclosure agreements." This is an unacceptable and illogical premise.

2. How can one arrive at the conclusion that the failure rate has sharply decreased while stating data supporting that conclusion is limited ??? Could a car manufacturer refuse to release data about a faulty brake system? The public is being asked to accept

a large scale battery facility without enough information to reasonably assess and comment on its safety to the surrounding community. The public a has right to know; CEQA requires access to critical information.

3. The DEIR briefly describes 8 recent utility scale BESS failures that have occurred in California since 2024, the most recent occurring in August 2025. (don't know why Moss Landing was not on the list but very briefly described)
According to the CEC staff, at least three of these incidents were caused by thermal runaway which is very concerning; many incidents forced evacuations. The Staff provides data from a document written by Electric Power Research Institute which concludes that " lessons learned from early failures have been incorporated into the latest designs and best practices. "
a. What are the latest designs ??
b. What are the best practices ?
c. How and where have these best practices been utilized?
d. How is the public able to comment on whether these so-called best practices are sufficient to reduce the impact to less than a significant level?

4. Please provide further information and analysis about the Moss Landing BESS failure where 1,500 to 1,700 residents were forced to evacuate and where surrounding wildlife and habitat incurred serious impacts.

5.The DEIR states a battery fire can last from" an hour to 13 hours or longer " and that fire suppression requires " proper training and an appropriate fire water supply infrastructure."
a. This is problematic as the site is in a rural area---no fire hydrants, etc. There will be limited water on site, water will be trucked in during construction and operations. The closest fire station is 7 miles away.
b. Will all workers and fire fighters in the area receive extensive training for fire suppression involving a battery fire?
c. Will materials other than water (dry chemicals, fire retardants, possible materials using PFAS, etc.) need to be used for battery fire suppression and will these materials be on-site?
d. What specific plans could be devised to prevent or reduce fire propagation in an area that routinely experiences wind speeds of 50 to 70 miles per hour?

6. Transportation Safety Concerns
a. The DEIR briefly describes two of many transportation accidents involving Li-ion batteries on trucks--some very serious. This is concerning as the proposed site is located near Patterson Pass Road which is widely used by commuters between San Joaquin and Alameda Counties. The site is also close to I-580 and 205, major freeways used by commuters and large commercial trucks.
b. Is reducing the state of charge (SOC) to less than 30 percent adequate to prevent release of hazardous materials during a freeway accident? Please analyze further and provide data.
c. Could safety be improved significantly by transporting batteries during non-commute

hours?
d. How can the owner ensure the SOC is less than 30% during transport? Will it be verified?

7. Please provide detailed information about emergency response and emergency action plans including possible shelter in place and evacuation routes for nearby residents, residents in Tracy and residents in Mountain House?

III. Air Quality

1. The DEIR concludes that with mitigation, air quality impacts can be reduced to less than significant levels during construction and operations Please provide more information and data to support this conclusion.
a. The consultant used the CalEEMod 2022 air model for air quality data. Is that the most recent model? Does a CalEEMod for 2024, 2025 exist?
Please use the most recent CalEEMod air model data to analyze air quality impacts.
b. The Tri-Valley Air Quality Community Alliance (TVAQCA), is a non-profit Alameda County Agency, that monitors air quality in the Tri-Valley on a daily basis. Was the TVAQCA contacted to analyze or provide air quality data? If not, please explain.

c. Please add and consider the following air quality information that was not included in the staff assessment:

The Bay Area Air Quality Management District (BAAQMD) has adopted more rigorous standards with the Clean Air Act of 2017. The proposed site is located in a non-attainment air basin for federal PM2.5 and ambient air quality standards (AAQS).
Livermore and Tracy have the worst air quality in the summer (smog) and winter.
Livermore exceeded federal and state standards for PM 2.5 with a record number of 14.8 days in 2018. (BAAQMD/Tri-Valley Air Quality Climate Alliance)
Livermore experienced 46 Spare the Air Days in 2018, and 58 Spare the Air Days in 2020. (BAAQMD/TVAQCA)
A record number of Spare the Air days were also recorded in the Tri-Valley area and Tracy in 2021 and 2022.

2. Particulate matter, especially PM2.5, generated by diesel trucks and diesel construction vehicles, gets deep in the lungs and even enters the bloodstream and organs.(TVAQCA December 2021/ American Lung Association) This results in increased cancer rates and long term health issues too numerous to list.
Please further analyze the NOx emissions and other particulate matter emissions that could be generated by the project during construction.
3. Will these emissions exceed the applicable BAAQMD threshold of significance? Please do not use averages.
4 .Please further analyze and explain how suggested best practices for a construction site in a non-attainment air basins would be sufficient .
5. Please further analyze fugitive dust issues during construction relating to air quality and the health of workers and nearby residents.

6. Please analyze the exposure of workers to TAC emissions during construction and post construction.
7. Construction at the site is projected to last 18 months--Diesel powered construction machinery emits pollution even when not in use. (TVAQCA packet and website) Could electric construction machinery be used during construction?
8. Please justify or consider strengthening proposed air quality mitigations; reducing truck idling at the site is insufficient-- and will be difficult to monitor or enforce.

IV. Green House Gas Emissions

1. Please consider other existing air polluting factors in the area that cannot be reduced.
a. The Altamont Landfill, near the project, is the third highest Green House Gas (GHG) emitting landfill in the state, after Puente Hills in LA county and Kiefer Landfill in Sacramento. The landfill was granted a permit extension until 2075. (Altamont Community Monitor report January 2020).
b. The nearby Vasco Road landfill, also generates significant GHG emissions, and has received a permit extension until 2051.
c. The nearby large Jesse Ranch Road Biosolids (dried fecal matter) facility also produces significant amounts of methane and GHG emissions.
d. The GHG emissions of these existing facilities cannot be reduced for decades.
e. Please further analyze GHG emissions in air quality impacts and in cumulative impacts.

V. Hydrology and Water Quality
a. Flooding
During the heavy rains of Winter 22-23, this area experienced 12 back to back atmospheric rivers that caused significant flooding. The intensity of rain overwhelmed drainage systems built for 100 yr. storms.
b. Please further analyze how proposed drainage systems for cooling water, operations or retention ponds would perform under numerous back to back atmospheric rain storms.
c. Please analyze what possible hazardous materials could be released into storm drains during the suppression of a battery fire.

VI. Hazardous Materials
a. Please provide a list of possible hazardous materials that could be released at the site during a battery unit malfunction and/or a thermal runaway incident.
b. Please provide a list and analyze what chemicals and hazardous materials might be used for battery fire suppression.

VII. Wildlife Connectivity and Mitigation Effectiveness

1.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 mitigation will maintain local connectivity.
2. Mitigation lands should be located as close to the site as possible, should prioritize

connectivity, and include clear habitat quality and performance standards. A formal connectivity analysis and post-construction monitoring should be required.

VIII. Habitat Avoidance and Species Protection
1. The EIR emphasizes minimization rather than avoidance. The project should avoid high-value habitat features (e.g., dens, riparian areas) to the maximum extent feasible and include species-specific management plans with seasonal restrictions and clear protocols.

IX. Long-Term Monitoring and Adaptive Management
1. Mitigation should include multi-year monitoring of species presence, habitat condition, and movement, along with adaptive management requirements if performance standards are not met.

X. Indirect, Cumulative, and Environmental Risks
Additional analysis is warranted for indirect and cumulative impacts, including habitat fragmentation, lighting, and disturbance.

XI.The EIR should also strengthen evaluation of:
1.Stormwater and flooding, including resilience to extreme storm events.
2.Seismic risk, particularly cascading scenarios (earthquake leading to equipment failure and fire)
3.Extreme heat, ensuring cooling systems remain effective during prolonged heat waves
4. High winds, including dust emissions, fire behavior, and smoke dispersion under windy conditions

XII.Fire Safety and Transparency
1.Given the scale of the facility, final vendor-specific safety documentation (e.g., UL 9540A testing, hazard mitigation analysis, and emergency response plans) should be completed and made publicly available prior to approval.

XIII.Oversight and Accountability
1. Independent monitoring, public reporting, and clear enforcement mechanisms should be required to ensure mitigation measures are fully implemented and effective over time.

XIV. Insufficient Range of Alternative Projects
a. Please describe and analyze other viable BESS projects even if the staff believes the alternatives are inferior.
b. Please provide an adequate range of alternatives--at least three.

XV. Violations of Williamson Act
1. The loss of farm, and grazing land is critical in Alameda County. There has been a significant loss of agricultural land in the last ten years.
Please provide data concerning this loss of land---not just prime farmland--and analyze

how the loss of 60 permanently disturbed acres will affect this ongoing problem.
2. Please explain how the CEC Opt-In program for BESS projects could further accelerate and exacerbate the loss of agricultural lands.

XVI. List of approved and projected projects in the site area.
1. Please complete a more in-depth analysis of how these projects would affect the area in terms of safety, public health, and air impacts.

XVII. Add to mailing list
1. Please notice the Mayor of Mountain House, the City Council of Mountain House and the principals of schools in Mountain House for all subsequent hearings, notices and mailings about the BESS Project.

In summary, while the proposed mitigation measures are substantial, the ecological and environmental context of this site warrants a stronger emphasis on avoidance, connectivity, resilience, and long-term performance as well as concerns in other areas. A more in-depth analysis of concerns and the strengthening of possible mitigations would ensure greater safety, better public health, more robust environmental outcomes.

Please confirm receipt of comments

Thank you for your consideration

Donna Cabanne
40 year resident of Livermore, member of Center for Biological Diversity, member of Tri-Valley Air Quality Community Alliance, a member of Alameda Creek Alliance.