

DOCKETED	
Docket Number:	24-OPT-05
Project Title:	Corby Battery Energy Storage System Project
TN #:	272440
Document Title:	Michael Geller Comments - Comments on Staff Assessment Section 3 Project Description
Description:	N/A
Filer:	System
Organization:	Michael Geller
Submitter Role:	Public
Submission Date:	9/10/2026 6:01:54 AM
Docketed Date:	9/10/2026

Comment Received From: Michael Geller
Submitted On: 9/10/2026
Docket Number: 24-OPT-05

Comments on Staff Assessment Section 3 Project Description

See Attached Comment Letter

Additional submitted attachment is included below.

California Energy Commission
Corby Battery Energy Storage System Project
Docket No. 24-OPT-05

Comments on Staff Assessment Section 3

Project Description

Commissioners:

I submit these comments regarding Section 3 of the Staff Assessment, Project Description.

Section 3 may appear to be primarily descriptive, but the project description is the foundation of every environmental conclusion that follows. Before the Commission can determine whether Corby's impacts have been adequately analyzed and mitigated, the Staff Assessment must consistently identify the project being approved—where it will be accessed, how long it will operate, what facilities may ultimately be constructed, and what reasonable alternatives remain available.

CEQA requires an accurate, stable, and finite project description because the environmental analysis can be meaningful only if the agency and the public know what project is actually being evaluated.

I recognize that a project description need not freeze every engineering detail before approval. Large infrastructure projects necessarily undergo final engineering, and CEQA can accommodate defined design alternatives where the environmental consequences of the entire approved envelope have been evaluated.

My concern is therefore not that Section 3 contains estimates, design refinements, or alternative construction methods.

The concern is that several important characteristics of Corby are described inconsistently within the Staff Assessment, while other elements of the project remain sufficiently flexible that the Commission should ensure that every environmental analysis evaluates the full project that could ultimately be constructed.

1. The Staff Assessment Does Not Consistently Identify Where the Project Will Be Accessed

This is the clearest project-description inconsistency I have identified.

Section 3 states:

“Site access would be provided via three new 24-foot-wide connections to Byrnes Road adjacent to the eastern project site boundary, one for the project substation and two for the BESS yard.”

Thus, the Project Description identifies three project access points, all on Byrnes Road. (Staff Assessment, §3.6.1, p. 3-15.)

The Transportation section describes something different.

In its discussion of Kilkenny Road, Staff states:

“One project site access driveway is planned on Kilkenny Road approximately 0.6 miles west of Byrnes Road.”

The Hazards, Hazardous Materials, and Wildfire section introduces still another description. Under “Emergency Evacuation Routes,” Staff states:

“Primary access to the project site during construction and operation would be from Kilkenny Road to the north and Byrnes Road to the east.”

Staff further states that these roads would serve as the main ingress and egress for workers, emergency personnel, and evacuation.

These descriptions cannot simply be treated as interchangeable. Section 3 identifies the permanent project access points on Byrnes Road. The Transportation section's reference to a project-site driveway on Kilkenny Road approximately 0.6 miles west of Byrnes Road therefore appears to be a factual error, or at minimum a reference to some different temporary or transmission-related access that is not clearly identified.

The physical configuration described elsewhere in Section 3 reinforces that concern. An SID irrigation canal runs east-west along the northern side of the project property between the BESS site and Kilkenny Road. A direct project entrance from Kilkenny would therefore require a canal crossing, yet Section 3 identifies the permanent BESS access connections on Byrnes Road and does not describe such a Kilkenny Road crossing.

If Staff intended the Kilkenny reference to describe a temporary construction access, gen-tie access, or some other facility rather than a permanent BESS entrance, the Staff Assessment should say so expressly and identify its location and purpose.

And if Kilkenny Road will be a primary route for workers, emergency personnel, and evacuation during construction and operation, Section 3 should explain how those vehicles physically enter and leave the project from Kilkenny Road.

This distinction matters environmentally.

The location and use of project entrances can affect traffic movements, turning movements, roadway safety, emergency response, evacuation, grading and ground disturbance. It also determines which local roads will actually bear project traffic.

The inconsistency is particularly important here because Kilkenny and Byrnes are narrow rural roads and because access to this site has already been a significant issue in the environmental review.

The Commission should therefore require Staff to reconcile these descriptions and clearly identify:

- every permanent project access point;
- every temporary construction access point;
- which entrances will be used by construction workers and trucks;
- which entrances will be used during operation;
- which entrances will be available to emergency responders; and
- which entrances will serve evacuation if an emergency occurs.

This should be resolved before certification rather than left for later interpretation by the applicant, construction contractors, or emergency responders.

2. Staff Does Not Consistently Use the Same Project Life in Its Environmental Analysis

A second inconsistency concerns the expected operating life of Corby.

Section 3 describes equipment and augmentation intended to maintain the project's 300-MW output over an approximately 30-year operating period. Staff explains that batteries will degrade and additional battery enclosures will be installed periodically to maintain the project's output. Staff also describes project inverters as being designed to last more than 30 years. (Staff Assessment, §3.6.1, pp. 3-12 to 3-14.)

Other portions of the Staff Assessment likewise analyze Corby on the basis of an approximately 30-year operating life.

Transportation, however, uses 35 years when amortizing construction vehicle miles traveled.

That matters because Staff spreads a finite amount of construction VMT across the assumed operating life of the project. A longer denominator necessarily produces a lower daily VMT number.

Using 35 years instead of 30 years reduces the normalized construction impact. A 30-year denominator would increase that calculated value by approximately 16.7 percent compared with a 35-year denominator.

I am not asserting that correcting this calculation necessarily changes Staff's ultimate Transportation significance determination.

I am asserting that the environmental analysis should evaluate the same project described in Section 3.

If Corby's anticipated operating life is 30 years, Staff should use 30 years wherever project life affects an environmental calculation. If Staff believes 35 years is the appropriate project life, Section 3 should say so and the other resource sections should use that assumption consistently.

The Commission should not certify a project described as operating for approximately 30 years while relying upon a 35-year life where the longer period has the effect of reducing a calculated environmental impact.

3. The Vaca-Dixon Objective Risks Unfairly Narrowing the Alternatives Analysis

Section 3 identifies the project's broad purpose as providing battery energy storage that would help California meet its Renewable Portfolio Standard, greenhouse-gas reduction, and carbon-neutrality goals. (Staff Assessment, §3.5, p. 3-11.)

Staff then identifies several project objectives.

Two are broad public energy objectives:

- supporting grid stability and helping prevent local and regional blackouts; and
- supporting efficient use of renewable energy and California's RPS goals.

But the first objective is considerably more location-specific:

“Construct and operate a 300-MW BESS close to PG&E’s Vaca-Dixon Substation in Solano County to meet contractual obligations to provide energy storage services.”

I do not suggest that proximity to Vaca-Dixon is irrelevant.

The availability of transmission infrastructure, interconnection feasibility, transmission losses, construction cost, and contractual obligations are legitimate considerations in determining whether an alternative is practical.

But there is a fundamental difference between considering proximity to Vaca-Dixon as an important siting consideration and defining construction near Vaca-Dixon as a project objective against which alternatives are judged.

That distinction matters because project objectives help determine which alternatives survive environmental review.

If an alternative location can provide 300 MW of battery storage, support grid reliability, help prevent blackouts, facilitate renewable-energy integration, and contribute toward California's RPS and greenhouse-gas objectives, it may accomplish most of the project's fundamental public purposes even if it does not preserve the applicant's preferred interconnection arrangement.

An alternatives analysis should not become circular:

The project must be near Vaca-Dixon because proximity to Vaca-Dixon has been defined as an objective; therefore, an alternative farther from Vaca-Dixon fails the objectives; therefore, no alternative farther from Vaca-Dixon need be seriously considered.

That reasoning would make the applicant's preferred location substantially self-justifying.

This concern is particularly relevant because Section 3 expressly ties the Vaca-Dixon objective to the applicant's existing contractual obligations.

Those contractual circumstances may be economically important. But private contractual arrangements should not be permitted to define the environmental alternatives inquiry so narrowly that an otherwise reasonable alternative capable of satisfying most of the project's broader public objectives is effectively disqualified from meaningful consideration.

This does not mean that the Commission must select an alternative site.

It means the Commission should distinguish between the fundamental public purposes of the project and the applicant's preferred means and location for accomplishing them.

That distinction is particularly important because Staff has elsewhere acknowledged significant and unavoidable visual impacts and ultimately relies upon the conclusion that there are no feasible alternatives capable of substantially lessening those impacts while achieving most project objectives.

The wording of the objectives in Section 3 therefore has consequences extending well beyond Section 3 itself.

This concern is strengthened by Solano County's subsequent BESS-specific land-use judgment. After studying utility-scale battery storage as a distinct land use, the County adopted regulations that prohibit front-of-the-meter BESS facilities in agricultural zoning districts, including A-40, while allowing them in specified industrial, manufacturing, and commercial districts. That later policy does not by itself determine what local law governed this application when filed, nor does it establish that any particular alternative site is technically feasible. It does, however, reinforce the importance of a genuinely comparative alternatives analysis. The Commission should not allow an objective framed around the applicant's preferred Vaca-Dixon interconnection to foreclose meaningful consideration of an industrial setting capable of accomplishing most of the project's fundamental energy-storage purposes with fewer agricultural and land-use conflicts.

4. The Commission Should Ensure That Every Resource Section Analyzes the Full Project Envelope Authorized by Section 3

Section 3 appropriately leaves some matters to final engineering.

For example, the project includes alternative underground gen-tie configurations. PG&E will determine certain final transmission-structure details. Internal roads may ultimately be gravel or asphalt depending upon final design.

I do not contend that this engineering flexibility itself makes the project description inadequate.

The important question is different:

What project does the Commission's approval authorize?

If certification permits either of two construction methods or design configurations, the environmental analysis should evaluate the impacts associated with both—or conservatively evaluate the configuration producing the greater environmental effect.

The Commission should not certify a flexible project envelope based upon environmental analyses that assume only the less-impactful configuration will ultimately be selected.

That principle is particularly important for the gen-tie.

The transmission facilities are a substantial component of Corby, not an incidental utility connection. Their construction involves underground and overhead facilities, road and canal crossings, substantial excavation, tall transmission structures, construction work areas, and potential road closures.

Where Section 3 authorizes alternative methods or leaves dimensions and locations to final engineering, the Commission should confirm that Aesthetics, Biological Resources, Cultural Resources, Transportation, Noise, Hydrology, and other affected resource sections analyzed the maximum reasonably foreseeable environmental footprint.

If they did, the remaining engineering flexibility is understandable.

If they did not, final design could produce environmental effects greater than those actually evaluated before project approval.

5. The Two Gen-Tie Options Do Not, Standing Alone, Make the Project Description Inadequate

I want to distinguish the concern above from a broader argument that I do not make.

Section 3 describes two potential underground gen-tie route configurations.

The existence of two defined options does not necessarily make the project description unstable.

CEQA can accommodate alternative engineering designs where the alternatives are sufficiently described and their environmental consequences are evaluated.

Similarly, an optional groundwater well does not automatically make the project description inadequate. Section 3 identifies SID water as the anticipated source and identifies an onsite groundwater well as the fallback if SID cannot provide the necessary construction and temporary irrigation water. (Staff Assessment, §3.6.2, pp. 3-17 et seq.)

The relevant issue is whether the environmental consequences of each authorized option have actually been evaluated.

This distinction is important because the Commission should focus on genuine uncertainty rather than ordinary engineering flexibility.

My concern is not that Corby contains design choices.

My concern is that the Staff Assessment must consistently identify those choices and evaluate the environmental consequences of everything the Commission's approval would actually permit.

6. Section 3 Should More Clearly Identify the County-City Jurisdictional Boundary and Applicable Local Planning Requirements

Section 3 makes clear that the permanent BESS facility is located in unincorporated Solano County, while portions of the approximately 1.1-mile gen-tie extend into or through the City of Vacaville and ultimately connect with PG&E's Vaca-Dixon Substation. The Staff Assessment also describes work within the Kilkenny Road right-of-way maintained by the City and identifies PG&E-owned facilities that are subject to separate regulatory authority.

Because the project crosses these jurisdictional boundaries, the Project Description should provide a clear factual map of which facilities are within Solano County, which are within the City of Vacaville, and which will be owned or controlled by PG&E. That distinction matters when Staff evaluates applicable local land-use, transportation, visual, utility, and public-safety policies.

I am not suggesting that the City's BESS regulations necessarily govern batteries located outside the City, or that every local requirement applies to every transmission component. I am asking for the more basic factual

foundation needed to evaluate those questions consistently. The Commission should clearly identify the jurisdiction and ownership of each material project component and then explain which local laws, ordinances, regulations, standards, and planning policies were considered for that component.

7. Section 3's Description of Battery Augmentation Should Be Carried Consistently Through the Staff Assessment

Section 3 provides important information about the physical project over time.

The initial installation would contain 303 BESS enclosures. As the batteries degrade, additional batteries would be installed approximately every three years beginning around Year 6. At full build-out, Corby could contain as many as 341 BESS enclosures. (Staff Assessment, §3.6.1, pp. 3-12 to 3-13.)

Likewise, the number of inverters would increase from 101 at beginning of life to 114 following full augmentation. (Staff Assessment, §3.6.1, p. 3-13.)

This is not merely an operational maintenance detail.

The project physically changes during its life.

Accordingly, environmental analyses involving energy consumption, noise, visual appearance, equipment density, hazardous materials, fire protection, maintenance activity, and other operational effects should evaluate the full-build-out project, where relevant, rather than only the beginning-of-life configuration.

The Commission should therefore verify that the 341-enclosure/114-inverter configuration described in Section 3 is consistently reflected in every environmental analysis for which augmentation could affect the result.

8. The Project Description Should Function as the Common Factual Baseline for the Entire Staff Assessment

The issues above illustrate a broader concern.

An environmental document of this size necessarily involves numerous technical disciplines and different Staff specialists. Some variation in terminology is understandable.

But there must ultimately be one Corby project.

There cannot be one set of entrances for Project Description, another for Transportation, and another for emergency response.

There should not be a 30-year project when describing operations and a 35-year project when a longer project life lowers an environmental calculation.

There should not be one physical configuration for beginning-of-life analysis if the Commission is actually approving a larger full-build-out configuration.

And where multiple design options remain available, each affected environmental analysis should account for the entire range of what the approval permits.

These are precisely the reasons the project description matters.

It supplies the common factual baseline against which all environmental effects are measured.

9. Requested Action

I respectfully request that the Commission require Staff to reconcile Section 3 with the affected resource analyses before adopting final findings.

Specifically, Staff should:

1. Identify all project access points consistently, including whether there is a project driveway on Kilkenny Road and, if so, its purpose and anticipated use during construction, operation, emergency response, and evacuation;
2. Establish a consistent project operating life and revise any environmental calculations that rely upon a different project-life assumption;
3. Clarify the project objectives so that proximity to the Vaca-Dixon Substation and existing contractual arrangements do not improperly foreclose consideration of alternatives capable of accomplishing most of the project's fundamental public energy objectives;
4. Confirm that every affected resource section evaluates the complete project envelope authorized by certification, including alternative gen-tie configurations and reasonably foreseeable final-design variations;
5. Confirm that applicable operational analyses evaluate the full-build-out configuration of as many as 341 battery enclosures and 114 inverters, rather than only the beginning-of-life configuration; and
6. Revise any affected environmental analysis where reconciliation of the Project Description materially changes the assumptions previously used.

None of these requests requires the Commission to reject normal engineering refinement.

They require something more fundamental:

The project analyzed must be the project approved.

Section 3 should be the stable factual foundation of the Staff Assessment. When another resource section relies upon a materially different access configuration, project life, physical configuration, or project objective, the discrepancy should be resolved before certification—not after construction begins.

The Commission is being asked to approve a 300-MW industrial battery facility, its associated substation, transmission infrastructure, access facilities, water facilities, telecommunications infrastructure, and a project configuration that will change through augmentation during decades of operation.

The environmental consequences of that decision can only be evaluated reliably if the Staff Assessment consistently defines what that decision actually authorizes.

I respectfully request that the Commission address these deficiencies in evaluating whether the Corby Project should be certified at this location.

In addition to my comments, I formally incorporate by reference and fully support the technical comment letter by Keep Vacaville Safe.

Respectfully submitted,

Michael Geller