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Comments on Staff Assessment Appendix A Cumulative Scenario

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 Appendix A
Cumulative Scenario

Commissioners:

I submit these comments regarding Appendix A, Cumulative Scenario, of the Staff Assessment.

Appendix A identifies the cumulative setting for the Corby Battery Energy Storage System and explains that Staff uses both a “list approach” and a “projections approach” to evaluate cumulative impacts. Staff states that the cumulative analysis is intended to consider the effects of Corby together with past, present, existing, and reasonably foreseeable future projects, with the detailed cumulative analysis presented in the individual technical sections of the Staff Assessment.

That approach can be reasonable.

My concern is not that every cumulative-impact conclusion must physically appear inside Appendix A.

My concern is that Appendix A identifies an extraordinarily substantial cumulative setting, yet when the technical sections are read together, several important combined effects remain unquantified, inconsistent, or inadequately explained.

Table A-1 identifies 156 cumulative projects. The question is therefore not whether Staff created a project list.

The question is:

If 156 projects constitute the cumulative setting, where can the Commission see what their combined effects actually are?

1. Appendix A Identifies the Cumulative Setting but Does Not Clearly Connect the 156 Projects to the Actual Cumulative Findings

Appendix A explains that Staff considers environmental effects associated with projects identified in Table A-1 in conjunction with the impacts of Corby, while directing the reader to the individual technical sections for the detailed cumulative analyses.

The difficulty is that Table A-1 largely tells the reader:

- what the other projects are,
- where they are located,
- how far they are from Corby, and
- their general status.

It does not provide a clear crosswalk showing:

- which projects are relevant to which environmental resource,
- which projects were actually included in each cumulative analysis,
- which projects were excluded and why,
- what assumptions were made about construction overlap, and
- how Corby’s incremental contribution was evaluated in relation to the combined effect.

That matters because different environmental resources require different geographic and temporal scopes.

A project many miles away may be relevant to regional air quality but irrelevant to local noise.

A project only a few hundred yards away may be highly relevant to noise, traffic, lighting, fire response, groundwater demand, visual effects, and construction activity.

Appendix A itself recognizes that different technical disciplines may require different geographic scopes.

The Commission should therefore require a simple cumulative-impact crosswalk identifying which Table A-1 projects were considered for each technical resource and explaining the basis for the cumulative conclusion.

Without that connection, the 156-project list risks becoming background information rather than an analytical tool.

2. The Vaca Dixon Power Center BESS Requires a More Integrated Cumulative Analysis

The most obvious example is the Vaca Dixon Power Center Project.

Table A-1 identifies that project as a 57-MW/57-MWh BESS approximately 0.14 mile from Corby. That description is now outdated. Current CEC materials for Docket 26-OPT-01 describe the Vaca Dixon Power Center as two BESS facilities totaling 157 MW/457 MWh: the 57-MW/57-MWh Vaca Dixon BESS and the 100-MW/400-MWh Arges BESS.

That is an unusually close cumulative project involving the same general type of technology.

The two projects therefore have obvious potential combined effects involving:

- construction noise;
- operational noise;
- nighttime lighting;
- visual character;
- construction traffic;
- fire and emergency-response resources;
- hazardous incidents;
- transmission facilities and grid operations;
- air emissions; and
- potentially water demand.

The Staff Assessment addresses some of these subjects individually, but the cumulative treatment is not consistently integrated.

For example, the Visual Resources discussion states in one passage that, because of the scale of Corby and the cumulative project, Corby would produce a cumulatively considerable effect during construction, even with mitigation. A following passage addressing night lighting then concludes that Corby's contribution would not be cumulatively considerable. The record should clearly distinguish those findings and explain whether the overall cumulative construction visual effect is significant.

Similarly, the Noise analysis considers the nearby project, but the cumulative analysis should clearly present the actual combined sound level rather than comparing individual sources separately with the ambient environment.

Fire and emergency response present an even more fundamental cumulative question.

The same fire department, apparatus, personnel, mutual-aid network, roads, and emergency resources may be called upon to respond to both facilities as well as ordinary community emergencies.

The cumulative Fire Protection analysis should therefore ask not merely whether Corby can be served in isolation, but whether the combined demand from Corby, the Vaca Dixon Power Center, I-80 incidents, wildland or agricultural fires, structure fires, medical emergencies, and other regional demands can reasonably be accommodated.

The Commission should require a more integrated analysis of the two nearby BESS facilities.

3. The Cumulative Groundwater Conclusion Is Reached Despite Missing Quantified Water-Demand Information

The cumulative Water Resources analysis presents a particularly clear problem.

Staff acknowledges that the City of Vacaville relies upon both surface water and groundwater and that several nearby cumulative projects would therefore use groundwater.

Staff then acknowledges that the environmental documents for those projects did not quantify their expected water usage.

Nevertheless, Staff concludes that the cumulative impact on local groundwater resources would be less than significant.

That analytical sequence requires further explanation.

If Staff does not know how much groundwater the related projects are expected to use, the Commission should understand the basis for concluding that their combined demand with Corby would be less than significant.

This question has become more important because Corby's own water-source assumptions deserve careful scrutiny.

The project may require groundwater for construction or emergency-related purposes if other supplies are unavailable or seasonal.

Accordingly, the cumulative groundwater analysis should identify:

- Corby's reasonably foreseeable groundwater demand;
- the reasonably foreseeable groundwater demand of relevant nearby projects;
- the geographic portion of the aquifer potentially affected;
- the assumptions concerning concurrent pumping; and
- the evidence demonstrating that combined withdrawals would not produce significant drawdown or other adverse effects.

Where exact demand data are unavailable, Staff should explain what conservative assumptions or screening methodology were used.

A conclusion of less than significant should not depend upon the absence of information concerning the other projects' water use.

4. Project-Specific Mitigation Does Not Automatically Resolve a Cumulative Impact

Another recurring issue is the use of Corby's own Conditions of Certification as the primary answer to cumulative effects.

Project-specific mitigation is important.

But cumulative analysis asks a different question.

The relevant inquiry is not simply:

Can Corby's individual impact be reduced?

It is also:

What is Corby's remaining contribution when added to similar impacts from the other projects in the cumulative setting?

The Cultural and Tribal Cultural Resources analysis illustrates the issue. The Staff Assessment identifies the large number of projects in the cumulative setting and recognizes the possibility of impacts to unknown resources, but then relies heavily on Corby's Conditions of Certification to conclude that the impacts will be adequately addressed.

Those conditions may reduce Corby's project-specific effects.

But they do not by themselves quantify or explain the combined loss or alteration of historic rural setting, archaeological resources, agricultural landscape features, irrigation features, or tribal cultural resources across numerous projects.

The same principle applies elsewhere.

Mitigating Corby's individual effect is not the same as determining whether its residual contribution remains cumulatively considerable when added to the effects of many other projects.

5. Reasonably Foreseeable Construction Overlap Should Be Evaluated Rather Than Discounted Because Exact Schedules Are Uncertain

Several cumulative effects depend heavily upon whether construction projects overlap in time.

Staff appropriately recognizes that exact construction schedules can change.

But uncertainty concerning the exact starting date of a future project does not mean that overlap can be ignored.

The Socioeconomics analysis states that only projects under construction during the Corby construction period would be relevant to certain workforce and public-service effects, while also acknowledging that the precise overlap of many Table A-1 projects cannot be known with accuracy.

A reasonable cumulative analysis can address that uncertainty by evaluating plausible scenarios.

Table A-1 already identifies projects as under construction, approved, plan check, under review, or proposed.

Those status categories provide a basis for identifying reasonably foreseeable overlap.

This is particularly important for construction-period effects involving:

- worker traffic;
- heavy-truck traffic;
- road closures;
- noise;
- dust and air emissions;
- emergency access; and
- temporary public-service demand.

Appendix A lists the I-80 Express Lanes Project at the Corby location but identifies its status as completed in 2025. It therefore should not be used as a future construction-overlap example. Its completion does not eliminate the broader need to evaluate plausible overlap among the many approved, under-construction, under-review, and proposed projects in Table A-1.

Corby nevertheless relies upon a rural road network with limited roadway width and shoulders in an area that experiences diversion traffic during I-80 incidents. Construction overlap with other reasonably foreseeable projects should be evaluated using current project status and realistic schedules rather than outdated assumptions.

The cumulative analysis should therefore identify a reasonable worst-case or conservative overlapping construction scenario rather than assume that uncertain schedules eliminate cumulative effects.

6. Cumulative Effects on Shared Emergency-Response Resources Require More Than a Project-by-Project Analysis

Emergency-response capacity is inherently cumulative.

A fire engine, firefighter, ambulance, roadway, or water supply cannot be allocated simultaneously to unlimited incidents.

The same public resources must serve Corby, other nearby BESS facilities, I-80, surrounding residences, agricultural properties, commercial development, wildland fires, traffic collisions, and medical emergencies.

That is why cumulative analysis matters.

The Staff Assessment should address whether prolonged response to a battery incident at Corby could materially affect the ability of local agencies to respond elsewhere, particularly during a period of simultaneous demand.

The Commission should require the cumulative emergency-response analysis to address, at minimum:

- available apparatus and staffing;
- duration of reasonably foreseeable BESS incidents;
- mutual-aid assumptions;
- response to simultaneous incidents;
- seasonal wildfire demand;
- water-supply constraints; and
- the added demand associated with the nearby Vaca Dixon Power Center BESS.

A conclusion that Corby can receive an emergency response does not answer whether the overall system can absorb the combined demand.

7. The Cumulative Biological Analysis Should More Clearly Address Combined Habitat Conversion and Fragmentation

The Biological Resources analysis considers development within the Vacaville-Elmira region and broader Solano County landscape, including agricultural conversion, transmission improvements, industrial and logistics projects, and other renewable-energy and energy-storage development.

That is the correct general setting.

But the cumulative question should go further than identifying project types.

The Commission should understand the combined amount and pattern of habitat conversion and disturbance affecting resources such as:

- raptor foraging and nesting habitat;
- burrowing owl habitat;
- monarch habitat and movement;
- other sensitive species;
- open agricultural land; and
- habitat connectivity.

Table A-1 includes very large residential, industrial, commercial, and infrastructure developments.

Those projects collectively alter the same broader agricultural and open-space landscape within which Corby would be built.

The cumulative analysis should therefore explain whether Corby contributes to a broader pattern of habitat loss or fragmentation and, if so, whether the contribution is cumulatively considerable after mitigation.

8. Appendix A Understates the Foreseeable Concentration of Utility-Scale BESS Development Around Vaca-Dixon

Appendix A's project list should also be updated to reflect the rapidly developing concentration of utility-scale battery storage around the Vaca-Dixon transmission node. Table A-1 identifies the Vaca Dixon Power Center Project as a 57-MW/57-MWh BESS approximately 0.14 mile from Corby. Current CEC materials for Docket 26-OPT-01 describe a substantially larger project: two BESS facilities totaling 157 MW/457 MWh, consisting of the 57-MW/57-MWh Vaca Dixon BESS and the 100-MW/400-MWh Arges BESS.

That change is material to the cumulative setting. Corby itself is proposed at 300 MW/1,200 MWh. Corby and the currently proposed Vaca Dixon Power Center therefore represent, by themselves, approximately 457 MW and 1,657 MWh of battery storage concentrated around the same Vaca-Dixon transmission node.

The cumulative consequence is not limited to whether two construction schedules overlap. Approval of successive utility-scale BESS projects around the same substation can progressively change the character and use of the surrounding area. The Commission should evaluate the reasonably foreseeable concentration of BESS development as a cumulative land-use and environmental phenomenon, including visual industrialization, rural and agricultural character, nighttime lighting, operational noise, emergency-response demand, hazardous-incident planning, fire-water requirements, transmission infrastructure, and demands upon the same roads and public-safety resources.

This concern is not a claim that every rumored or preliminary BESS proposal must automatically be treated as a CEQA cumulative project. I am aware locally of additional proposed BESS projects referred to as "Nut Tree 1" and "Nut Tree 2," but I have not located sufficient public documentation under those exact names to present them here as established projects. Their reported existence does, however, reinforce the need for Staff to determine whether additional pending, pre-application, interconnection-queue, or otherwise reasonably foreseeable BESS proposals seeking access to Vaca-Dixon should be included in the cumulative scenario.

The Commission should therefore update Appendix A through the date of its decision and identify all reasonably foreseeable utility-scale BESS projects in the Vaca-Dixon area that meet the applicable cumulative-project standard. The analysis should then address the combined consequence of concentrating multiple large battery facilities around one transmission node, rather than treating each project as an isolated facility.

9. Cumulative Energy and Grid Effects Should Be Reconciled With the Efficiency and Transmission Analyses

The Efficiency and Energy Resources analysis concludes that Corby would have no adverse cumulative energy-resource impact because the project itself would not significantly consume diesel, natural gas, or petroleum resources.

But that conclusion does not meaningfully evaluate the energy demands of the other cumulative projects or the combined grid-charging effects of nearby battery storage projects.

That matters because a BESS does not generate electricity.

It consumes electricity during charging and returns less electricity during discharge because of round-trip losses and auxiliary loads.

With another BESS only 0.14 mile away, the Commission should understand whether simultaneous or overlapping charging demand creates any cumulative transmission, energy-consumption, or operational effects.

This does not mean such effects are necessarily significant.

It means the cumulative conclusion should follow from analysis rather than from treating Corby's individual energy use as the end of the inquiry.

10. Requested Action

I respectfully request that the Commission supplement or clarify Appendix A and the cumulative analyses incorporated into the individual Staff Assessment sections before adopting final findings.

Specifically, the Commission should:

1. Provide a crosswalk identifying which of the 156 Table A-1 projects were considered in each technical cumulative-impact analysis, including the relevant geographic and temporal scope;
2. Provide an integrated cumulative analysis of the Vaca Dixon Power Center BESS and Corby for noise, visual resources, lighting, construction activity, fire and emergency response, transmission, hazardous incidents, and other shared effects;
3. Quantify or reasonably estimate cumulative groundwater demand from Corby and the nearby projects identified as relying upon groundwater, rather than concluding less-than-significant effects while acknowledging that the other projects' water use is unknown;
4. Distinguish between mitigation of Corby's individual impacts and the separate determination of whether Corby's remaining contribution is cumulatively considerable;
5. Evaluate plausible overlapping construction scenarios using current status and timing information for Table A-1 projects, while recognizing that the I-80 Express Lanes Project is now completed and should not be treated as future overlapping construction;
6. Evaluate cumulative demand upon shared emergency-response resources, including staffing, apparatus, mutual aid, water supply, simultaneous incidents, and the nearby Vaca Dixon Power Center BESS;
7. Provide a more explicit evaluation of combined habitat conversion and fragmentation associated with Corby and surrounding development; and
8. Reconcile cumulative energy and grid findings with the project's actual charging requirements, round-trip efficiency losses, transmission constraints, and nearby energy-storage development.
9. Update Appendix A to reflect the current 157-MW/457-MWh Vaca Dixon Power Center proposal and identify any additional reasonably foreseeable BESS projects seeking access to the Vaca-Dixon transmission node, then evaluate the cumulative effects of concentrating multiple utility-scale battery facilities in this portion of Vacaville and Solano County;

Appendix A demonstrates that Corby is not being proposed in an undeveloped region where it would operate in isolation.

Staff has identified 156 existing, approved, pending, proposed, or otherwise reasonably foreseeable projects as part of the cumulative setting.

That is an important acknowledgement.

But identifying the cumulative setting is only the beginning of cumulative analysis.

The Commission must still understand how Corby's impacts combine with those other projects.

If 156 projects constitute the cumulative setting, the record should clearly show what their combined effects actually are.

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

Respectfully submitted,

Michael Geller