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**â€” Significant Environmental Impacts and Inadequate Alternatives
Analysis for the Proposed Agricultural Site**

See attached as formal comments.

Additional submitted attachment is included below.



September 10, 2026

California Energy Commission
Docket No. 24OPT05

Re: Comments on the Corby BESS Staff Assessment — Significant Environmental Impacts and Inadequate Alternatives Analysis for the Proposed Agricultural Site

Dear California Energy Commission Commissioners and Staff:

Keep Vacaville Safe is a community organization representing thousands of Vacaville and Solano County residents who oppose approval of the Corby BESS Project at the proposed agricultural location. The organization supports responsible clean energy development, but not at a site that places industrial-scale battery infrastructure next to homes, farms, agricultural resources, and rural water systems.

Keep Vacaville Safe submits these formal comments opposing approval of the proposed 300 MW / 1,200 MWh Corby Battery Energy Storage System (“Corby BESS” or “Project”) at the proposed agricultural site.

The Draft Staff Assessment does not adequately disclose or evaluate the environmental consequences of placing this large-scale BESS facility on protected agricultural land. The analysis contains material technical errors, understates the foreseeable frequency of thermal events, defers critical firewater and containment measures, and fails to adequately evaluate the consequences to agricultural soils, crops, water resources, public health, emergency responders, and surrounding properties.

These are not minor issues. They directly affect the Staff Assessment’s conclusions regarding the significance of the Project’s environmental impacts.

These comments address deficiencies across multiple CEQA resource areas, including land use and agriculture, hazards and hazardous materials, air quality, water resources, geology, cultural resources, public health, greenhouse gas emissions, environmental justice, and alternatives; however, these issues converge on the same central problem: the proposed agricultural location is environmentally unsuitable for a 300 MW / 1,200 MWh BESS facility.

On the current record, the Commission cannot lawfully or responsibly approve this Project at this location.

The Project would permanently convert protected agricultural land to industrial use and place a utility scale battery facility in an environment containing valuable agricultural soils, active farming operations, irrigation infrastructure, surface water resources, groundwater resources, **residential homes immediately adjacent to or in close proximity to the proposed facility**, and other potentially affected receptors.

The Commission must evaluate the Project and thermal runaway fires based on the reasonably foreseeable consequences of operating a 1,200 MWh battery facility for approximately **30–35 years**, rather than treating a major thermal event as an isolated or remote possibility.

Keep Vacaville Safe requests that the Commission correct the material errors identified below, revise the significance determinations accordingly, fully evaluate feasible alternatives that avoid these impacts, and recirculate the Draft EIR if the required corrections constitute significant new information or substantial revisions.

I. PROJECT DESCRIPTION INCONSISTENCIES

The Staff Assessment contains inconsistencies in the basic Project Description that must be corrected before the Commission relies on the analysis. The record variously describes access from Byrnes Road, Kilkenny Road, or both; does not explain how a Kilkenny Road access point would cross the SID irrigation canal; uses both a 30-year and 35-year operating life in different sections; and fails to consistently analyze the full-buildout configuration of 341 battery enclosures and 114 inverters after battery augmentation. These discrepancies affect transportation, hazards, wildfire, land use, and cumulative impact analyses.

The Project Description also should not frame proximity to PG&E's Vaca Dixon Substation or private interconnection obligations as objectives that effectively predetermine the site and narrow the CEQA alternatives analysis.

II. THE PROJECT LOCATION CREATES SIGNIFICANT ENVIRONMENTAL IMPACTS

The central problem with the Project is its location: it would place a largescale industrial battery facility within an agricultural landscape that includes protected farmland, active farming operations, irrigation and water resources, orchards, and nearby homes.

1. Jurisdictional Boundaries and Local Planning Policies

The Project spans multiple jurisdictional components, including unincorporated Solano County, the City of Vacaville, and PG&E facilities, but the Staff Assessment should not treat it as a single undifferentiated site. The full 61.8 acre footprint must be evaluated in context because it would place a utility scale industrial battery facility within an agricultural landscape containing Prime Farmland, Farmland of Statewide Importance, Unique Farmland, active farming operations, orchards, irrigation infrastructure, Gibson Canyon Creek, SID canals, groundwater resources, and nearby homes.

Those surrounding resources are not incidental. They define the Project's environmental setting and are the resources placed at risk by this location. A thermal runaway, fire, toxic plume, contaminated runoff event, construction dust impact, or emergency response failure would occur next to homes, farms, agricultural workers, water resources, and emergency responders. This setting differs materially from the isolated or industrial areas where the CEC has approved similar projects. The location itself is therefore central to the Project's environmental impacts and must be considered in determining whether the Project belongs at this site.

2. Construction Dust and PM₁₀ Impacts Are Site Specific Location Problems

Staff's own construction modeling predicts a 24hour PM₁₀ impact of approximately 7.31 µg/m³ at the Project boundary, exceeding the 5 µg/m³ Significant Impact Level. Yet AQSC4 relies on visual dust observations instead of quantitative particulate monitoring. The Staff Assessment should evaluate where dust and toxic particles would travel under local wind conditions and require air monitors in downwind locations that protect nearby homes, crops, and agricultural operations. Visual checks are not enough at this location, especially if sitespecific grading, hauling, or dust suppression demands increase localized air quality impacts.

3. Construction and Operational Noise Are Site Specific Location Problems

The Staff Assessment should evaluate construction and operational noise using applicable Solano County standards and realistic maximum noise levels, including piledriving noise near nearby residences. A complaint based process is not adequate mitigation for a rural residential and agricultural location. The analysis should also evaluate low frequency operational noise from inverters, transformers, and HVAC equipment because A weighted averages may not fully capture tonal or low frequency impacts in a quiet rural setting. These noise impacts further support evaluating Lambie Industrial Park as the environmentally superior alternative because an industrial site would provide greater separation from noise sensitive receptors and a more compatible ambient noise setting.

III. SEVERE FARMLAND PROTECTION CONCERNS AND SITE UNSUITABILITY

1. Permanent Conversion of Agricultural Land

The CEC's own Staff Assessment expressly identifies this as a permanent conversion of Important Farmland to a nonagricultural use. The BESS site includes approximately 12.8 acres of Prime Farmland, 9.1 acres of Farmland of Statewide Importance, and 18.4 acres of Unique Farmland.

The Staff Assessment also contains an internal contradiction: it treats the Project's direct physical conversion of approximately 40.8 acres of Important Farmland as temporary yet requires a permanent offsite agricultural conservation easement under LAND1. If permanent offsite mitigation is necessary, then the onsite farmland loss should not be dismissed as temporary. Soil compaction, concrete pads, topsoil disturbance, and potential contamination risks support treating the conversion as a significant and unavoidable agricultural impact.

2. Recent Agricultural Use and Fallow Status

The Staff Assessment should not discount the site's agricultural value by characterizing it as fallow for approximately four years without reconciling verifiable lease records indicating active farming or leasing continued until **September 19, 2023**. That recent use is relevant to Department of Conservation FMMP criteria for active or recently cultivated cropland and should be reflected in the significance analysis.

LAND1 would require a 3:1 agricultural conservation easement of approximately 122.4 acres elsewhere, but preserving existing farmland off site does not replace or eliminate the net physical loss of approximately 40.8 acres of Important Farmland at the Project site or the additional acreage affected by the gen-tie corridor.

CEQA prioritizes avoiding and preserving agricultural resources where feasible rather than relying on offsite mitigation to compensate for their permanent conversion. The Commission should therefore first determine whether the permanent loss of farmland at this location can be avoided through alternative siting before relying on conservation acreage elsewhere as mitigation.

3. Direct Conflict with Measure T and Agricultural Land Use Protections

The Project directly conflicts with Solano County's voter approved **Measure T**, A-40 Exclusive Agriculture zoning, the County's November 2025 BESS ordinance, General Plan Policy **AG.P28**, and the County's longstanding agricultural and orderly growth policies. The Staff Assessment should

expressly identify and evaluate Measure T; omitting this voter approved agricultural protection measure leaves the land use analysis incomplete and understates the conflict with Solano County's agricultural preservation framework.

AB 205 Opt-In Program may grant the CEC permitting authority, but it does not make this agricultural location environmentally appropriate or erase land-use conflicts for CEQA purposes. The Commission must still evaluate whether placing an industrial BESS facility in a protected agricultural area creates significant environmental impacts and whether those impacts could be avoided through an alternative location.

4. The Full 61.8Acre Project Must Be Evaluated

The agricultural impacts must be evaluated across the entire approximately 61.8acre Project footprint, not just the BESS equipment area. The BESS facility, gen-tie, transmission infrastructure, access roads, construction areas, permanent easements, and other Project-related disturbance are all necessary parts of the same Project and together determine the full extent of farmland conversion, soil disturbance, operational disruption, and land-use conflict.

5. Undisclosed Expansion and Piecemeal Agricultural Conversion

The Staff Assessment should also address whether commercial contracts describing the Project as part of a "Larger Corby Energy Complex" indicate reasonably foreseeable future generation or storage facilities. If additional facilities are contemplated, the environmental review must evaluate the potential for piecemeal agricultural conversion rather than treating this 61.8 acre Project footprint as the full extent of foreseeable development.

6. LAND1 Does Not Avoid the Permanent Farmland Loss

LAND1 fails to reduce agricultural impacts to a less-than significant level under CEQA. First, CEQA prioritizes onsite avoidance over offsite compensation. An offsite agricultural conservation easement merely preserves existing farmland elsewhere; it does not replace, restore, or offset the net physical destruction of approximately 40.8 acres of Prime Farmland on site.

The Staff Assessment also appears circular in its treatment of farmland significance. If the LESA score and acreage of Important Farmland are the basis for finding the conversion significant, those same facts cannot then be used as reasons to reduce the impact after mitigation. Likewise, fallow status is not a substitute for CEQA mitigation where the land remains designated Important Farmland. LAND1 may provide compensatory mitigation if supported by enforceable standards, but it does not create new farmland or avoid the physical conversion of agricultural soils at this site.

Second, LAND1 constitutes deferred mitigation because it lacks binding, upfront performance standards. To be adequate, the Commission must identify the specific replacement acreage before certification, demonstrate equivalent soil classification with matching Prime Farmland ratios, guarantee

long-term management funding, enforce strict execution deadlines, and establish clear consequences if suitable conservation acreage cannot be secured. Without these binding parameters, LAND1 remains unenforceable, and the Commission must reclassify farmland conversion as a direct significant and unavoidable impact.

IV. CRITICAL TECHNICAL ERRORS: TOXIC FALLOUT, FARMLAND AND WATER CONTAMINATION

1. Critical Heavy Metal Deposition Errors: Appendix LU

A severe unit conversion error in Appendix LU appears to understate aerosolized lithium fallout from a potential thermal runaway event by approximately three orders of magnitude. The Staff Assessment reports lithium deposition as approximately **0.182 mg/kg**, but the corrected value is approximately **182.2 mg/kg**. The reported **0.182 mg/kg** figure is physically inconsistent with the report's own assumptions: for that value to be correct, the lithium would have to be mixed into roughly **250 feet of soil**, not the **7.6 centimeters** used in the report. The corrected modeled lithium deposition is not "well below background levels," as suggested in the Staff Assessment. If local background lithium levels in Solano County are approximately **15 to 30 mg/kg**, the corrected deposition level of **182.2 mg/kg** would be approximately **6 to 12 times higher** than background. That increase is a substantial site specific environmental impact that must be evaluated before any less than significant conclusion can be supported.

Appendix LU also appears to understate aluminum deposition, with the corrected modeled aluminum value approximately **34.4 mg/kg**. These corrected deposition values materially change the analysis because Appendix LU appears to model deposition only at the Project fenceline, while the relevant CEQA inquiry is how heavy metals and related compounds could affect surrounding properties. The Staff Assessment should evaluate potential impacts to agricultural soils, crops, orchards, SID canals, Gibson Canyon Creek, groundwater, irrigation water, domestic and nearby residential wells, and public health, including inhalation, soil contact, dust resuspension, crop bioaccumulation, and exposure to contaminated runoff or irrigation water.

2. Almond Orchards Are a Relevant Sensitive Agricultural Receptor

Appendix LU identifies almonds as sensitive to lithium.

That finding is particularly significant at this location because orchards and agricultural operations surround the Project.

The Commission should therefore evaluate the corrected lithium deposition against the agricultural resources actually surrounding the Project.

The analysis should be based on site specific baseline soil sampling and local agricultural conditions rather than generic regional soil data. This is especially important where local high value crops may be sensitive to lithium or other battery fire constituents.

The relevant environmental pathway is:

thermal event → atmospheric release or firewater runoff → deposition → agricultural soil/crops → surface water and groundwater.

Because this Project is proposed within an agricultural landscape, the corrected deposition values must be evaluated against actual nearby soils, crops, orchards, surface water, and groundwater before the Commission relies on any less than significant conclusion.

V. SIGNIFICANT THREAT TO AGRICULTURAL WATER SUPPLIES AND GROUNDWATER

Potential deposition of lithium, aluminum, hydrofluoric acid, fluoridated compounds, and other combustion products could affect agricultural fields, nearby **Gibson Canyon Creek**, and adjacent **Solano Irrigation District (SID)** canals.

1. Shallow Groundwater and Seasonal Recharge

The Staff Assessment must also account for shallow groundwater and seasonal recharge conditions documented in preliminary borings, local geotechnical records, and nearby agricultural observations. Groundwater reported at approximately 7.5 to 15 feet below ground surface, with potential seasonal rises, affects excavation, dewatering, contaminant migration, corrosion protection, and fire water runoff containment.

2. Hydrogeologic Classification Must Be Corrected

The Staff Assessment evaluates the site as being within the Westland Subbasin rather than the **Solano Subbasin (Subbasin 5021.62)**.

The Commission must resolve this discrepancy before relying upon the groundwater analysis.

3. Localized Groundwater Modeling and Well Interference Protections Must Be Disclosed

The Staff Assessment should disclose and incorporate the localized groundwater modeling submitted for the Project as part of the DEIR, including any estimated drawdown effects on neighboring agricultural and domestic wells. The Commission should not rely on broad basin wide water supply ratios while omitting site specific modeling that bears directly on nearby well users.

If the Staff Assessment relies on a 1,000 foot separation between the Project well and neighboring wells to avoid interference, that requirement must be included in an enforceable Condition of Certification. A narrative statement in the Project Description is not sufficient mitigation under CEQA. The water analysis should also separately evaluate construction water demand, including the estimated 30 acre feet needed during construction, rather than relying on conditions focused primarily on smaller operational water demand.

4. Groundwater Migration Must Be Evaluated

The Commission must evaluate contaminant migration under actual site conditions, including shallow groundwater, agricultural soils, surface water connections, and seasonal recharge.

The Commission should therefore evaluate potential effects on:

- agricultural irrigation wells;
- private drinking water wells;
- shallow groundwater;
- surface water;
- irrigation canals; and
- agricultural soils

5. Deferred Geotechnical Studies and Unanalyzed Construction Effects

GEO1 improperly defers site-specific geotechnical work until shortly before construction, including analysis of excavation depths, dewatering volumes, discharge locations, sediment loads, settlement risk, expansive clay remediation, imported fill, corrosion protection, and the unstudied gen-tie corridor. These issues must be evaluated before approval because they could affect water resources, traffic, air quality, greenhouse gas emissions, noise, and construction feasibility.

6. Firefighting Runoff and Emergency Water Supplies Must Be Evaluated Under Section 5.16

Section 5.16 should evaluate firefighting runoff and emergency water supplies as hydrology and water quality issues, not only as fire response details. A prolonged thermal runaway event could generate thousands to millions of gallons of contaminated suppression water containing battery fire constituents, and the Staff Assessment should identify concrete containment designs, sizing assumptions, discharge controls, and ground water protection measures *before* approval.

The analysis also must establish the legal and physical availability of water needed for both routine maintenance and emergency fire response. Without identifying reliable water sources and evaluating the environmental consequences of using them, the Commission cannot determine whether the Project would create significant impacts to regional water supplies, shallow groundwater, local aquifers, SID canals, or agricultural water users.

VI. THERMAL RUNAWAY AND FIRE MUST BE TREATED AS A REASONABLY FORESEEABLE OPERATIONAL EVENT

Appendix D of the Staff Assessment contains omissions and lacks critical analysis of how the Corby BESS would behave under thermal runaway conditions. It is therefore insufficient to evaluate potential effects on public health, worker safety, water quality, and air quality.

Treatment of thermal runaway risk is inadequate because it places too much emphasis on annual probability while failing to adequately consider the Project's **30–35 year operating life**.

The historical incident dataset also understates the frequency of relevant LFP BESS incidents.

1. Appendix D and Dispersion Analysis Is Insufficient

2. Tested Equipment Differs Materially from the Proposed Outdoor System

The applicant relies on fire safety test results from a materially different battery system to justify the safety of the proposed Corby facility. Those differences prevent the filed unit level report from establishing how the actual outdoor, multi rack configuration will perform during thermal runaway.

- **Location and enclosure.** Test Report TN 268368 describes a “Non-Residential indoor floor mounted” system, while Corby proposes outdoor enclosures. Outdoor installations face different weather exposure, ambient temperature, thermal management, ventilation, and fire spread conditions.
- **Rack configuration.** The reported test involved one rack containing 14 modules, whereas the proposed Corby configuration uses three vertical racks containing 42 modules in total, as described on page 4.4 -35. The actual configuration therefore places three times as many modules together, increasing fire loading, heat release, and the potential for propagation within an enclosure.
- **Cell count contradictions.** Page 4.4 -34 states that each module contains 104 cells, while page 4.4- 19 states 120 cells per module. These internal inconsistencies indicate inadequate quality control and leave basic equipment assumptions unverified.

3. Missing Installation Level Fire Testing

Under widely used BESS fire safety testing frameworks such as UL 9540A, unit level testing evaluates an individual battery unit or rack in isolation, while installation level testing evaluates whether heat, flames, or ejecta can propagate from a burning unit to neighboring target units at the proposed field spacing. Because the hardware identified in TN 268368 was designated for indoor use, the laboratory marked the outdoor installation safety waiver as not applicable. There should have been a full outdoor installation level burn test using the equipment, enclosure arrangement, and spacing Corby proposes to build.

Additionally, the modeled fire scenario is not properly bounded because the offsite toxic plume dispersion analysis evaluates complete combustion of only one BESS container, while the full facility may include up to 341 battery enclosures. The Project’s own Hazard Mitigation Analysis acknowledges that multi container involvement is physically possible. While the EIR describes a large-scale burn test in its narrative summaries, it has not actually evaluated an installation level multi-unit test for the as built outdoor container at the proposed separation distances. The Staff Assessment must analyze how a multi container event AKA “installation level test” would change toxic plume modeling, health risks, firefighting assumptions, and emergency response need.

4. Documentation and Reference Defects

Section 4.4 devotes approximately two pages to summarizing the unit level test report, yet the reference list at the end of that section omits the report. Multiple Chapter 4.4 citations also point to Appendix D reference tags, including TT 2026c and TT 2026e, that appear absent or incorrect. These defects may reflect administrative sloppiness rather than intentional concealment, but they leave the public record incomplete and prevent independent verification of the safety conclusions.

5. Required Conditions Before Commercial Operation

1. **Conduct outdoor installation testing.** Require a physical installation level burn test using the actual outdoor container design and specified field spacing to demonstrate that a fire will not cause thermal runaway in neighboring units.
2. **Reconcile the report record.** Require the applicant to amend Section 4.4 and Appendix D so that cell counts, module counts, enclosure types, test descriptions, and reference citations accurately match the filed test documents.

6. The Fire Frequency Analysis Is Inadequate and Understates Foreseeable Risk

Staff's fire frequency analysis is inadequate because it relies on an incomplete incident dataset, treats recent LFP events too narrowly, and fails to account for statistical uncertainty in small sample failure rate calculations. Those methodological errors materially understate the likelihood that a thermal runaway, off gassing, or fire event will occur during the Project's 30–35 year operating life.

Appendix D and the Fire Frequency Analysis in the Staff Assessment/DEIR understate the relevant historical incident baseline by treating the Melba, Idaho event as the only recent LFP incident and by excluding or omitting other verified facilities within the relevant operating windows. The corrected dataset should include:

- Warwick, New York event on June 26, 2023
- Warwick, New York event on June 27, 2023
- Warwick, New York event on December 19, 2025
- Douglas, Massachusetts event on August 4, 2026

Warwick facilities were incorrectly listed in the appendix D fire frequency analysis table as being operational in 2022, but EPRI listed them as operating new in 2023. Numerous news articles support these facts, so the Warwick facilities should be included in the 3 year dataset.

Douglas, MA was completed at the end of 2023, so also should be included in the 3 year dataset.

With those incidents included, the corrected three-year baseline increases from 1 to 5 incidents across 80,640 MWh years, producing a point estimate failure rate of approximately 0.0000620 incidents per MWh year. Applied to the proposed 1,200 MWh Corby facility, that equates to an estimated annual incident frequency of approximately 7.44 percent, or one event every 13.4 years rather than once every 67.2 years.

The corrected five year baseline increases from 8 to 9 incidents across 106,190 MWh years, producing a point estimate failure rate of approximately 0.0000848 incidents per MWh year. Applied to a 1,200-

MWh facility, that equates to an annual incident frequency of approximately 10.17 percent, or one event every 9.8 years.

The analysis also should apply standard quantitative risk assessment methods rather than relying only on simple point estimates. Applying a 95 percent upper confidence bound to account for small sample size uncertainty produces estimated annual incident probabilities of approximately 15.26 percent under the corrected three-year dataset and 17.75 percent under the corrected five-year dataset, corresponding to expected intervals of approximately 6.5 years and 5.6 years, respectively.

Scenario	Incidents / MWhyears	Annual Probability for 1,200 MWh	Expected Interval
CEC 3-year point estimate	1 / 80,640	1.49%	Once per 67.2 years
Corrected 3-year point estimate	5 / 80,640	7.44%	Once per 13.4 years
Corrected 3-year 95% UCL	5 / 80,640	15.26%	Once per 6.5 years
CEC 5-year point estimate	8 / 106,190	9.04%	Once per 11.1 years
Corrected 5-year point estimate	9 / 106,190	10.17%	Once per 9.8 years
Corrected 5-year 95% UCL	9 / 106,190	17.75%	Once per 5.6 years

Across the corrected point estimates and 95 percent confidence scenarios, off gassing or fire events are statistically probable during the Project’s operating life. The Commission must therefore evaluate thermal runaway and fire as reasonably foreseeable operational events associated with normal utility scale BESS operation, not as remote anomalies.

Because the corrected data establish that a thermal event is reasonably foreseeable over the Project’s operating life, the consequences of such an event must be incorporated into the analysis of:

- hazardous materials;
- public health;
- air quality;
- toxic deposition;
- agricultural resources;

- water resources;
- fire protection;
- emergency response; and
- project alternatives.

Additional CEQA resource categories must also be reanalyzed to reflect the corrected fire frequency, toxic deposition, groundwater, firewater, emergency response, and site specific agricultural evidence.

VII. THE FIRE FREQUENCY CORRECTION CHANGES THE ALTERNATIVES ANALYSIS

The corrected fire frequency makes the location of the Project even more important.

If a thermal event is reasonably foreseeable during the Project's 30–35 year operating life, then the Commission must ask:

Why place a 1,200 MWh BESS facility on protected agricultural land when a location with fewer sensitive receptors and fewer agricultural resources could reduce the consequences of that foreseeable event?

The alternatives analysis should rigorously evaluate feasible industrial or remote locations, including established industrial areas such as **Lambie Industrial Park**, because identifying thermal events as probable over the Project life gives alternative siting far greater public health and safety significance.

1. Circular Project Objectives and Lambie Industrial Park

The alternatives analysis should not rely on circular project objectives based on proximity to PG&E's Vaca Dixon Substation or private interconnection arrangements if those objectives improperly narrow the range of feasible alternatives. The Commission should clarify whether the assumed 14 mile gen-tie connection for Lambie Industrial Park is a physical necessity or a commercial constraint and should evaluate underground or revised gen-tie configurations where they could reduce visual, cultural, agricultural, and safety impacts.

The alternatives analysis should compare whether relocation could reduce:

- agricultural land conversion;
- toxic deposition onto agricultural soils;
- agricultural water impacts;
- groundwater exposure;
- exposure of agricultural workers;
- impacts to nearby residents;
- emergency response challenges;

- fire consequences; and
- conflicts with agricultural operations.

The Commission should not conclude that the agricultural impacts are unavoidable without demonstrating why a feasible industrial location cannot accommodate the Project.

2. The Lambie Industrial Park Alternative Requires a Corrected, Site-Specific Comparison

The Staff Assessment should not reject Lambie Industrial Park based on assumptions that make it appear less favorable than the proposed agricultural site. A corrected analysis should evaluate a direct connection to the nearby Lambie 230 kV infrastructure, not only a 13 to 14 mile gen tie back to Vaca Dixon. CAISO interconnection data identifies other BESS projects seeking to connect at Lambie, confirming that it is a recognized and technically relevant interconnection location. The Commission should determine whether the assumed long gen-tie is a physical necessity or merely the applicant's preferred commercial arrangement and should evaluate localized, underground, or revised configurations that could reduce visual, cultural, agricultural, biological, and safety impacts.

Staff's findings establish that Lambie is large enough for the Project, can avoid known constraints, can meet core grid and renewable energy objectives, and is not rendered infeasible by a longer gen tie. The remaining analysis should identify which disadvantages are inherent in the industrial BESS site and which arise only from Staff's assumed transmission route. That distinction is necessary to determine whether Lambie avoids or substantially lessens Corby's conversion of Important Farmland, proximity to sensitive receptors, emergency response risk, and conflicts with agricultural laws, ordinances, regulations, and standards.

The Staff Assessment should not rely on categorical labels such as "similar" to obscure measurable differences between the sites. Even where both alternatives may involve impacts in the same resource category, Lambie materially reduces or avoids the most important sites-specific impacts, including Important Farmland conversion, conflict with agricultural LORS, proximity to sensitive receptors, and emergency-response risk.

The Commission should also correct Staff's apparent factual error in describing Lambie Industrial Park as "rolling hills" when it is flat industrial land. That error appears to overstate Lambie's grading, earthwork, dust, noise, hydrology, and construction impacts. With that error corrected, and with side-by-side analysis of public safety, toxic plume exposure, receptors, evacuation, operational noise, heavy haul routes, and biological impacts, Lambie should be identified as the environmentally superior alternative because it better matches industrial land use, existing infrastructure, local LORS, (local ordinances, regulations, and standards) and protective separation from sensitive receptors.

The alternatives analysis also should evaluate nearby interconnection infrastructure, including the Lambie 230 kV line, rather than assuming that Lambie Industrial Park must connect only through a 13- to 14-mile gen-tie back to Vaca-Dixon. CAISO interconnection data identifies other BESS projects in the queue that seek to connect at Lambie 230 kV, further demonstrating that Lambie is a recognized and technically relevant interconnection location for battery storage development. If a localized point of interconnection would reduce overhead transmission length, support structures, ground disturbance, visual effects, and biological impacts, CEQA requires that configuration to be analyzed rather than dismissed based on the applicant's preferred interconnection arrangement.

Staff should also independently verify the applicant's claim that changing the point of interconnection would cause a minimum six-month delay. A temporary CAISO modification review period should not be treated as equivalent to physical infeasibility, particularly where the alternative could avoid permanent farmland conversion, reduce land use conflicts, and place the facility within an industrial setting for a project expected to operate for 30 to 35 years.

Because Lambie Industrial Park contains approximately 1,461 acres and the BESS footprint requires only about 25 acres, the Staff Assessment should evaluate an optimized micro-siting envelope within Lambie rather than relying on generalized assumptions. The analysis should identify the specific 25-acre footprint evaluated, explain whether multiple internal locations were compared, and determine whether the development area can be placed to avoid pipelines, sensitive biological resources, residences, visual exposure, and other constraints.

The comparison must rest on site specific evidence rather than generalized assumptions. The Commission should require side by side evaluation of receptor distances, toxic plume exposure, evacuation and shelter in place needs, emergency response access, biological constraints, heavy haul roadway capacity, and land use compatibility at Corby and Lambie. It should then explain why temporary and mitigable linear infrastructure effects would outweigh permanent Prime Farmland loss, rural roadway safety concerns, and placement of a utility scale hazard near homes and agricultural operations.

3. General Plan Policy Comparison

Solano County's environmental protection policies provide a useful framework for comparing the sites. The table distinguishes conflicts arising from the proposed Corby BESS location from those associated with the Lambie Industrial Park site.

Summary of Environmental General Plan Policy Conflicts

Policy area	Corby at Kilkenny and Byrnes	Lambie Industrial Park
Industrial and agricultural compatibility LU.P 28; AR.G 1, 2, 5; AG.P 4, 28	Conflict. Places an industrial scale BESS on Agriculture designated, A 40 land; converts about 40.3 acres from agricultural use; and introduces a conflicting nonagricultural use in Elmira and Maine Prairie.	Consistent. Industrial designation and Manufacturing General zoning are compatible with BESS use, and the footprint does not contain Important Farmland. Agricultural effects from an assumed long gen tie are route specific.
Water and watershed protection AG.P 8; AR.G 6; RS.G 1, 9, 10	Conflict. Construction water, possible groundwater use, drainage, grading, and work near SID canals and active agricultural water facilities create unresolved site specific concerns.	Consistent with qualification. Staff finds site impacts less than significant with mitigation. Additional disturbance attributed to the assumed 14 mile gen tie should be evaluated separately.
Public health and noise compatibility HS.G 4; HS.P 90; HS.I 67	Conflict. Modeled toxic air effects reach nearby residences, and continuous industrial noise would be introduced into a quiet rural setting near noise sensitive uses.	Consistent. Greater separation from residences reduces potential toxic air exposure, and the existing industrial setting is more compatible with operational noise.
Visual character and biological resources RS.G 6; RS.P 1	Conflict. Staff identifies significant and unavoidable visual change to the rural agricultural viewshed, along with site specific biological mitigation needs.	Mixed and route dependent. Fewer viewers would see the industrial BESS site, while Staff's claimed visual and biological disadvantages arise principally from the assumed long gen tie and require route specific review.
Transportation safety TC.G 1; TC.P 4	Conflict. Heavy haul construction would use narrow rural roads, and Traffic Order No. 438 imposes a 7 ton restriction on Weber Road and Byrnes Road unless lawful access is demonstrated.	Consistent with qualification. Staff finds transportation impacts less than significant with conditions, and the present record identifies no comparable weight restriction affecting access to the Lambie BESS site.
Overall comparative result	Conflicts are concentrated at the BESS site itself across agriculture, land use, water, public health, noise, visual character, and transportation.	Most site level policies are consistent or comparatively favorable. The principal adverse findings depend on Staff's disputed 14 mile gen tie assumption rather than the industrial BESS location itself.

The table is comparative, not a numerical CEQA significance test. It shows that Corby's principal conflicts arise from the agricultural BESS site itself, while several claimed disadvantages for Lambie depend on Staff's disputed 14 mile gen tie assumption rather than the industrial site.

Taken together, the policy comparison reinforces that the proposed Corby location concentrates avoidable conflicts with Solano County's environmental protection framework, including permanent agricultural conversion, water resource concerns, exposure of nearby residences, rural noise and visual impacts, and transportation constraints. By contrast, Lambie is generally compatible with industrial land use and avoids several of these site level conflicts; its principal asserted disadvantages depend on Staff's disputed long gen tie assumption. The Commission should therefore correct the alternatives analysis, evaluate a direct Lambie interconnection and optimize site configuration using site specific evidence, and determine whether Lambie is the environmentally superior alternative before approving the Project at Corby.

VIII. CONTAMINATED FIREWATER AND RUNOFF CANNOT BE DEFERRED

A major thermal runaway event could require large quantities of firefighting water over an extended period, and that water could become contaminated with lithium, aluminum, heavy metals, fluoridated compounds, and other combustion products. Containment of that contaminated firewater is a site-specific environmental impact that must be evaluated under CEQA before approval, including drainage, retention, runoff capture, overflow protection, erosion control, soil protection, and groundwater/surface-water pathways.

The containment plan, including its capacity, design, discharge controls, overflow protections, and groundwater/surface-water safeguards, cannot be deferred to later Conditions of Certification; those details must be determined now as part of the CEQA analysis of this proposed location. The Commission also cannot size or evaluate contaminated-firewater containment until the required firewater volume, flow rate, duration, and replenishment method are established.

1. Inadequate Pre-Incident Requirements

Post-fire incident sampling alone is not adequate mitigation. Before operation, the Commission should require baseline soil and water testing and enforceable cleanup standards because the Project is located near agricultural soils, waterways, SID canals, and shallow groundwater.

IX. FIREFIGHTING WATER SOURCES MUST BE IDENTIFIED BEFORE APPROVAL

The Staff Assessment must identify the water sources that would be available to emergency responders during a major BESS fire.

It is not sufficient to approve the Project first and determine the necessary water supply through consultation with the Dixon Fire Department or other responding agencies afterward.

The Commission must determine before approval:

- where the firefighting water will come from;
- whether sufficient water is available;
- how much water would be required;
- how long the supply would need to be maintained;
- how the water would reach the site; and
- what environmental consequences would result from its use.

Firefighting water requirements are a foreseeable component of the Project and must be evaluated as part of the environmental review.

1. Seasonal Firewater Availability

The analysis must also address seasonal availability of water. The Project relies on a 24,000 gallon onsite water tank, but prolonged thermal runaway events may require continuous cooling and replenishment. Reliance on adjacent SID surface canals is not adequate without demonstrating that water would be available during winter and other non-irrigation periods, when SID gravity irrigation systems may be dry. If an onsite groundwater well is needed for emergency fire water, it must be permitted, tested, and fully integrated into the emergency response plan before operation.

X. PUBLIC HEALTH AND EMERGENCY RESPONSE MUST BE REEVALUATED

The corrected fire frequency analysis and heavy metal deposition soil calculations require the Commission to reevaluate the public health consequences of a thermal event.

The analysis should not assume that a major fire is so unlikely that its consequences can effectively be discounted.

The Commission should evaluate potential exposure of:

- nearby residents;
- agricultural workers;
- emergency responders;
- sensitive receptors; and

- surrounding property owners.

The analysis should also determine whether repeated thermal events during the Project's operating life could result in cumulative or repeated exposure concerns.

The Staff Assessment's public health summary should also accurately disclose the modeled non fire toxic gas scenario. In that scenario, the model reportedly predicts nitrogen dioxide above AEGL1 at multiple nearby residences and a combined Hazard Index above 1.0 at additional residences, including homes on Kilkenny Road. AEGL1 is not the threshold for serious or irreversible health effects, but it is still the level above which people may experience notable discomfort or irritation. Because the Commission uses these thresholds to guide emergency response review, the analysis should map the full modeled exceedance footprint and explain any discrepancy between the summary's stated affected distance and the model output showing an exceedance farther away.

Emergency response capabilities must likewise be evaluated against a realistic scenario in which responders may have to manage a major thermal event or multiday burn during the Project's operating life.

That analysis must include whether local responders in Dixon as well as surrounding jurisdictions have the specialized hazardous material training, lithium ion battery fire experience, respiratory protection, monitoring equipment, containment equipment, staffing, access, firefighting water, and mutual aid resources needed to manage a largescale or prolonged thermal runaway event while protecting surrounding agricultural and residential areas.

1. Health-Based Emergency Action Thresholds

Emergency response planning also must include binding, health-based concentration thresholds that trigger mandatory public notification, shelter-in-place, evacuation, incident air monitoring, and post-incident clearance. Drone-based or mobile monitoring is not a substitute for defined detection limits, weather limitations, backup protocols, and enforceable response triggers.

2. Rural Access Constraints and Evacuation Bottlenecks

The Staff Assessment should also evaluate emergency ingress, egress, and evacuation under realistic rural-road conditions. Narrow access roads, including Kilkenny Road and Byrnes Road, could create bottlenecks if emergency vehicles are entering the area while residents, agricultural workers, or property owners are evacuating, particularly during temporary road closures, incident command staging, or I-80 traffic diversions. These access constraints further demonstrate why this agricultural location presents site-specific public-health and emergency-response risks.

3. Deferred Compliance Conditions Expose the Fundamental Incompatibility of This Agricultural Site

Deferred compliance conditions should not be used to postpone core safety, water-supply, and emergency-response determinations that are essential to evaluating this Project under CEQA. Deferring minor engineering details may be appropriate in some settings but deferring foundational safety infrastructure for a 300 MW / 1,200 MWh BESS facility in a rural agricultural area with nearby homes, agricultural workers, shallow groundwater, and limited firewater service exposes the fundamental incompatibility of this location.

Because the site lacks municipal firewater service, the water source, delivery capacity, flow rate, duration, seasonal replenishment method, infrastructure, responsible agencies, and environmental consequences must be identified and evaluated before certification. The proposed 24,000 gallon onsite tank would provide only about 20 minutes of firewater at Dixon Fire Protection District's identified 1,200 gpm rate. That is not a complete emergency-water analysis for a prolonged lithium-ion thermal event, particularly if emergency response depends on seasonal SID canals or an unpermitted or untested groundwater well.

The Project also relies on narrow rural roads, including Kilkenny Road and Byrnes Road, for emergency access. The Commission should not defer emergency-response planning when emergency vehicles may need to enter the area while nearby residents, agricultural workers, or property owners need to evacuate during a toxic plume, fire, or road-closure event. Final fire-protection, firewater, and emergency-response plans should require written concurrence from Dixon Fire and Vacaville Fire before construction or operation proceeds.

Because the facility would be unstaffed and remotely operated, first responders must have immediate access to live system data, qualified technical support, and backup procedures during an incident rather than waiting for offsite personnel to arrive.

The Decision should also require upfront financial assurance for decommissioning, equipment removal, damaged or stranded battery units, and soil or groundwater remediation. A final closure plan near end of life is not enough where abandoned or damaged industrial equipment could create long term fire, contamination, farmland, groundwater, and property value risks. Any ownership transfer should require the successor operator to demonstrate technical and financial capacity before approval.

These deferred conditions are not merely administrative details. They demonstrate that the Kilkenny Road site lacks infrastructure, access, water reliability, and emergency response setting needed for a utility scale BESS facility. Those deficits further support evaluation of appropriate industrial alternatives, such as Lambie Industrial Park, where industrial infrastructure and greater separation from sensitive receptors are already present.

XI. THE PROJECT COULD CREATE SIGNIFICANT INDIRECT AGRICULTURAL, ECONOMIC, AND OPERATIONAL IMPACTS

The Staff Assessment improperly focuses on the Project boundary and does not adequately evaluate how the facility in its proposed location, could affect surrounding active agricultural operations. Under CEQA, the Commission must evaluate indirect physical changes caused by Project construction, operation, emergency response, and reasonably foreseeable incidents. Because this facility would be placed within an active agricultural landscape, the Commission should require independent agricultural expert review of how the Project would affect day today farming operations and long-term agricultural viability.

- disruption of aerial spraying, crop-dusting, pesticide application, fertilization, and harvest operations;
- flight hazards or operational buffers created by gen-tie lines, utility structures, smoke, or thermal off gas plumes;
- crop yield impacts from delayed spraying, blocked access, emergency road closures, or interrupted harvest activities;
- potential contamination of crops, soils, irrigation water, shallow groundwater, domestic wells, and nearby residential wells;
- increased insurance costs, reduced insurance availability, property value impacts, and financial risk to neighboring farms;
- emergency response conflicts on narrow rural roads during harvest, including equipment movement, crop transport, road closures, evacuation, and incident command staging; and
- increased agricultural operating costs and potential pressure toward premature farmland abandonment or piecemeal industrial conversion.

These impacts are particularly important because the Project is not proposed in an isolated industrial area. It would be placed directly within a productive agricultural corridor where nearby farms, orchards, water systems, workers, and residents could experience operational and economic effects even if the physical BESS footprint remains inside the Project boundary. The Staff Assessment should not dismiss these impacts without independent agricultural, operational, and local economic analysis.

XII. CULTURAL, TRIBAL CULTURAL, ENVIRONMENTAL JUSTICE, AND PUBLIC

BENEFIT ISSUES REQUIRE FURTHER ANALYSIS

1. Cultural Resource Setting

The Staff Assessment's cultural resources analysis should address the Catherine Kilkenny Residence at 5310 Kilkenny Road, built in 1900, as an eligible historical resource. Staff independently determined that the residence is eligible for the California Register of Historical Resources under Criterion 2 because of its association with Catherine Kilkenny and under Criterion 3 because of its association with master builder George H. Sharpe. That eligibility finding heightens the need to evaluate whether this industrial BESS location would substantially impair the historic resource's setting, feeling, and association.

Staff's eligibility determination is especially important because it disagreed with the applicant's consultant, who had concluded that the Catherine Kilkenny Residence was not eligible for listing. The Staff Assessment should distinguish between reducing visibility and preserving the historical setting, feeling, and association that contribute to the residence's significance.

Staff expressly acknowledges that the Project would be in the direct line of sight of the residence and would further degrade its original setting. The residence historically stood on a 166 acre agricultural property, and that agricultural context has persisted for more than a century. Placing a 300 MW / 1,200 MWh industrial battery facility within that viewshed would not be a minor visual change; it would introduce an incompatible industrial use into the very agricultural setting that helps define the resource's historic significance.

Condition CUL7 is therefore inadequate if it relies on a future, unformulated landscape screening plan to reduce impacts to less than significant levels. Concealing an industrial BESS behind tree screens does not restore or preserve the underlying agricultural setting, particularly where screening may be seasonal, incomplete, or deciduous. The mitigation does not change the Project's fundamental incompatibility with the historic agricultural context.

CUL7 also lacks a clear schedule and remedy tied to the sightline standard. Although the condition calls for screening to block views from the Catherine Kilkenny Residence, it does not clearly state when that screening must achieve the required effect or what happens if the vegetation fails to grow in, dies, remains seasonal, or does not block the Project. A performance standard without an enforceable deadline and remedy is not adequate mitigation for an acknowledged impact to the setting of an eligible historical resource.

These cultural resource impacts further demonstrate that the Kilkenny Road site is the wrong location for this Project: an industrial BESS facility should not be placed in the viewshed and historic agricultural setting of a residence Staff has determined is eligible for the California Register.

2. Survey Gaps and Tribal Consultation

The record should also resolve gaps in archaeological survey coverage and tribal consultation. Approximately 16.5 acres of the archaeological study area were not pedestrian surveyed because access was unavailable, leaving a material gap in the identification of archaeological resources before approval. The Staff Assessment should not treat the absence of survey data as evidence that impacts are less than significant.

The record also should reconcile how the Yocha Dehe Wintun Nation formally requested consultation in 2024 with the CEC's subsequent statement that no responses were received. That inconsistency is important because tribal consultation is not a procedural formality; it is part of the environmental review needed to identify and avoid significant impacts to tribal cultural resources. These unresolved gaps reinforce why the Project should not be approved at this location without further analysis.

3. Fully Protected Species Protections Must Be Non-Reducible

The Staff Assessment should also address whether BIO16 provides adequate avoidance for white-tailed kite, a fully protected species under Fish and Game Code section 3511. The concern is not that the Staff Assessment ignored the species, but that the condition appears to require only a 0.25-mile survey or buffer while the narrative describes avoidance up to 0.5 mile, and the buffer may be reduced with CPM approval. For a fully protected species, a reducible buffer is not equivalent to enforceable avoidance. The Commission should require nonreducible buffers sufficient to avoid take, apply those protections to all Project components including PG&E built facilities, and ensure survey coverage includes suitable nesting habitat identified within approximately 0.5 mile of the Project.

4. Environmental Justice Analysis

The environmental justice analysis should not end simply because individual technical sections label impacts as less than significant. Staff identified 34 environmental justice block groups within the six-mile study area, so the question is not whether EJ populations exist, but whether residual site-specific burdens are disproportionately distributed. The Commission should map modeled toxic gas plume areas, BESS fire scenarios, evacuation routes, road closures, traffic routes, shallow groundwater pathways, and contaminated runoff pathways against those identified EJ block groups before concluding that impacts are not disproportionate.

Claimed regional air quality or greenhouse gas benefits, community benefit commitments, or general benefits of battery storage do not substitute for analyzing whether this agricultural location imposes disproportionate health, noise, visual, construction, fire, evacuation, water quality, or emergency response burdens on nearby EJ populations.

5. Site-Specific Public Benefits

Public benefit findings should distinguish between general benefits of battery storage technology and sitespecific benefits of this agricultural parcel. Gross tax revenue estimates, including claimed property tax and sales tax revenue, should not be treated as net public benefits unless the analysis accounts for project created public service costs, including fire protection, emergency response, road impacts, and other local burdens.

Keep Vacaville Safe formally challenges and rebuts the claim that the Project provides a net positive economic benefit to Solano County without a complete accounting of offsetting local costs. A rebuttable presumption of net positive economic benefit is not the same as a complete net fiscal analysis. If the Staff Assessment recognizes that a BESS fire could significantly burden Dixon Fire Department resources and personnel for an extended period, those fire service costs, along with potential lost farm output and property value impacts, should be considered before treating tax revenue or job estimates as a net local benefit.

The Commission should also reconcile the claimed six full-time operational jobs with the Project description stating that the facility would be unstaffed and SCADA controlled.

Claimed reliability and renewable integration benefits should be supported by enforceable operating conditions, not assumed from the general value of battery storage. The Staff Assessment should evaluate whether outdated curtailment data, CAISO transmission constraints, extreme heat, auxiliary cooling demand, declining usable state of charge, battery degradation, or deliverability limits could reduce the Project's ability to provide four-hour storage and grid support when those benefits are most needed.

Opt-in eligibility does not make this the right site. A community benefit agreement, economic benefit presumption, or finding that the parcel is not legally prohibited does not resolve the Project's sitespecific fire, water, farmland, emergency response, public health, or land use impacts. Those impacts still must be analyzed and mitigated under CEQA.

XIII. THE OVERRIDING CONSIDERATION ANALYSIS DOES NOT ELIMINATE SIGNIFICANT IMPACTS

The Project's claimed benefits do not eliminate the need to accurately identify its environmental impacts.

1. Claimed GHG Benefits Are Not Enforceable Net Benefits

The claimed GHG benefits should be based on enforceable operational requirements rather than best case assumptions concerning how the facility will charge and discharge.

Staff's claimed displaced emissions benefit is not an enforceable project benefit. The analysis assumes the BESS will charge during surplus or renewable generation and discharge when displacing natural gas, but no Condition of Certification requires that operating pattern. Without enforceable dispatch limits, the claimed annual GHG *benefit* of 159,717 to 220,599 MTCO_{2e} remains speculative.

The benefit calculation also fails to account for declining roundtrip efficiency, increasing auxiliary loads, battery augmentation and replacement, construction emissions, decommissioning, and additional earthwork that may result from groundwater, dewatering, expansive soils, or fill import. These omissions undermine any conclusion that the Project provides a reliable net climate or economic benefit sufficient to outweigh the serious site specific impacts of locating the facility on agricultural land.

1.a. Round Trip Efficiency, Auxiliary Loads, and Lifecycle Emissions

The Commission should also evaluate whether claimed GHG benefits change over time as roundtrip efficiency declines, auxiliary loads increase, batteries are augmented or replaced, and grid charging assumptions vary. Construction emissions should include foreseeable lifecycle emissions from battery augmentation, manufacturing, hauling, decommissioning, dewatering, expansive soil remediation, and imported fill.

1.b. Project-Specific Efficiency and Energy-Loss Data Must Be Evaluated

Staff's efficiency analysis relies on a generic 85 percent roundtrip efficiency benchmark instead of the applicant's project specific data. Those data show substantial losses: approximately 75,600 MWh in Year 1, including about 52,000 MWh from charging and cycling losses and 23,600 MWh from auxiliary loads. By Year 15, annual losses exceed 100,000 MWh, including about 74,400 MWh in charging losses and 26,000 MWh in auxiliary load. Staff's description of operational energy consumption as "minimal" is therefore not supported by the applicant's own figures.

Auxiliary loads are also site-specific. Cooling requirements of approximately 20 kW per enclosure would increase auxiliary demand from about 7.68 MW in Year 1 to 8.46 MW in Year 15 during Solano County summer heat conditions, further reducing the claimed net benefits of placing this industrial BESS facility on protected agricultural land near homes, water resources, and active farming operations.

The Staff Assessment proposes no Conditions of Certification or monitoring requirements to track charging energy, discharged energy, roundtrip efficiency, auxiliary consumption, or degradation over the Project lifecycle. Without enforceable metering, the Commission cannot verify whether the Project delivers the asserted benefits or whether energy losses further undermine approval of this wrong location.

The Staff Assessment should also evaluate whether CAISO transmission constraints or curtailment instructions could limit the Project's charging, discharge availability, four-hour storage capability, and claimed GHG benefits. If the Project's operation is constrained by transmission conditions, those limits must be considered before relying on generalized grid benefit claims to justify this agricultural location.

The Commission should establish whether the claimed emissions benefits depend upon assumptions that will be required by the Project approval.

At the same time, the Commission must account for localized environmental costs, including:

- permanent agricultural land loss;
- potential crop, soil, and orchard impacts;
- agricultural water, domestic well, and groundwater risks;
- contaminated firewater runoff, drainage, and containment risks;
- construction dust and PM₁₀ impacts;
- fire related and toxic plume impacts;
- public health risks
- emergency response, firefighting water, and public service costs;
- disruption of agricultural operations;
- road damage, heavy haul traffic, and rural access impacts;
- cultural resource impacts to the Catherine Kilkenny Residence;
- cumulative impacts from clustered energy infrastructure;
- property value impacts;
- potential insurance consequences; and
- decommissioning, remediation, and stranded equipment risks.

Statewide or regional benefits do not eliminate localized environmental impacts.

XIV. CUMULATIVE IMPACTS WERE NOT ADEQUATELY EVALUATED

The Staff Assessment should not evaluate Corby in isolation if other nearby energy storage or energy infrastructure projects are reasonably foreseeable. The cumulative analysis should identify and evaluate nearby projects such as Corby Phase 2, the Vaca Dixon Power Center, Nut Tree, nearby PG&E BESS projects, and other development influenced by the Vaca Dixon PG&E Substation. Without a complete and current cumulative project list, the Commission cannot determine whether this area is being converted into a clustered energy storage corridor within protected agricultural land.

The cumulative analysis should also evaluate combined effects on farmland conversion, rural visual character, emergency response, firewater supply, contaminated runoff, groundwater, construction traffic, public services, environmental justice populations, and nearby residences. These are location specific cumulative impacts. They further support evaluating industrial alternatives such as Lambie before approving another utility scale energy facility in an agricultural area.

XV. CONCLUSION AND REQUEST FOR COMMISSION ACTION: THE KILKENNY ROAD SITE IS FUNDAMENTALLY UNSUITABLE FOR INDUSTRIAL BATTERY STORAGE

The record points to one unavoidable conclusion: the proposed Kilkenny Road site is the wrong location for a utility scale **300 MW / 1,200 MWh** battery energy storage facility.

Approval of this location rests on an environmental review that masks the site's incompatibility through material technical errors, incomplete analysis, and deferred safety planning. The proposed location is environmentally and operationally unsuitable for the following core reasons:

- **Irreversible loss of protected farmland.** The Project would convert approximately **40.8 acres of Important Farmland** to industrial use in conflict with Measure T, Solano County agricultural zoning, and local agricultural protection policies. Treating this conversion as temporary while requiring permanent offsite agricultural conservation mitigation creates an internal contradiction.
- **Unstudied toxic fallout hazards.** Correcting the Appendix LU deposition error changes the lithium value from approximately **0.182 mg/kg to 182.2 mg/kg**, about **6 to 12 times higher than local background levels**. That corrected value must be evaluated for effects on agricultural soils, crops, orchards, nearby wells, irrigation water, groundwater, waterways, and public health.
- **Severe water supply and hydrologic vulnerabilities.** The site has shallow groundwater, nearby SID canals, and nearby surface water pathways, yet the firewater source, fire flow duration, replenishment method, and contaminated firewater containment plan remain unresolved. At **1,200 gallons per minute**, the proposed **24,000gallon** tank would provide only about **20 minutes** of firewater.
- **Additional technical and procedural defects.** Additional independent grounds require correction before certification: inconsistent Project Description assumptions; fire testing based on materially different indoor equipment; the absence of installation level testing for the as built outdoor configuration; unresolved test report references and documentation; an incorrect

groundwater basin classification; deferred geotechnical analysis; incomplete cultural, tribal, biological, environmental justice, and cumulative impact review; and claimed climate, economic, and reliability benefits that are not supported by enforceable operating requirements.

- **Operational fire and emergency response risk near sensitive receptors.** Corrected fire frequency data and 95percent confidence analysis show that thermal runaway, off gassing, or fire must be treated as reasonably foreseeable over the Project's operating life. Locating that risk next to rural residences, agricultural workers, farms, and narrow rural roads creates sitespecific evacuation, response, and public health concerns.
- **Indirect agricultural and economic harms.** The Staff Assessment does not adequately evaluate how the Project could affect surrounding agricultural operations, including aerial spraying, crop-dusting, irrigation practices, harvest access, crop yields, insurance, property values, and long term agricultural viability.
- **Visual and cultural resource impacts to the Catherine Kilkenny Residence.** Staff has determined that the Catherine Kilkenny Residence is eligible for the California Register and has acknowledged that the Project would further degrade its original agricultural setting. Landscape screening cannot fully remedy the introduction of an industrial BESS facility into the viewshed and historic context of that residence.
- **Availability of a superior industrial alternative.** These sitespecific risks support a serious reassessment of industrial alternatives, including Lambie Industrial Park, which offers industrial land use, existing infrastructure, local LORS consistency, and greater separation from agricultural and residential receptors.

The Commission should not rely on post certification submittals or Conditions of Certification to resolve the basic defects of an unsuitable location. Keep Vacaville Safe respectfully requests that the Commission decline to certify the Corby BESS Project at the proposed agricultural site on the current record; correct the Project Description, Appendix LU deposition calculations, hydrogeologic classification, fire frequency analysis, equipment testing record, and Appendix D references; require installation level testing of the as built outdoor configuration; identify enforceable firewater, containment, emergency response, access, baseline monitoring, and financial assurance measures before approval; complete the outstanding cultural, tribal, biological, environmental justice, cumulative, and agricultural analyses; independently evaluate a direct Lambie 230 kV interconnection and optimized Lambie site configuration; revise the significance determinations and overriding considerations analysis; and recirculate the environmental document if those corrections constitute significant new information or substantial revisions.

Respectfully submitted,

Keep Vacaville Safe