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**COMMENTS ON CORBY BATTERY ENERGY STORAGE SYSTEM
PROJECT STAFF ASSESSMENT DRAFT ENVIRONMENTAL IMPACT
REPORT**

Additional submitted attachment is included below.

September 10, 2026

California Energy Commission
Docket Unit - Docket No. 24-OPT-05
715 P Street
Sacramento, California 95814

COMMENTS ON CORBY BATTERY ENERGY STORAGE SYSTEM PROJECT STAFF ASSESSMENT / DRAFT ENVIRONMENTAL IMPACT REPORT

CEC Docket No. 24-OPT-05

Submitted to: California Energy Commission

Re: Corby Battery Energy Storage System Project, Staff Assessment / Draft EIR (TN 271468, docketed July 15, 2026)

I. Purpose of These Comments and Administrative Record

These comments identify deficiencies in the Staff Assessment/Draft Environmental Impact Report ("Staff Assessment") and preserve the environmental and procedural issues raised below for the administrative record. They address whether the Staff Assessment discloses and analyzes the Project's reasonably foreseeable environmental effects, supports its significance conclusions with substantial evidence, adequately analyzes mitigation and alternatives, and provides sufficient information for informed decisionmaking and meaningful public participation.

The Staff Assessment is the Draft EIR for this opt-in proceeding. An EIR must function as an informational document and disclose sufficient facts and analysis to permit informed decisionmaking and informed public participation; conclusory statements do not substitute for analysis. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392, 404-405; *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 511-516; Pub. Resources Code, §§ 21002.1, 21100.)

These comments do not undertake to design the missing analyses, mitigation, engineering, emergency plans, or alternatives for Staff. They identify the substance of the environmental issues and the portions of the Staff Assessment that do not disclose, reconcile, or substantiate the conclusions reached.

II. Thermal Runaway, Toxic Emissions, and Public-Health Analysis

The Staff Assessment acknowledges that thermal runaway can emit toxic gases including hydrogen chloride, hydrogen fluoride, and benzene, together with flammable gases. (Staff Assessment, p. 4.4-39.) Its Project-specific modeling predicts a one-hour NO₂ AEGL-1 exceedance at nearby receptors within approximately 2,029 feet under worst-case meteorological conditions. At the nearest north receptor, modeled NO₂ is 2,587.5 µg/m³ compared with an AEGL-1 of 941 µg/m³, and the combined toxic-air-contaminant hazard index is 3.44 relative to AEGL-1. (Id., p. 5.10-18; Appendix D, pp. 25-28.)

Staff nevertheless characterizes the impact as less than significant, relying in material part on concentrations remaining below AEGL-2, the frequency of meteorological conditions producing an AEGL-1 exceedance, and an estimated LFP BESS incident frequency of once every 11 to 67 years. Appendix D itself states that the 67-year estimate is based on a single event and that the available data are "not extensive enough to make any definitive conclusions." (Appendix D, pp. 25, 28.)

How does Staff's own Project-specific evidence of an AEGL-1 exceedance and a combined AEGL-1 hazard index of 3.44 support a less-than-significant public-health conclusion, and

what substantial evidence supports relying on an incident-frequency estimate that Staff itself describes as insufficient for definitive conclusions?

Sierra Club v. County of Fresno requires a reasonable effort to connect modeled pollutant effects with likely health consequences or to explain why that analysis is not scientifically feasible. (6 Cal.5th at pp. 518-522.) The Staff Assessment does not adequately explain what the modeled exceedance and combined hazard index mean for exposed receptors; reliance primarily on the absence of AEGL-2 exceedances does not answer that issue.

Where is the analysis connecting the modeled Project-specific exposures with the health consequences necessary to support Staff's significance determination?

III. Agricultural Deposition and Post-Incident Agricultural Effects

Appendix D uses AERMOD dry-particle deposition modeling and reports peak total particulate deposition at the Project boundary as high as 88.3 g/m² for the six-hour fire scenario, including approximately 18.0 g/m² lithium and 3.4 g/m² aluminum. (Appendix D, pp. 26-28.) Section 5.8 and Appendix LU then convert lithium and aluminum deposition into estimated soil concentrations and compare those concentrations with naturally occurring background levels. (Staff Assessment, pp. 5.8-23 to 5.8-24; Appendix LU, LU-1 et seq.)

That soil-background comparison does not disclose or resolve the full range of reasonably foreseeable agricultural consequences of the modeled deposition. Appendix D itself recognizes deposition involving metals, inorganic compounds, semi-volatile compounds, fluorides, and compounds capable of mixing with surface water. (Appendix D, p. 26.) The Staff Assessment does not adequately analyze direct deposition on crops, agricultural use and marketability, irrigation-water pathways, or the practical consequences to agricultural operations following a deposition event.

Why was the agricultural significance analysis narrowed principally to lithium and aluminum concentrations in soil when Staff's own analysis identifies additional constituents and environmental pathways? What substantial evidence supports excluding those effects from the significance determination?

Where does the Staff Assessment analyze the reasonably foreseeable consequences of direct particulate deposition on crops and surrounding agricultural operations, including potential effects on agricultural use, crop disposition, irrigation water, and continued productive use of affected farmland?

If Staff determined that these effects were insignificant, unnecessary to analyze, or not scientifically feasible to evaluate, what substantial evidence in the record supports that determination?

The existence of deposition modeling does not eliminate CEQA's requirement to analyze the reasonably foreseeable environmental consequences of the deposition that the modeling predicts. (Sierra Club v. County of Fresno, supra, 6 Cal.5th at pp. 514-522; CEQA Guidelines, § 15126.2.)

IV. Fire-Suppression Water, Contaminated Runoff, and Post-Incident Containment

The Staff Assessment contemplates a defensive firefighting strategy, including cooling adjacent battery units, and relies upon future emergency-response procedures and Conditions of Certification. (Staff Assessment, pp. 4.4-38 to 4.4-57.) A thermal-runaway response can generate contaminated fire-suppression or cooling water in contact with fire residue, ash, particulates, damaged battery components, and contaminated surfaces. *That is a materially different environmental pathway from ordinary stormwater.*

The Staff Assessment does not adequately quantify or analyze the reasonably foreseeable contaminated-water scenario, the adequacy of containment, potential offsite migration, or resulting effects on adjacent agricultural land, SID facilities, surface water, or groundwater.

Where is the analysis and substantial evidence supporting Staff's significance conclusions for contaminated fire-suppression water, emergency cooling water, runoff, and post-incident cleanup?

If the information necessary to determine those effects will instead be developed through final engineering, the future Emergency Response Plan, or other post-approval planning, how did Staff determine the significance of those impacts in the Staff Assessment?

CEQA permits later implementation details where enforceable performance standards are established; it does not permit the environmental analysis itself or formulation of necessary mitigation to be deferred. (CEQA Guidelines, § 15126.4(a)(1)(B); *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92-95.)

V. Emergency-Response Capacity and the Future Emergency Response Plan

Staff concludes that available Dixon Fire Department resources and equipment would be adequate and proposes Conditions of Certification involving training, gas detection, a toxic-gas monitoring drone, fire-protection design review, and a future Emergency Response Plan. (Staff Assessment, pp. 4.4-46 to 4.4-57; pp. 5.10-18 to 5.10-22.) Those future measures do not themselves establish present emergency-response capacity for the Project-specific BESS emergency analyzed by Staff.

The Staff Assessment does not disclose substantial evidence sufficient to establish the availability and capability of the personnel, apparatus, specialized response resources, mutual aid, incident-command resources, and continuing community emergency-service capacity necessary during a prolonged Corby incident. Material protective-action and response measures also remain for the future Emergency Response Plan required by COC PH-1.

What substantial evidence presently supports Staff's conclusion that adequate emergency-response capability exists for the Project-specific thermal-runaway event analyzed in the Staff Assessment?

If material response measures necessary to support that conclusion will be determined in the future Emergency Response Plan or through later interagency planning, how could Staff determine the significance of the emergency-response impact before those measures existed?

What health and safety expert(s) or information did the Staff rely upon?

The issue is not whether an Emergency Response Plan will eventually be prepared. The issue is whether the Staff Assessment presently contains sufficient analysis and enforceable standards to support its environmental conclusions. (CEQA Guidelines, § 15126.4(a)(1)(B); *Communities for a Better Environment*, supra, 184 Cal.App.4th at pp. 92-95.)

VI. Safety Setbacks and the Project-Specific Plume Results

The Staff Assessment's Project-specific dispersion modeling identifies potential AEGL-1 exceedances at receptors within approximately 2,029 feet under worst-case meteorological conditions. (Staff Assessment, p. 5.10-18.) Fire-code separation distances may address propagation, radiant heat, access, or responder safety. Toxic-air exposure is a separate environmental pathway.

Where does the Staff Assessment reconcile the Project's selected setbacks with its own Project-specific modeling showing potential AEGL-1 exceedances at receptors within approximately 2,029 feet?

If the Project's setbacks were not intended to address toxic-plume exposure, where is the separate analysis demonstrating that the identified offsite toxic exposure is adequately addressed by the Project's siting, mitigation, and emergency-response measures?

What substantial evidence supports Staff's conclusion that no different or additional siting analysis was required despite the Project-specific modeled offsite exposure?

Why did the Staff rely upon one Plume model and did not cross check with another?

An EIR must connect the environmental hazard identified by its analysis with the measures relied upon to address that hazard. (*Sierra Club v. County of Fresno*, supra, 6 Cal.5th at pp. 514-522; *Laurel Heights*, supra, 47 Cal.3d at pp. 392, 404-405.)

VII. Lambie Industrial Park Alternative

Staff selected Lambie Industrial Park for detailed analysis and acknowledges that it is within an industrial area, is not Important Farmland, would not convert farmland at the BESS site, would not conflict with agricultural zoning, and could meet Project objectives related to grid stability and renewable-energy integration. (Staff Assessment, pp. 8-36 to 8-46.)

Staff's principal disadvantage for Lambie rests on an assumed approximately 14-mile gen-tie to Vaca-Dixon Substation, which Staff uses to attribute additional construction, agricultural, residential, and visual effects to the alternative. Staff then selects the proposed Project as the environmentally superior action alternative. (Id., pp. 8-36 to 8-54.) The administrative record, however, identifies potentially different interconnection approaches, including a CAISO material-modification process or another interconnection point.

Why did Staff treat the approximately 14-mile Vaca-Dixon gen-tie as the controlling Lambie configuration, and what substantial evidence supports rejection of the other interconnection approaches identified in the record as infeasible?

CEQA requires a reasonable range of feasible alternatives capable of attaining most basic Project objectives while avoiding or substantially lessening significant effects. Feasibility is not limited to the applicant's preferred configuration. (Pub. Resources Code, §§ 21002, 21002.1, 21061.1; CEQA Guidelines, § 15126.6(a), (f); *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565-575.)

The Staff Assessment also compares the effects of the assumed longer gen-tie with the proposed site's permanent conversion of Important Farmland, rural industrialization, significant and unavoidable visual impacts, and effects on the setting of a CRHR-eligible historical resource.

Where is the substantial evidence supporting Staff's environmentally superior alternative determination when Lambie avoids the BESS site's farmland conversion and industrialization of the proposed rural parcel, and the asserted disadvantages depend materially on the assumed 14-mile interconnection configuration?

VIII. Important Farmland Conversion and Conservation Easement Mitigation

Staff identifies conversion of Important Farmland as significant and proposes COC LAND-1, requiring a 122.4-acre agricultural conservation easement. (Staff Assessment, pp. 5.8-23 to 5.8-36.) The easement

preserves agricultural land elsewhere; it does not physically avoid or reverse conversion of the Project acreage to industrial use.

How does preservation of agricultural land elsewhere avoid or reduce the physical conversion of the Important Farmland occupied by the Project, and how was that distinction accounted for in Staff's significance and alternatives analyses?

Is the agricultural land elsewhere of the same quality?

Has that agricultural land been identified?

The distinction is particularly material because Staff acknowledges that the Lambie BESS site is not Important Farmland and would not itself convert farmland. (Staff Assessment, p. 8-42.) CEQA gives preference to avoiding environmental damage where feasible. (Pub. Resources Code, §§ 21002, 21002.1(b).)

What substantial evidence supports selecting the proposed site as environmentally superior with respect to agricultural resources despite the acknowledged farmland conversion and the availability of an analyzed alternative BESS site that does not convert Important Farmland?

IX. Visual Resources and the Rural Agricultural Setting

Staff expressly finds that the Project would cause significant and unavoidable visual impacts. It concludes that jurisdictional Project components would substantially degrade existing visual character or quality from KOPs 2a, 2b, 3, 5a, 5b, and 5c even with COCs VIS-1 and VIS-2. (Staff Assessment, pp. 5.15-16 to 5.15-17.) Staff further acknowledges that proposed landscaping would not fully screen the sound wall or taller Project components from several viewpoints.

How does Staff reconcile selection of the proposed rural agricultural site as the environmentally superior action alternative with its own finding of significant and unavoidable visual degradation and its acknowledgment that Lambie places the BESS facility in an industrial setting?

Why did the EIR include deciduous trees to screen the 15 foot walls, making the screening ineffective for part of the year to residents and people traveling in the area? What modeling or information did it rely upon?

The viewpoint analysis also does not adequately address the actual views and setting of the historic Catherine Kilkenny Ranch/Residence. Public-road KOPs are not necessarily representative of the setting of the historical resource, and the screening assumptions must be evaluated in light of the actual sound-wall configuration and seasonal deciduous vegetation.

Why was the Catherine Kilkenny Ranch/Residence itself not used as a representative viewpoint for evaluating the Project's effect on the historical resource and its agricultural setting, and what substantial evidence supports relying on the selected KOPs as adequate proxies?

Why didn't the Staff Assessment account for the seasonal loss of screening from deciduous orchard and ranch vegetation when evaluating the magnitude and duration of the Project's visual effects?

X. Cultural Resources: Catherine Kilkenny Residence and Historic Setting

The Staff Assessment concludes that the Catherine Kilkenny Residence is eligible for the California Register under Criterion 2 and acknowledges significant agricultural associations of Catherine Kilkenny

and the Kilkenny family. (Staff Assessment, pp. 5.4-45 to 5.4-50.) CEQA treats a substantial adverse change in the significance of a historical resource as a significant environmental effect. (Pub. Resources Code, § 21084.1; CEQA Guidelines, § 15064.5(b).)

The Staff Assessment acknowledges Project-related degradation of the setting yet does not adequately reconcile that degradation with the characteristics that convey the historical resource's significance, including its surviving agricultural context and relationship to surrounding agricultural lands.

Where does the Staff Assessment analyze whether the Project's physical and visual alteration of the surviving agricultural setting constitutes a substantial adverse change to the significance of the CRHR-eligible Catherine Kilkenny Residence?

If Staff determined that acknowledged further degradation of the setting would not constitute a significant historical-resource impact, what substantial evidence supports that determination?

Where is the analysis of feasible avoidance through alternative siting in light of Staff's recognition of the historical resource and its own significant and unavoidable visual findings?

XI. Traffic, Rural Roads, Emergency Access, and Evacuation

The Staff Assessment does not adequately disclose and analyze the foreseeable effects of Project construction and operation on Kilkenny Road, Byrnes Road, and the surrounding rural road network, including heavy-truck traffic, road constraints and deterioration, emergency access, and potential conflicts between Project traffic and emergency response or evacuation. Reliance on a future Construction Traffic Management Plan does not substitute for the information necessary to determine significance during environmental review.

Where is the quantitative and site-specific analysis supporting Staff's conclusions regarding construction traffic, heavy-truck effects on the rural road network, emergency access, and evacuation?

If material traffic-routing, access, road-protection, or emergency-coordination measures remain for a future Construction Traffic Management Plan or later implementation, what substantial evidence supports Staff's present significance conclusions?

To the extent future measures are relied upon as mitigation, CEQA requires enforceable commitments and performance standards rather than deferral of the environmental analysis or formulation of mitigation. (CEQA Guidelines, § 15126.4(a)(1)(B).)

XII. Cumulative Impacts

The Staff Assessment contains resource-specific cumulative analyses and Appendix A identifies cumulative projects. The relevant CEQA question is whether those analyses evaluate the collective and combined environmental effects of the Project together with past, present, and probable future projects, rather than minimizing Corby's contribution because an individual increment is comparatively small. (CEQA Guidelines, §§ 15130, 15355; Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 720-721.)

The cumulative setting includes other utility-scale energy infrastructure and reasonably foreseeable BESS development identified in the record, including the Vaca Dixon Power Center Project discussed in Staff's cumulative agricultural analysis. (Staff Assessment, pp. 5.8-27 et seq.)

In addition, Corby has purchased additional acreage directly behind the Catherine Kilkenny Residence for the purpose of developing another BESS project. That additional planned BESS development is directly relevant to the reasonably foreseeable cumulative transformation of the surrounding agricultural area and to cumulative effects experienced at the Catherine Kilkenny Residence and surrounding properties.

Where is this additional Corby BESS development addressed in the Staff Assessment's cumulative-impact analysis? If Staff excluded it, what factual and legal basis supports its exclusion from the probable future projects considered in the cumulative analysis?

This issue is material because the Staff Assessment already identifies environmental effects from the presently proposed Project involving conversion of Important Farmland, significant and unavoidable degradation of existing visual character, specialized emergency-response requirements, and Project-specific toxic-plume and deposition consequences. Additional BESS development immediately behind the Catherine Kilkenny Residence raises the potential for related effects to combine in the same agricultural, residential, and historical-resource setting.

Where does the Staff Assessment evaluate the cumulative conversion and industrialization of agricultural land resulting from the presently proposed Project together with additional reasonably foreseeable BESS development in its immediate vicinity?

Where does Staff evaluate the combined visual effect of multiple BESS developments on the rural agricultural landscape and, specifically, on the setting and views of the CRHR-eligible Catherine Kilkenny Residence?

Where does Staff evaluate the cumulative demand that multiple BESS facilities could place on the same local fire, emergency-response, HAZMAT, evacuation, and public-notification resources?

Where does Staff evaluate the combined potential for BESS fire, toxic-plume, particulate-deposition, contaminated-runoff, and agricultural effects from multiple BESS facilities located within the same agricultural area?

Where does Staff evaluate the cumulative effects of additional BESS development on Kilkenny Road, Byrnes Road, and the surrounding rural road network, including construction traffic, emergency access, and evacuation?

These are distinct cumulative environmental issues. Separate project-specific Conditions of Certification do not, without analysis, establish that the collective physical transformation and combined environmental effects of multiple projects would be insignificant.

CEQA requires consideration of the cumulative impact created by the Project together with other projects causing related impacts, including probable future projects. (CEQA Guidelines, §§ 15130, 15355.) Kings County Farm Bureau rejected an approach that minimizes an individual project's contribution by comparing it only with the magnitude of the larger cumulative problem; the relevant inquiry concerns the combined environmental effect. (Kings County Farm Bureau, *supra*, 221 Cal.App.3d at pp. 720-721.)

What substantial evidence supports Staff's cumulative significance conclusions if reasonably foreseeable additional BESS development immediately adjacent to the Project area and Catherine Kilkenny Residence was not included in those analyses?

XIII. Decommissioning and Restoration

The Staff Assessment states that the Project is anticipated to operate for approximately 30 years and that, following cessation of operations, the Project would be removed and the site "restored" pursuant to a future approved decommissioning plan. A separate SWPPP would also be required for decommissioning. (Staff Assessment, Facility Closure, pp. 3-52 to 3-53.)

What does "restored" mean?

The Staff Assessment does not establish the condition the property must attain after approximately 30 years of industrial BESS use or identify substantial evidence demonstrating that the Important Farmland converted by the Project can actually be returned to comparable agricultural use and productivity. The substantive restoration requirements are left largely to a future decommissioning plan.

On what evidence did Staff conclude that the Project site can be restored after approximately 30 years of BESS operation, and where is that evidence in the Staff Assessment?

If Staff relied upon future restoration in evaluating the duration, reversibility, mitigation, or significance of the Project's conversion of Important Farmland, what substantial evidence in the present record supports that reliance?

The Staff Assessment also does not identify sufficient present assurance that decommissioning and agricultural restoration will be accomplished decades from now.

What substantial evidence supports Staff's conclusions regarding decommissioning and restoration when the substantive restoration requirements and future decommissioning plan upon which those conclusions depend have not yet been developed and disclosed?

XIV. Responses to Comments, Informational Adequacy, and Preservation of Issues

These comments raise environmental and procedural issues concerning the adequacy of the Draft EIR. Public Resources Code section 21091(d) and CEQA Guidelines section 15088 require the lead agency to evaluate and respond to significant environmental comments with a reasoned, good-faith analysis. These comments expressly preserve the issues identified above, including the adequacy of the Project description and environmental baseline where implicated; public-health and toxic-plume analysis; agricultural deposition and contamination pathways; contaminated firewater and runoff; emergency-response capacity and deferred emergency planning; setbacks and siting; alternatives and Lambie feasibility; Important Farmland conversion and mitigation; visual impacts; historical-resource impacts; traffic, access and evacuation; cumulative impacts; decommissioning and restoration; deferred mitigation; substantial-evidence support; and the informational adequacy of the Staff Assessment.

The record contains Project-specific evidence that must be reconciled with Staff's conclusions: modeled AEGL-1 exceedances at nearby receptors; a combined AEGL-1 hazard index of 3.44; acknowledged uncertainty in the incident-frequency database; measurable Project-specific particulate deposition; conversion of Important Farmland; eligibility of the Catherine Kilkenny Residence for the California Register; and significant and unavoidable visual degradation from multiple viewpoints.

Where Staff's significance conclusions depend on assumptions, future plans, or information not disclosed in the Staff Assessment, what substantial evidence presently supports those conclusions?

XV. Fundamental Public-Disclosure and Recirculation Issues

A recurring issue throughout these comments is not whether Staff can develop additional information later. It is whether the Staff Assessment circulated for public review contained the information

necessary to support and meaningfully evaluate its environmental conclusions when those conclusions were made. An EIR must provide decisionmakers and the public with sufficient information to understand and meaningfully evaluate a project's environmental consequences before approval. (Laurel Heights, supra, 47 Cal.3d at pp. 392, 404-405; Sierra Club v. County of Fresno, supra, 6 Cal.5th at pp. 511-516; Pub. Resources Code, §§ 21002.1, 21091; CEQA Guidelines, §§ 15003, 15151.)

How can the public meaningfully evaluate and comment upon environmental conclusions when material engineering, emergency-response measures, performance standards, analyses, or other information necessary to test those conclusions is absent from the Staff Assessment and will be developed only through future plans, final engineering, consultation, or post-certification decisionmaking?

If that information is necessary to substantiate Staff's conclusions, why was it not disclosed during Draft EIR review? If Staff contends that it is not necessary, what substantial evidence supports reaching the conclusions without it?

To the extent CEC subsequently supplies analyses, engineering information, emergency-response criteria, mitigation requirements, alternative configurations, or other material information necessary to substantiate environmental conclusions that could not be meaningfully evaluated from the Staff Assessment as circulated, these comments expressly raise whether the resulting information constitutes significant new information requiring recirculation under CEQA Guidelines section 15088.5.

If material information necessary to support the environmental analysis is supplied only after circulation of the Staff Assessment, when will the public receive a meaningful opportunity equivalent to Draft EIR review to examine and comment on that information before CEC relies upon it?

The public-review deficiency is not necessarily cured by supplying material analysis for the first time in responses to comments or other post-Draft-EIR documents if doing so deprives the public of a meaningful opportunity to review and comment upon a substantial environmental issue. (CEQA Guidelines, § 15088.5.)

XVI. Authorities Cited

Pub. Resources Code, §§ 21000 et seq., 21002, 21002.1, 21005, 21061.1, 21081, 21084.1, 21091, 21100, 21168.5, 25545.1, 25545.7.2.

Cal. Code Regs., tit. 14 (CEQA Guidelines), §§ 15003, 15064.5, 15088, 15088.5, 15091, 15126.2, 15126.4, 15126.6, 15130, 15151, 15132, 15355, 15364.

Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376.

Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553.

Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692.

Communities for a Better Environment v. City of Richmond (2010) 184 Cal.App.4th 70.

Cleveland National Forest Foundation v. San Diego Assn. of Governments (2017) 3 Cal.5th 497.

Sierra Club v. County of Fresno (2018) 6 Cal.5th 502.

Respectfully submitted,