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*Comment Received From: Jill Hendrix
Submitted On: 9/10/2026
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**Formal Opposition to the Corby BESS Project CEQA Deficiencies,
Public Safety Risks, and Inadequate Alternative Siting Analysis**

Additional submitted attachment is included below.

Jill Hendrix

Solano County Resident

Vacaville, CA 95688

September 9, 2026

VIA CEC E-FILING SYSTEM & EMAIL

California Energy Commission

Attn: Renee Longman, Project Manager

715 P Street

Sacramento, CA 95814

E-filing Docket No. 24-OPT-05 (Corby BESS Project)

Email: Renee.Longman@energy.ca.gov

RE: Comments on the Staff Assessment / Draft Environmental Impact Report for the Proposed Corby Battery Energy Storage System Project (Docket No. 24-OPT-05)

Dear Ms. Longman and Members of the California Energy Commission,

Please accept these formal public comments regarding the California Energy Commission's (CEC) Staff Assessment (SA) and Draft Environmental Impact Report (DEIR) for the 300-MW / 1,200-MWh Corby Battery Energy Storage System (BESS) Project proposed by NextEra Energy (Docket No. 24-OPT-05).

As a resident and stakeholder in Solano County, I write to express serious concerns regarding the Staff Assessment's premature conclusions. The DEIR downplays severe physical environmental risks, relies on unsubstantiated assumptions regarding public safety and hydrology, and improperly overrides local land-use protections enacted by Solano County and the City of Vacaville.

The CEC must address the following critical legal, technical, and factual deficiencies before taking any action on this application:

1. Improper Opt-In Siting and Conflict with Local Land-Use Ordinances

By utilizing the AB 205 opt-in certification process, the applicant seeks to bypass local land-use authority, including Measure T agricultural protections, Solano County's BESS zoning restrictions, and City of Vacaville safety ordinances.

Zoning Inconsistency: The project site at Kilkenny and Byrnes Roads is designated for agricultural use, immediately adjacent to long-established rural homes. The DEIR errs in dismissing the physical land-use conflict as "less than significant" simply because the CEC possesses preemption authority.

Physical Community Division: Plunking a heavy 40-acre industrial utility complex with a 1.1-mile 230-kV gen-tie line into an established agricultural area physically disrupts the surrounding rural community and creates severe visual blight. The CEC's proposed "Overriding Considerations" finding for visual impacts does not legally absolve the agency from fully mitigating land-use compatibility failures.

2. Flawed Baseline & Unsupported "Less Than Significant" Safety Determinations

The Staff Assessment erroneously concludes that public health, safety, and hazardous materials impacts are "less than significant". Under CEQA Guidelines § 15384, findings must be backed by substantial evidence, not optimistic developer representations.

Thermal Runaway & Off-Gas Modeling: The DEIR fails to provide transparent, worst-case plume dispersion modeling for toxic chemical off-gassing (including hydrogen fluoride, carbon monoxide, and heavy metal vapor) during a sustained thermal runaway event. Relying on automated internal suppression or chemical-sniffing drones does not constitute substantial evidence that toxic off-gassing will not impact adjacent residences located direct feet from the boundary.

Precedent of Systemic Failure: BESS facilities statewide—including BESS projects in Monterey and San Diego counties—have experienced thermal runaway fires, off-gassing explosions, and multi-day shutdowns. Dismissing these real-world failure rates as "unlikely" ignores the physical baseline risks demonstrated across the utility-scale battery industry.

3. Inadequate Analysis of Water Resources and Contaminated Firewater Runoff

The DEIR's analysis of Hydrology and Water Quality is fundamentally incomplete regarding worst-case emergency response scenarios:

Toxic Runoff & Groundwater Contamination: In the event of a major thermal runaway incident, suppression or cooling efforts require millions of gallons of water applied over extended periods. The DEIR fails to evaluate the adequacy of on-site secondary containment to capture thousands of tons of heavily contaminated firewater, posing an unmitigated threat to local groundwater, irrigation wells, and adjacent agricultural soil.

Local Water Supply Strain: The project proposes an optional groundwater well or local water deliveries to fill storage tanks. The DEIR does not adequately assess the impact of groundwater extraction on neighboring domestic wells during multi-year drought conditions.

4. Wildfire Egress and Emergency Response Capacity

The Staff Assessment fails to demonstrate that rural emergency infrastructure can safely absorb a catastrophic industrial incident:

Emergency Evacuation Routes: The project area relies on narrow rural roadways, such as Kilkenny and Byrnes Roads. The DEIR fails to model a scenario where a toxic BESS plume forces the closure of nearby roadways during an active wildfire, trapping residents or blocking response apparatus from local Fire Protection Districts.

Local Fire District Burden: The DEIR improperly places the primary burden of specialized hazmat and thermal runaway suppression on local rural fire districts without verifying whether these departments possess the specialized training, staffing, and continuous water delivery systems required.

5. Failure to Conduct a Meaningful Alternative Siting Analysis

Under CEQA Guidelines § 15126.6, an EIR must evaluate a reasonable range of feasible alternatives that avoid or substantially lessen significant environmental and safety impacts:

Industrial Siting Alternative: The DEIR fails to analyze alternative sites on land already zoned for industrial or manufacturing use—such as established industrial parks in Solano County—where utility infrastructure exists and homes are not situated directly across the driveway.

Alternative Non-Lithium Technologies: The CEC should evaluate commercial non-flammable battery alternatives, such as flow battery systems or sodium-ion systems, that eliminate the physical risk of thermal runaway fires and toxic off-gassing.

Conclusion

The CEC Staff Assessment and DEIR for the Corby BESS project fall short of CEQA's core mandate: to fully disclose, rigorously analyze, and mandate mitigation for severe physical environmental hazards. Overriding local zoning laws and approving a 300-MW industrial lithium facility directly adjacent to rural residences presents an unmitigated risk to public safety and regional water resources.

I urge the California Energy Commission to reject the current Staff Assessment, require NextEra to evaluate safer industrial alternative sites, and issue a revised, fully vetted DEIR before taking any final action.

Sincerely,

Jill Hendrix

Resident of Solano County