

DOCKETED	
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Project Title:	Corby Battery Energy Storage System Project
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*Comment Received From: Alicia Minyen
Submitted On: 9/14/2026
Docket Number: 24-OPT-05*

Opposition - Corby BESS EIR is Materially Deficient Under CEQA

Please see my attached comments in opposition to the Corby project and its EIR along with supporting documentation, which includes NextEra's proposal for another BESS project near Corby and a spreadsheet obtained from MCE that lists many other BESS projects planned near Corby.

Additional submitted attachment is included below.

Corby Battery Energy Storage System Project (24-OPT-05)

I'm requesting that the CEC not approve the Corby project and instead move the Corby project to the Lambie Industrial site. Additionally, the project should not be approved as the environmental impact report ("EIR") failed to review and assess the cumulative impacts of future planned battery energy storage systems ("BESS") projects in the vicinity of the Corby project.

Through a public records request from Marin Clean Energy ("MCE"), I obtained documentation, which indicates several BESS projects are planned near the Corby site. In fact, the attached NextEra 2023 proposal provided in response to an RFP, states that the Corby project will share the same point of interconnection ("POI") with another large-scale BESS known as "Nut Tree," a 400 MW project. (Notice the term "cluster" in the language description of Corby and Nut Tree in the attached NextEra proposal.)

What is compelling is that MCE also produced a spreadsheet of other available and planned BESS projects statewide, which included BESS projects planned in Solano County and/or Vacaville near the Corby project. None of these other BESS projects were addressed in the EIR. These other stand-alone BESS projects are sponsored by NextEra and/or Menard Energy, which include "*Nut Tree 15*," "*Nut Tree 20*," "*Menard Energy Storage Var A*," "*Menard Energy Storage Var B*," and "*Menard Energy Storage Var C*." (See the attached list of other neighboring BESS projects.)

An EIR that ignores cumulate impacts is inadequate under the California Environmental Quality Act ("CEQA"). Based on a review of applicable court cases, it appears that courts have consistently held that analysis of cumulative impacts is "absolutely critical to meaningful environmental review, because the full environmental impact of a proposed project cannot be gauged in a vacuum." Please see cases, "*Bakersfield Citizens for Loc. Control v. City of Bakersfield*, 124 Cal. App. 4th 1184, 22 Cal. Rptr. 3d 203 (2004)," and "*Fairview Neighbors v. County of Ventura*, 70 Cal. App. 4th 238, 82 Cal. Rptr. 2d 436 (1999),"

Based on the aforementioned, I'm concerned that NextEra had the incentive to piecemeal their future cluster of BESS projects by presenting only the Corby project to the CEC so that once the Corby project is approved – the same deficient EIR would be used to streamline approval of the remaining planned BESS projects.

Consequently, I'm requesting that the CEC deny the Corby project, move the project to the Lambie Industrial site, and ensure that the EIR is performed to thoroughly evaluate the cumulative and incremental impacts of future BESS projects planned near the Corby project site in order to protect the community.

Sincerely,

Alicia Minyen
Resident of Vacaville

Organization Name	Counterparty	Project	Utility	Interconnection Level	County
Menard Energy Storage	AMPYR Energy USA, LLC.	Menard Energy Storage Var A	PGE	Transmission	Solano
Menard Energy Storage	AMPYR Energy USA, LLC.	Menard Energy Storage Var B	PGE	Transmission	Solano
Menard Energy Storage	AMPYR Energy USA, LLC.	Menard Energy Storage Var C	PGE	Transmission	Solano
Renewable Properties	RPCA Storage 2 LLC / Wildcat Renewables LLC Lake Herman Storage A	Menard Energy Storage A	PGE	Distribution	Solano
Renewable Properties	RPCA Storage 2 LLC / Wildcat Renewables LLC Lake Herman Storage B	Menard Energy Storage B	PGE	Distribution	Solano
Renewable Properties	RPCA Storage 2 LLC / Wildcat Renewables LLC Soscol Ferry Storage A	RPCA Storage 2 LLC / Wildcat Renewables LLC Soscol Ferry Storage A	PGE	Distribution	Solano
Renewable Properties	RPCA Storage 2 LLC / Wildcat Renewables LLC Soscol Ferry Storage B	RPCA Storage 2 LLC / Wildcat Renewables LLC Soscol Ferry Storage B	PGE	Distribution	Solano
NextEra Energy Resources Development, LLC	NextEra Energy Resources Development, LLC	Nut Tree 20	PGE	Transmission	Solano
NextEra Energy Resources Development, LLC	NextEra Energy Resources Development, LLC	Nut Tree 15	PGE	Transmission	Solano
NextEra Energy Resources Development, LLC	NextEra Energy Resources Development, LLC	Corby	PGE	Transmission	Solano



2023 Open Season Request for Offers

Response Prepared for
Marin Clean Energy



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EXECUTIVE SUMMARY

April 25, 2023

To Whom It May Concern:

NextEra Energy Resources Development, LLC (“NextEra”), a wholly owned subsidiary of NextEra Energy Resources, LLC, is pleased to submit this proposal to Marin Clean Energy in response to the 2023 Open Season Request for Offers. NextEra has a proven reputation of success and vast experience in developing, constructing, and operating wind, solar, and battery storage projects across North America. NextEra operates 28,000 MW of renewable energy, with 18,000 MW in development, and 4,500 MW of battery storage both operating and under development in the United States and Canada, as of year-end 2022.

Our proposals seeks to support MCE’s objective to procure eligible resources to meet its supplemental Mid-term Reliability requirements. With this objective in mind, we proudly offer Key Energy Center (“Key”), Nut Tree Energy Center (“Nut Tree”), Corby Energy Center (“Corby”), Grace Solar (“Grace”) and Jackalope Wind (“Jackalope”). The following table summarizes our proposals and pricing.

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Offer #	Project Name	PPA Term	Capacity & Technology	Expected Commercial Operation Date	Flat PPA Price (\$/MWh)	Flat Storage PPA Price (\$/kW-mo.)
1	Key	15	35 MW / 8 Hr. Storage	4/1/2027		
		20	35 MW / 8 Hr. Storage	4/1/2027		
2	Nut Tree	15	100 MW / 4 Hr. Storage	6/1/2028		
		20	100 MW / 4 Hr. Storage	6/1/2028		
3	Corby	15	100 MW/ 4 Hr. Storage	6/1/2026		
4	Grace	15	100 MW Solar	12/1/2027		
		20	100 MW Solar	12/1/2027		
5	Jackalope	30	100 MW Wind	6/1/2028		

Notes:

1. All batteries assume lithium-ion technology, 365 annual cycles, and a 40% maximum average annual state of charge (AASOC).
2. NextEra is open to discussing alternative energy availability/duration for all standalone storage offers.
3. Offer for Jackalope is inclusive of wheeling access charges across Idaho Power Company's and NV Energy's transmission systems.
4. NextEra is open to a potential reduction in PPA pricing for Grace if the California Property tax exemption is extended beyond 2027.

If you have any questions or would like to discuss this proposal in greater detail, please contact Will Foster at 949-374-8384 or at William.Foster@nexteraenergy.com. Our team looks forward to the opportunity to continue working with you.

Sincerely,



Jim Shandalov

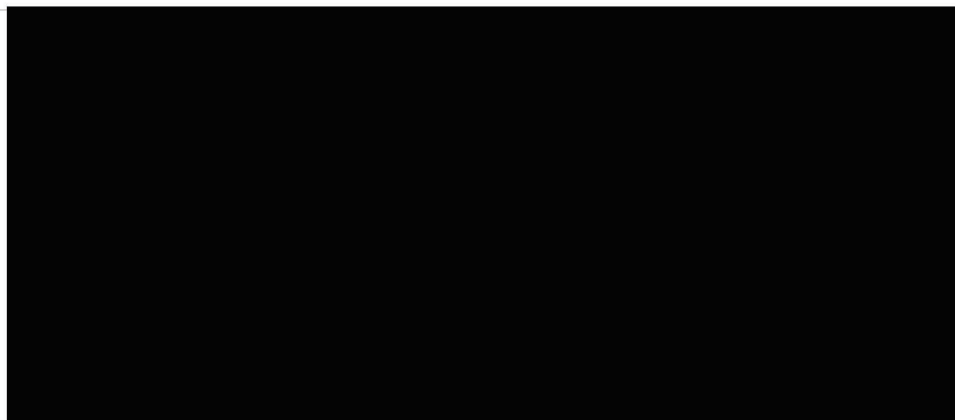
Vice President

KEY PROJECT DETAILS

Location: Coalinga, Fresno County, CA

Capacity and Technology: Offered: 35 MW / 8-hour lithium-ion battery energy storage.
Nameplate: 300 MW

Site Control:



Interconnection:

The proposed site is adjacent to Pacific Gas and Electric Company's (PG&E) Gates 500kV substation, the proposed POI. The project has an executed LGIA [REDACTED]. The project's gen-tie will be approximately 0.26 miles long. Key is Q1479 in Cluster 11.

Environmental and Permitting:

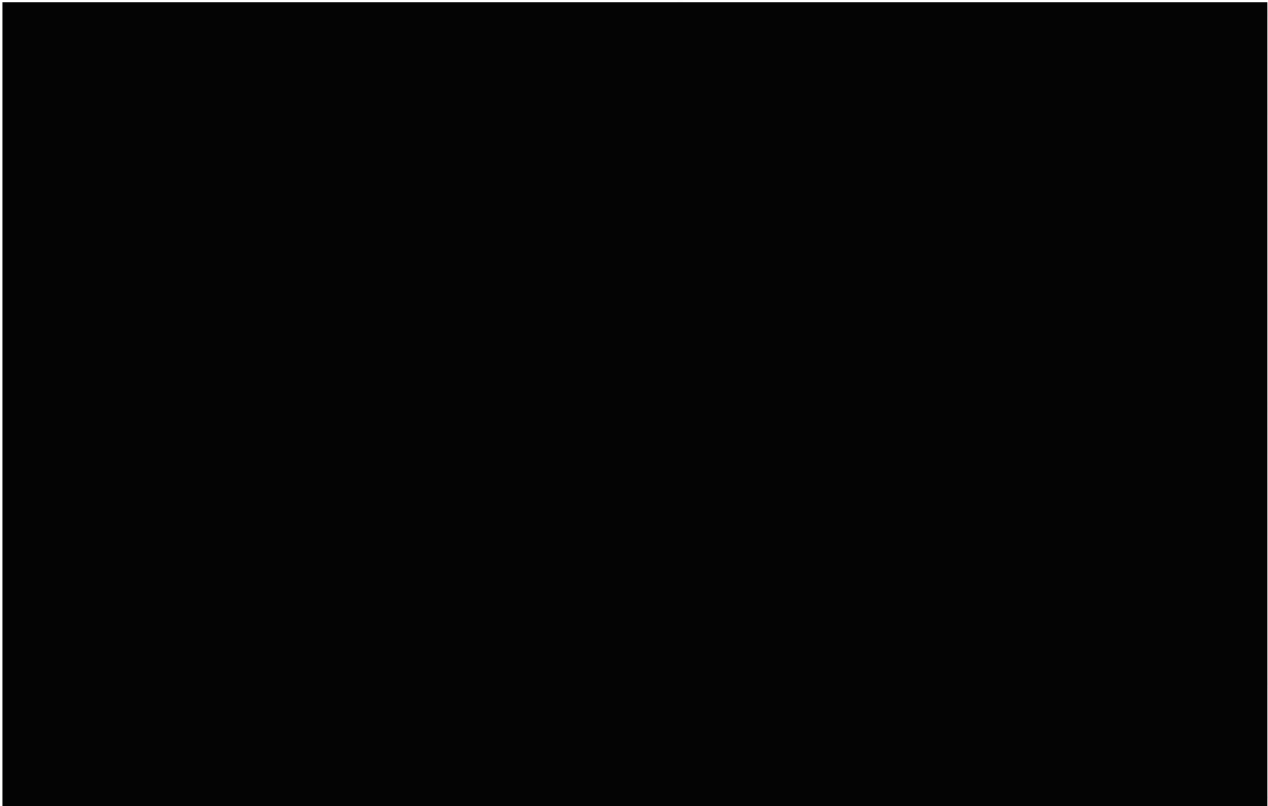
The site is zoned for agriculture. Although it has been used historically for agriculture, water availability is limited. County officials have indicated that the site makes sense from a land use and compatibility perspective, given that the energy storage project would be next to a substation, adjacent to high voltage transmission lines, and close to existing solar facilities. Resource agencies will be consulted through the CEQA process.

The project will require a CUP from Fresno County and a CEQA environmental impact report. The CUP application has been submitted to the County and deemed complete. The technical resources reports have been completed and submitted to the County. The County is now preparing an environmental impact report for the project which should be complete in Q4 2023. Building and grading permits will be obtained prior to construction. A crossing/encroachment permit will be obtained from Fresno County to bring the gen-tie across the existing road. Biological, wetlands/waters, and cultural resources surveys have been completed.

Capable of
Providing Ancillary
Services?

Yes

Site Map:



NUT TREE PROJECT DETAILS

Location: Vacaville, Solano County, CA

Capacity and Technology: Offered: 100 MW / 4-hour lithium-ion battery energy storage
Nameplate: 400 MW

Site Control:

Interconnection:

The project's proposed Point of Interconnection ("POI") and delivery point is Pacific Gas & Electric's (PG&E) Vaca-Dixon 230 kV Substation bus via a roughly 1-mile gen-tie, shared with another interconnection project. This project has a Phase 1 study from Cluster 14 (Q1854), an executed LGIA for 400 MW of battery storage

. This bid is contingent on transmission owner ability to execute system upgrades that will allow mechanical COD by 4/1/2028. Nut Tree shares a POI with the Corby storage project but has a separate interconnection position with the CAISO.

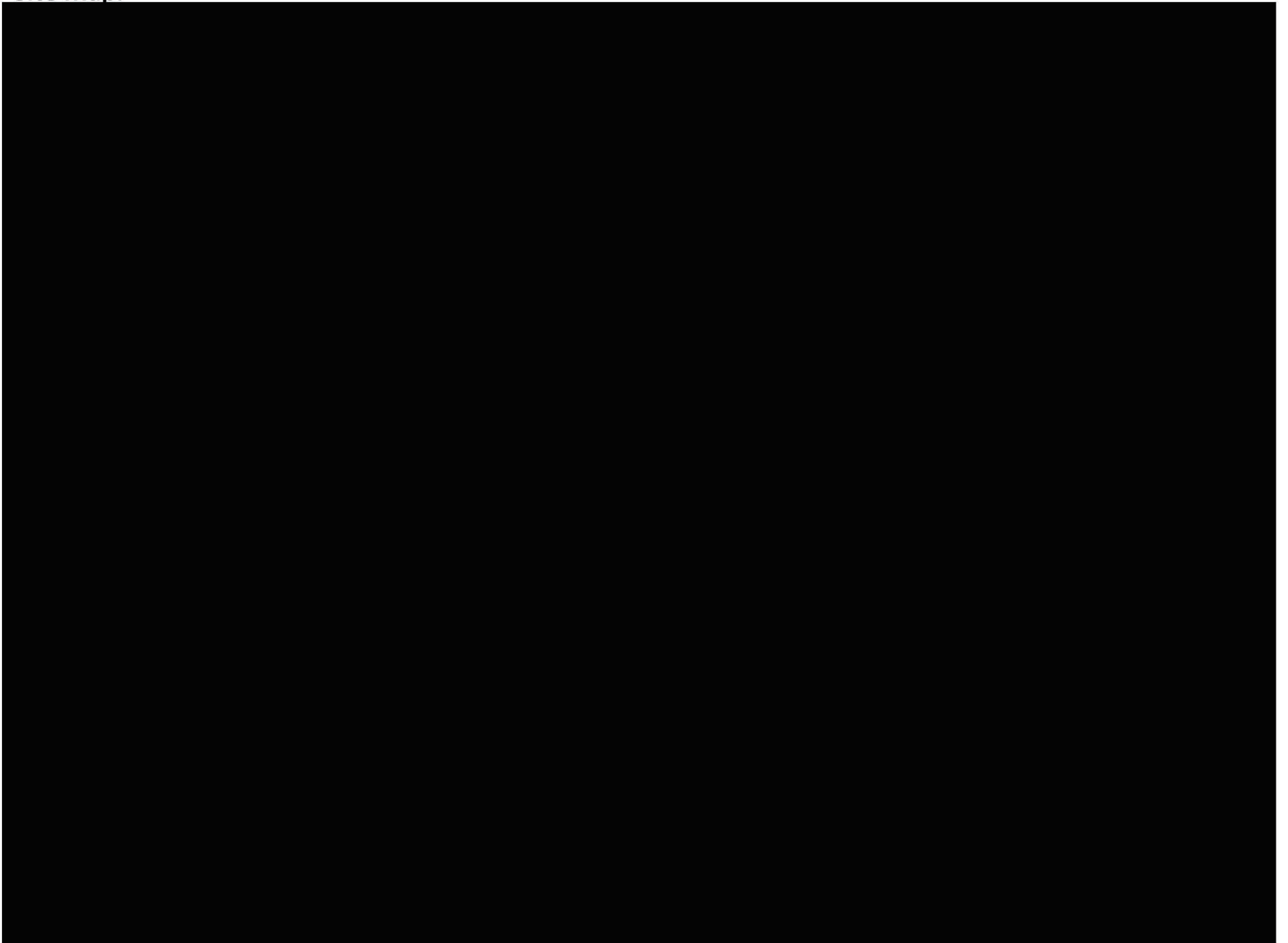
Environmental and Permitting:

The proposed site is currently used for agriculture. Nut Tree will pursue a license to construct and operate a battery storage system through the California Energy Commission (CEC) over the course of the next few years. It is anticipated that the CEC would be the lead agency for CEQA compliance and will conduct the necessary consultation with the wildlife agencies. No federal permits are expected and therefore no NEPA review is required. No significant, unmitigable environmental impacts are anticipated. An Incidental Take Permit through California Department of Fish and Wildlife (CDFW) may be required for impacts to Swainson's hawk. Nut Tree reserves the right to switch to an alternate permitting path through City of Vacaville at its sole discretion.

Capable of Providing Ancillary Services?

Yes

Site Map:

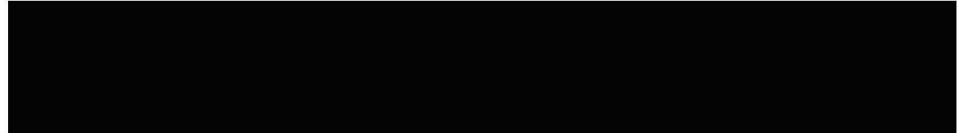


CORBY PROJECT DETAILS

Location: Vacaville, Solano County, CA

Capacity and Technology: Offered: 100 MW / 4-hour lithium-ion battery energy storage
Nameplate: 300 MW

Site Control:



Interconnection:

The project's proposed Point of Interconnection ("POI") and delivery point is Pacific Gas & Electric's (PG&E) Vaca-Dixon 230 kV Substation bus via a roughly 1-mile gen-tie. The project has an executed LGIA for 300 MW of battery storage [REDACTED]. The project is Q1270 in Cluster 9. This project shares a POI with Nut Tree. Nut Tree is an expansion of Corby. Corby has a COD of 6/1/2026 due to it having a separate interconnection position as Nut Tree.

Environmental and Permitting:

The proposed site is currently used for agriculture. Corby is pursuing a Conditional Use Permit with Solano County. County coordination is underway with a preapplication anticipated April 2023. It is anticipated that the County would be the lead agency for CEQA compliance and will conduct the necessary consultation with the wildlife agencies. No federal permits are expected and therefore no NEPA review is required. Full wetlands, biological, and cultural surveys are planned for Q2 2023, but given the current agricultural use, no issues are anticipated.

Capable of Providing Ancillary Services?

Yes