

DOCKETED

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A true assessment of Lambie needed

Additional submitted attachment is included below.

California Energy Commission

Docket No. 24-OPT-05

Corby Battery Energy Storage System Project

Re: Formal Opposition to Approval of the Corby BESS at Kilkenny Road/Byrnes Road and Request for Reconsideration of the Lambie Industrial Park Alternative

Dear California Energy Commission Commissioners and Staff:

I am writing to formally oppose approval of the Corby Battery Energy Storage System Project at the proposed Kilkenny Road/Byrnes Road location unless and until all outstanding environmental, public-safety, fire-protection, emergency-response, land-use, agricultural, water, transportation, easement, utility and permitting issues have been fully resolved.

I also respectfully request that the California Energy Commission **reconsider and substantially strengthen its analysis of the Lambie Industrial Park alternative.**

After reviewing the July 15, 2026 Staff Assessment/Draft Environmental Impact Report and the subsequent documents filed in Docket 24-OPT-05, I believe the comparison between the proposed Kilkenny Road site and Lambie does not give sufficient weight to the fundamental difference between the two locations:

Kilkenny Road places a very large industrial BESS facility in a rural agricultural setting, while Lambie is an industrially designated location.

That distinction should be central to the Commission's decision.

The CEC Should Not Treat Interconnection Convenience as the Deciding Factor

The Corby project is not a small electrical installation. It is proposed as a **300-megawatt / 1,200-megawatt-hour battery energy storage facility**, together with a 230-kV transmission connection to the Vaca-Dixon Substation.

This is industrial-scale infrastructure.

The fact that the Kilkenny Road site provides a shorter or more convenient connection to the Vaca-Dixon Substation should not automatically make it the preferred site.

The Staff Assessment's Lambie discussion repeatedly points to additional grading and the longer interconnection as disadvantages of the alternative. The Staff Assessment states that the Lambie alternative would require a longer interconnection route and additional grading, and that this could increase construction-related greenhouse-gas emissions compared with the proposed site.

But these are primarily **construction and infrastructure considerations.**

They should not automatically outweigh the permanent land-use consequences of putting a major industrial BESS facility onto agricultural land.

The Commission should ask a more fundamental question:

Is a somewhat longer transmission connection a greater public interest concern than permanently converting agricultural land to industrial BESS use when an industrially designated alternative is available?

I do not believe the Staff Assessment adequately answers that question.

The Lambie Alternative Deserves a True Side-by-Side Comparison

The Staff Assessment does consider Lambie, but the analysis should be expanded into a true comparative siting analysis.

The Commission should compare the two sites using the same criteria and give appropriate weight to:

- Existing zoning and land-use designation.
- Agricultural land preservation.
- Distance from residences.
- Distance from schools and other sensitive receptors.
- Emergency access.
- Fire-response capability.
- Fire-water requirements.
- Hazardous-material consequences.
- Evacuation considerations.
- Traffic.
- Noise.
- Visual impacts.
- Water resources.
- Biological resources.
- Transmission infrastructure.
- Construction impacts.
- Long-term land-use compatibility.
- Cumulative impacts from additional BESS development.

The question should not be merely which site is cheapest or easiest for the applicant to interconnect.

The question should be **which site is most appropriate for a 1,200-MWh industrial battery facility when the interests of the applicant, the community, agriculture, emergency responders and the environment are all considered.**

The Staff Assessment Contains Conflicting Descriptions of Lambie

There is an important issue that deserves clarification before the Commission relies upon the Staff Assessment's conclusions regarding Lambie.

The Staff Assessment describes the Lambie site as having "rolling hills" that would require more grading than the proposed project site in its Air Quality and Climate Change discussions.

However, in the Hazards, Hazardous Materials, and Wildfire discussion, the Staff Assessment describes the Lambie site's topography as **"relatively flat"** and states that it

does not contain significant slopes that would expose the site or surrounding property to runoff or post-fire slope instability.

The “rolling hills” characterization is then repeated in the Public Health discussion, while the Visual Resources section describes the alternative site as predominantly grassland

and acknowledges that the number of public viewers would be fewer. **C** California Energy Commission

These descriptions should be reconciled.

If Lambie is sufficiently flat that significant slopes do not create runoff or post-fire instability concerns, the Commission should require Staff to explain precisely why grading is being treated as a major disadvantage.

If grading is genuinely a significant concern, Staff should provide quantitative information comparing:

- acreage requiring grading;
- cubic yards of earth movement;
- slope percentages;
- construction emissions;
- stormwater impacts;
- construction duration; and
- the corresponding impacts at the proposed Kilkenny Road site.

The public should not be asked to accept inconsistent descriptions of an alternative site when those descriptions materially affect the alternative-site analysis.

Fewer Sensitive Receptors Should Matter

The Staff Assessment acknowledges that the visual effects at Lambie could be similar while also recognizing that **the number of public viewers would be fewer at the**

alternative site. **C** California Energy Commission

That distinction is important.

A BESS facility is not simply a visual structure. It presents potential hazards associated with battery thermal events, hazardous emissions, emergency response, fire suppression and transportation.

Therefore, the number and location of people who could potentially be affected should be a major siting consideration.

If an industrial alternative places the same type of facility farther from residences and other sensitive uses, that should be treated as a meaningful benefit rather than simply another environmental impact to be placed in a balancing column.

The CEC Should Apply the Same Standard to Agricultural Land

The proposed Kilkenny Road site would convert approximately 40.3 acres to a large industrial facility.

The Staff Assessment recognizes agricultural impacts associated with the project, including conversion of Important Farmland.

The Commission should therefore explain why the convenience of the existing interconnection arrangement is sufficient to justify placing this industrial facility on agricultural land when an industrial alternative is available.

An industrial BESS facility located in an industrial area is fundamentally more compatible with existing land-use planning than an industrial BESS facility placed in a rural agricultural landscape.

This is particularly important because the project's expected operating life is approximately 30 years.

The Commission should not treat the loss of agricultural land as merely a temporary inconvenience when the facility will occupy the property for decades.

Lambie Should Not Be Rejected Simply Because It Requires Infrastructure

I understand that Lambie may require a longer gen-tie or additional transmission infrastructure.

But that does not establish that Lambie is infeasible.

The applicant should be required to demonstrate the actual technical and economic consequences of developing the Lambie alternative.

The CEC should require a detailed comparison showing:

1. The estimated length and route of the Lambie gen-tie.
2. Required transmission upgrades.
3. Required easements.
4. Interconnection feasibility.
5. Estimated construction cost.
6. Estimated construction emissions.
7. Estimated construction schedule.
8. Required grading.
9. Fire and emergency-response advantages or disadvantages.
10. Environmental impacts avoided by moving the project away from agricultural land and residences.

Only after that comparison should the Commission determine whether the additional infrastructure at Lambie truly outweighs its potential environmental and public-safety advantages.

The Applicant's Existing Interconnection Position Should Not Predetermine the Alternatives Analysis

The fact that the applicant has already pursued an interconnection arrangement for the proposed Kilkenny Road site is understandable from the applicant's perspective.

However, an applicant's previous business and interconnection decisions should not become the determining factor in a state environmental review.

The alternatives analysis should determine which site is environmentally and publicly preferable—not simply which site is most convenient because the applicant began developing that site first.

Otherwise, the alternatives analysis risks becoming a comparison between the applicant's preferred project and sites that the applicant did not pursue with the same level of development effort.

That is not a meaningful test of whether a reasonable alternative exists.

Fire and Emergency Response Make Location Even More Important

The Staff Assessment itself addresses fire protection, hazardous materials, worker safety, public health and potential battery thermal events.

Those risks reinforce the importance of choosing the correct location.

The safest way to mitigate the consequences of a BESS emergency is not merely to develop additional emergency procedures after choosing the site.

Location itself is a mitigation measure.

Placing a large BESS facility farther from residences, agricultural operations and other sensitive receptors can reduce the number of people potentially exposed to an incident.

The Commission should therefore consider whether Lambie provides a better location for managing these risks.

All Fire Department and Emergency-Response Requirements Must Be Resolved

Before approval, I request that the CEC require documentation demonstrating that all necessary fire-protection and emergency-response requirements have been fully addressed.

This should include confirmation of:

- fire-agency review of the final design;
- emergency access;
- fire-water supply;
- hazardous-material response;
- thermal-runaway response;
- firefighter training;
- specialized detection equipment;
- emergency communications;
- evacuation procedures;
- shelter-in-place procedures;
- traffic and road-closure procedures;
- mutual-aid requirements; and
- responsibility for long-duration BESS incidents.

The docket already contains recent filings specifically concerning **fire-water supply and local fire-agency authority** and **Dixon Fire emergency-response capability and BESS-specific preparedness**. These issues should be resolved rather than deferred. **C**

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All Easements, Rights-of-Way and Approvals Must Be Completed

The project also involves utility infrastructure, access routes and a transmission/gen-tie connection.

Before construction is authorized, the CEC should require documented confirmation that all necessary:

- property easements;
- access easements;
- utility easements;
- transmission rights-of-way;
- gen-tie rights-of-way;
- emergency-access rights;
- utility agreements; and
- other legally required property interests

have been secured.

The applicant should provide a clear list of every required easement and identify whether it has been executed.

No construction should be authorized based upon assumptions that these matters will be resolved later.

Cumulative Development Must Be Considered

The Corby project should not be analyzed in isolation.

The CEC docket contains ongoing discussion of additional BESS development in the Vaca-Dixon area. Recent comments have specifically raised concerns that additional projects could transform the surrounding agricultural area and create cumulative impacts involving fire response, evacuation, traffic, visual resources, agricultural

conversion and public health. **C** California Energy Commission

This is particularly important because a site that might appear acceptable when considered alone may become inappropriate when multiple large BESS facilities are concentrated around the same substation and transportation network.

The Commission should therefore evaluate whether approving Corby at Kilkenny Road would contribute to an emerging concentration of industrial battery facilities in an area that was not planned for such development.

Request for a Re-Analysis of Lambie

For all of these reasons, I respectfully request that the Commission direct Staff to conduct a **meaningful supplemental comparison of Lambie Industrial Park and the proposed Kilkenny Road site** before any final decision is made.

That analysis should specifically address:

1. The inconsistent descriptions of Lambie's topography.
2. The actual amount of grading required at both locations.
3. The actual transmission and interconnection requirements.
4. The actual cost and environmental consequences of the longer gen-tie.
5. The relative distance from residences and sensitive receptors.
6. Fire and emergency-response considerations.
7. Agricultural-land impacts.
8. Land-use compatibility.
9. Visual impacts and number of affected viewers.
10. Water and stormwater impacts.
11. Construction impacts.
12. Cumulative BESS development.
13. All required easements and rights-of-way.
14. The feasibility of securing all necessary approvals.
15. Whether Lambie can meet the project's objectives with reasonable additional infrastructure.

Requested Decision

I respectfully request that the California Energy Commission:

1. **Do not approve the Corby BESS Project at Kilkenny Road/Byrnes Road at this time.**
2. Require all outstanding environmental and safety issues to be resolved.
3. Require completion and documentation of all applicable easements, rights-of-way, utility agreements and other property interests.
4. Require completion of all applicable fire-agency and emergency-response reviews.
5. Require demonstration of adequate emergency access and fire-water supply.
6. Require the applicant to identify every outstanding permit, approval, agreement, easement and agency review.
7. Require a supplemental and transparent comparison of Lambie Industrial Park and Kilkenny Road.
8. Require Staff to reconcile the conflicting descriptions of Lambie's topography and grading requirements.
9. Give greater weight to the fact that Lambie is an industrially designated location while Kilkenny Road is an agricultural/rural location.

10. Require the applicant to demonstrate why an industrially designated alternative cannot reasonably satisfy the project's objectives.
11. Fully evaluate cumulative BESS development around Vaca-Dixon.
12. Give meaningful consideration to the preservation of Important Farmland.
13. Defer final approval until these issues have been adequately resolved and supported by substantial evidence.

Conclusion

I want to be clear that my objection is not necessarily to battery energy storage itself.

My objection is to putting this industrial-scale facility in the wrong location.

California needs reliable energy storage. But California also needs to protect agricultural land, communities, emergency responders and responsible land-use planning.

If the state is going to authorize a 300-MW / 1,200-MWh industrial battery facility, it should be located where that industrial use is appropriate.

The CEC should not allow the applicant's existing interconnection arrangement to outweigh the long-term public interest in appropriate land use.

If Lambie Industrial Park can reasonably accommodate the project, the Commission should require the project to be evaluated there on equal or better terms before sacrificing agricultural land at Kilkenny Road.

I respectfully ask the Commission to reject approval at the Kilkenny Road/Byrnes Road site unless and until these issues have been fully resolved and the Lambie alternative has received a complete, consistent and scientifically supported evaluation.

The right project in the wrong location is still the wrong project.

Thank you for your consideration.

Respectfully,