

DOCKETED

Docket Number:	24-OPT-05
Project Title:	Corby Battery Energy Storage System Project
TN #:	272707
Document Title:	Harilaos Bouzos Comments - Letter in opposition to the Bess Corby siting
Description:	N/A
Filer:	System
Organization:	Harilaos Bouzos
Submitter Role:	Public
Submission Date:	9/14/2026 9:46:52 AM
Docketed Date:	9/14/2026

Comment Received From: Harilaos Bouzos
Submitted On: 9/14/2026
Docket Number: 24-OPT-05

Letter in opposition to the Bess Corby siting

Additional submitted attachment is included below.

September 13, 2026
California Energy Commission
Docket Unit
715 P Street
Sacramento, California 95814

**Re: Corby Battery Energy Storage System Project — Docket No. 24-OPT-05
Comments on Staff Assessment/Draft Environmental Impact Report (TN 271468);
Request for Denial of Proposed Location, Supplemental Environmental Review,
and Resolution of Outstanding Project-Feasibility Issues**

Dear Commissioners and CEC Staff:

I submit these comments regarding the proposed Corby Battery Energy Storage System (BESS) Project, Docket No. 24-OPT-05.

I respectfully request that the California Energy Commission (CEC) deny certification of the Corby project at its proposed location or, at minimum, require substantial additional analysis and resolution of the outstanding environmental, water-quality, property-right, feasibility, and economic issues identified below before the Commission makes any certification decision.

The central issue is not whether California needs battery energy storage. The issue is whether this agricultural location is environmentally suitable, legally and physically feasible, and capable of satisfying the statutory requirement for an overall net positive economic benefit to the local government that otherwise would have had permitting authority over the project.

The current record does not adequately establish those things.

These concerns are particularly important because the Staff Assessment/Draft EIR represents CEC staff's independent and objective evaluation of the proposed project. The Staff Assessment was docketed as TN 271468 and contains the Draft EIR.

I. REQUESTED ACTION

I respectfully request that the Commission:

1. **Deny certification of the Corby project at the proposed location;**
2. Alternatively, require a supplemental or revised environmental analysis addressing the issues identified in these comments;
3. Require the applicant to establish that the proposed gen-tie and associated facilities can actually be constructed using property rights and easements that the applicant presently possesses or can legally obtain;

4. Obtain and address the implications of Solano Irrigation District's September 4, 2026 filing (TN 272340), including SID's statements concerning authorization to cross SID property and infrastructure and the status of negotiations;
5. Require a site-specific analysis of the potential pathway from a battery thermal-runaway event to contaminated firewater, stormwater, agricultural drainage, and the SID irrigation conveyance system;
6. Require appropriate review by the State Water Resources Control Board and/or applicable Regional Water Quality Control Board of water-quality issues that are not superseded by the CEC's opt-in certification authority;
7. Recalculate the project's soil, grading, and earthwork analysis to correct any demonstrated calculation errors and disclose every environmental conclusion that depends upon the disputed calculation;
8. Reevaluate the agricultural and economic consequences of permanently converting productive agricultural land to an industrial BESS use;
9. Conduct a complete net, rather than merely gross, economic-benefit analysis under Public Resources Code section 25545.9, including reasonably foreseeable local-government costs and other economic impacts to the extent relevant to that statutory determination;
10. Evaluate the Lambie Industrial Park and other feasible industrial-site alternatives sufficiently to determine whether the environmental and economic impacts associated with the proposed Corby location are avoidable; and
11. Consider the attached video as visual evidence of actual seasonal stormwater and drainage conditions on a nearby agricultural parcel of approximately the same acreage as the proposed project site and along Byrnes Road and require the applicant to provide site-specific hydrologic and hydraulic analysis demonstrating how comparable storm events would be managed at the proposed project site.

II. THE SID EASEMENT ISSUE RAISES A FUNDAMENTAL PROJECT-FEASIBILITY QUESTION

One of the most significant developments in the record is the September 4, 2026 filing submitted on behalf of Solano Irrigation District (SID). See **Comment Letter, TN 272340 (Sept. 4, 2026)**.

SID's filing raises concerns regarding the proposed gen-tie's use of SID property and infrastructure.

This is not simply another neighboring-property objection.

It raises a fundamental question:

Is the project analyzed in the Draft EIR a legally and physically feasible project?

The applicant has previously acknowledged that the gen-tie/interconnection design requires easements, permits, or agreements outside the CEC's direct authority. The record identifies SID property and canal crossings associated with the proposed transmission facilities.

The Commission should therefore require the applicant to identify:

- every parcel required for the gen-tie;
- every easement required;
- every owner of affected property;
- the legal status of each easement;
- whether written rights have been obtained;
- whether any required owner consent has been denied;
- whether any negotiations remain unresolved; and
- whether the project can physically and legally be constructed along the alignment analyzed in the Draft EIR.

An environmental analysis should not depend upon an assumption that a critical property right will eventually be granted when the affected property owner has placed a contrary position directly before the Commission.

If the proposed alignment cannot presently be demonstrated to be legally and physically feasible, the Commission should not simply certify the existing project and assume that an alternative alignment will later be negotiated.

The Commission should instead require the applicant to demonstrate, before certification, that the project can legally and physically be constructed along the alignment analyzed in the Staff Assessment, or revise the project description and environmental analysis to address a genuinely feasible alignment that does not depend upon unavailable property rights.

III. THE SID CANAL AND EXISTING AGRICULTURAL DRAINAGE CREATE A MATERIAL WATER-QUALITY ISSUE THAT REQUIRES SITE-SPECIFIC ANALYSIS

The location of the project creates a particular concern because the project would be constructed in an agricultural area containing existing drainage and irrigation infrastructure.

The issue is not simply whether ordinary stormwater can be contained.

The relevant question is:

What happens if a major battery thermal event produces contaminated firewater or contaminated runoff, and that water escapes the project's containment system or reaches an agricultural conveyance?

A potentially credible pathway should be evaluated and either demonstrated to exist or affirmatively ruled out through site-specific engineering:

battery thermal runaway/fire → firefighting water and battery combustion residues → stormwater/drainage system → agricultural conveyance → SID canal → agricultural water users.

The Commission should not dismiss this potential pathway as speculative without performing the physical analysis necessary to determine whether it exists.

At minimum, the environmental analysis should disclose:

- site elevations;
- drainage directions;
- hydraulic connections;
- canal locations;
- stormwater conveyance routes;
- emergency overflow routes;
- retention capacity;
- firewater containment capacity;
- containment capacity during simultaneous storm conditions;
- the consequences of berm or containment failure;
- the consequences of power failure;
- the consequences of pump failure;
- the location of emergency discharge points; and
- the physical means by which contaminated water would be prevented from entering SID infrastructure.

The analysis should also distinguish between ordinary stormwater containment and contaminated firefighting-water containment.

These are not necessarily the same problem.

The proposed project is approximately 40.3 acres. The CEC's project description identifies retention basins and other drainage infrastructure as part of the proposed facility.

The attached video provides additional real-world context concerning seasonal drainage conditions in the immediate agricultural area.

The video documents an actual rain event at **6687 Byrnes Road**, an approximately **40-acre agricultural parcel**. The video also looks both north and south along Byrnes Road and documents the canal that runs along the roadside.

The video is not offered as a quantitative hydrologic measurement and is not intended to establish a precise runoff volume from the Corby site. Rather, it documents actual surface-water and drainage conditions occurring during a rain event on a nearby agricultural parcel of approximately the same acreage as the proposed Corby project. This real-world evidence warrants a site-specific engineering analysis of how the Corby project would collect, retain, convey, and safely manage stormwater under comparable or more severe conditions.

The Commission should require the applicant to quantify, rather than assume, the available stormwater and firewater containment capacity under appropriate design-storm conditions.

A BESS fire can require substantial firefighting response and can generate contaminated runoff. The Central Coast Regional Water Quality Control Board's investigation following the Moss Landing battery fire demonstrates that water-quality consequences associated with battery-fire response are a legitimate regulatory concern warranting site-specific analysis.

The question for Corby is therefore not whether Moss Landing is identical to Corby. It is:

Has the Corby environmental analysis demonstrated, using site-specific engineering, that a credible battery-fire event cannot contaminate the nearby agricultural water-conveyance system?

The present record should answer that question explicitly.

IV. THE ATTACHED VIDEO WARRANTS ADDITIONAL HYDROLOGIC AND HYDRAULIC ANALYSIS

The attached video is particularly relevant because it documents actual drainage conditions during a rain event on agricultural land in the immediate vicinity of the proposed project.

The video shows runoff from an approximately 40-acre agricultural parcel at **6687 Byrnes Road**.

It also looks north and south along Byrnes Road and documents the canal running along the roadside.

The Corby project itself is proposed on an approximately 40.3-acre parcel.

Accordingly, the video provides a useful visual comparison of surface runoff from agricultural land of approximately the same acreage as the proposed project site.

The video is not presented as a substitute for engineering calculations. It is presented to demonstrate why the Commission should require the applicant to substantiate its assumptions regarding stormwater generation, drainage, retention, overflow, and containment.

The video is evidence of what the surrounding agricultural drainage system looks like during an actual rain event. It allows the Commission to see the scale and persistence of surface-water conditions that occur in the area rather than evaluating the project solely through generalized assumptions about stormwater behavior.

The Commission should require the applicant to provide:

- the design storm used for the project;
- the corresponding rainfall depth and duration;
- pre-project runoff assumptions;
- post-project runoff assumptions;
- peak discharge calculations;
- retention-basin capacity;
- freeboard;
- emergency overflow capacity;
- downstream conveyance capacity;
- assumptions concerning soil infiltration;
- assumptions concerning antecedent soil moisture;
- the effect of saturated agricultural soils; and
- the consequences of a major storm occurring simultaneously with a battery emergency.

The Commission should also determine where water would physically go if project drainage facilities were overtopped or otherwise failed.

This analysis becomes particularly important because a battery emergency and a major winter storm are not mutually exclusive events.

The Commission should therefore evaluate the combined condition rather than relying solely on ordinary-weather stormwater assumptions.

V. WATER BOARD AUTHORITY MUST BE ADDRESSED

The CEC's own description of its opt-in certification authority recognizes important exceptions.

The CEC states that its opt-in certification authority does not supersede the authority of the State Water Resources Control Board or applicable regional water quality control board.

Accordingly, the Commission should not treat every water-quality issue as something that can simply be absorbed into the CEC certification.

The Commission should identify:

- what water-quality permits or approvals are required;
- whether any discharge could constitute a discharge requiring Water Board authorization;

- whether Porter-Cologne authority applies;
- whether Clean Water Act requirements are triggered;
- whether Section 401 certification is required for any jurisdictional discharge;
- whether Section 404 authorization is implicated;
- whether any stormwater permit or other water-quality authorization is required; and
- whether the project can lawfully operate without those approvals.

The Commission should specifically consult the applicable Regional Water Quality Control Board concerning the potential discharge of contaminated firewater or stormwater into agricultural water infrastructure.

If another agency possesses authority that the CEC's opt-in certification does not supersede, that authority should be identified and addressed before the CEC relies upon the project configuration in its environmental conclusions.

VI. SOIL AND EARTHWORK CALCULATIONS REQUIRE CORRECTION AND A DOWNSTREAM AUDIT

Previous review of the EIR materials has identified concerns regarding soil, grading, earthwork, or related calculations.

The Commission should not treat a demonstrated numerical error as inconsequential if the disputed quantity is used as the factual foundation for other environmental conclusions.

The Commission should therefore:

- identify the source values used in each disputed calculation;
- reproduce the calculation;
- correct any demonstrated error;
- identify every table and environmental section relying upon the disputed value;
- recalculate the affected quantities;
- determine whether grading, import/export, erosion, drainage, dust, construction traffic, greenhouse-gas emissions, or agricultural-soil impacts change; and
- disclose whether any significance determination changes.

A numerical error becomes an environmental-analysis issue when it affects the factual foundation for an environmental conclusion.

The appropriate remedy is therefore not simply to correct one number without examining the conclusions that depend upon it.

The Commission should demonstrate that any correction does not change the environmental analysis.

I also note that a September 10, 2026 comment concerning a separate alleged "Heavy Metal Soil Deposition Math Error" was docketed as TN 272480. The Commission should distinguish that issue from any other soil or earthwork calculation issue raised in these comments and should ensure that each disputed calculation is independently reviewed.

VII. AGRICULTURAL LAND CONVERSION SHOULD BE ANALYZED AS AN ENVIRONMENTAL IMPACT AND, SEPARATELY, FOR ITS ECONOMIC CONSEQUENCES

The Corby project would permanently convert approximately 40.3 acres of agricultural land to a large-scale industrial energy facility.

This has consequences beyond the number of acres physically covered by battery containers.

The Commission should evaluate:

- direct loss of agricultural production;
- loss of productive agricultural soils;
- fragmentation of agricultural operations;
- interference with farming caused by the gen-tie;
- restrictions on surrounding agricultural operations;
- potential impacts from fire;
- potential impacts from contaminated runoff; and
- the economic value of agricultural activity displaced by the project.

Agricultural land conversion should be analyzed as an environmental impact under CEQA and, separately, its economic consequences should be considered to the extent relevant to the Commission's statutory net-economic-benefit determination.

Agricultural land should not be treated as economically valueless simply because the proposed project would generate a different stream of revenue.

The relevant economic question is not simply how much tax revenue the project may generate.

It is also what economic activity exists at the site today and what economic activity could be displaced or affected if the site is converted to the proposed BESS.

VIII. PUBLIC RESOURCES CODE SECTION 25545.9 REQUIRES A GENUINE NET-ECONOMIC-BENEFIT DETERMINATION

Public Resources Code section 25545.9 requires the Commission to find that construction or operation of the facility will provide an overall net positive economic benefit to the local government that otherwise would have had permitting authority.

The statute identifies potential economic benefits including employment, infrastructure and environmental improvements, assistance to public safety, property taxes, and sales and use taxes.

The statute also establishes a rebuttable presumption of overall net positive economic benefit.

The important word is:

NET.

The presumption does not eliminate the Commission's statutory obligation to make the required finding, nor does it prevent the Commission from considering substantial evidence concerning reasonably foreseeable negative economic impacts.

The applicant's current public materials identify approximately:

- \$385 million in project investment;
- \$70 million in estimated tax revenue over the life of the project; and
- up to 200 construction jobs.

These figures are the applicant's public estimates and are expressly subject to change. They should therefore not be treated as established net benefits.

The Commission should distinguish between gross project expenditures or tax estimates and the amount that constitutes an overall net positive economic benefit to the local government identified in section 25545.9.

IX. \$385 MILLION OF PROJECT INVESTMENT DOES NOT ESTABLISH \$385 MILLION OF LOCAL ECONOMIC BENEFIT

A project investment number does not establish the amount of money that remains in the local economy.

The Commission should distinguish between:

- equipment purchased outside Solano County;

- battery manufacturing;
- engineering;
- financing;
- corporate overhead;
- imported labor;
- temporary construction expenditures; and
- actual local economic activity.

The CEC describes the project as approximately 40.3 acres and states that it would be unstaffed after construction, with operational control occurring from an offsite control room.

Accordingly, the applicant's estimate of up to 200 construction jobs should not be presented as equivalent to 200 permanent local jobs.

The Commission should determine:

- how many job-years will occur;
- how many workers are expected to be Solano County residents;
- how much payroll will remain in Solano County;
- how many permanent local employees will be required; and
- what permanent local employment will remain after construction.

X. THE \$70 MILLION TAX ESTIMATE SHOULD BE DISCLOSED AS A LOCAL FISCAL BENEFIT, NOT SIMPLY A GROSS TAX NUMBER

The applicant's approximately \$70 million tax-revenue figure is an estimate over the life of the project.

The Commission should require disclosure of:

- the specific taxes included;
- the governmental entity receiving each tax;
- the timing of each payment;
- the portion retained by the relevant local government;
- assumptions concerning assessed value;
- depreciation;
- tax allocation;
- sales/use-tax assumptions; and
- all costs deducted from or excluded from the calculation.

Most importantly, the Commission should identify reasonably foreseeable costs to the relevant local government rather than assuming those costs are zero.

To the extent particular impacts impose costs on the local government or otherwise affect the local government's economic position, those costs should be considered in the section 25545.9 determination.

Where an impact is not appropriately quantified as a section 25545.9 local-government cost, it should nevertheless be addressed in the applicable CEQA environmental or socioeconomic analysis.

XI. EMERGENCY RESPONSE IS A REAL ECONOMIC CONSIDERATION

Public safety assistance is expressly identified by section 25545.9 as an economic-benefit category.

The Commission should therefore determine whether the project would require additional public-safety resources and, if so, what incremental costs would result.

The Commission should require an accounting of:

- fire department training;
- hazardous-material training;
- specialized protective equipment;
- air-monitoring equipment;
- thermal-imaging equipment;
- emergency planning;
- evacuation planning;
- mutual-aid requirements;
- water-management equipment;
- traffic-control resources;
- additional personnel; and
- recurring training and preparedness costs.

The analysis should distinguish between existing public-safety capacity and incremental capacity required because of the Corby project.

To the extent those costs fall upon the local government relevant to section 25545.9, they should be considered in the net-economic-benefit analysis.

XII. A CREDIBLE BATTERY-FIRE EVENT COULD CREATE OFF-SITE ECONOMIC COSTS

The potential firewater pathway makes the economic analysis substantially more important.

A reasonably foreseeable chain requiring evaluation is:

thermal event → firefighting response → contaminated water/runoff → agricultural conveyance → irrigation disruption → crop losses and remediation.

Potential economic consequences could include:

- agricultural production losses;
- emergency water replacement;
- canal inspection;
- water testing;
- soil testing;
- remediation;
- infrastructure repair;
- temporary irrigation shutdown;
- crop loss;
- administrative response; and
- long-term monitoring.

SID's September 4, 2026 filing, TN 272340, raises concerns regarding project-related impacts to SID facilities and agricultural water deliveries.

These potential consequences should not automatically be characterized as nonexistent simply because their probability or magnitude is uncertain.

The appropriate response to uncertainty is to model reasonable scenarios and identify which costs could fall upon the local government and which would instead constitute broader environmental or socioeconomic impacts.

XIII. CEC STAFF HAS PREVIOUSLY USED SCENARIO ANALYSIS FOR NET ECONOMIC BENEFITS

There is an important methodological precedent within the CEC's opt-in program. In the Fountain Wind proceeding, CEC staff recognized the need to consider both positive and negative economic impacts and used scenario analysis to account for uncertainty, including different fire-risk conditions.

That methodology provides a useful precedent for Corby.

For Corby, I request at least:

Scenario 1 — Base Case

Normal operation with ordinary public-safety, infrastructure, and administrative costs.

Scenario 2 — Elevated-Risk Case

Higher emergency-response costs, agricultural opportunity costs, water-monitoring costs, and other reasonably foreseeable incremental costs.

Scenario 3 — Stress Case

A credible major battery-fire event involving containment failure, water-quality response, and temporary agricultural-water disruption.

The Commission should determine which impacts appropriately belong in the section 25545.9 local-government analysis and which belong in the separate CEQA environmental and socioeconomic analyses.

The important point is that uncertainty should be evaluated rather than treated as zero.

XIV. PROPERTY VALUES AND INSURANCE SHOULD NOT BE ASSUMED TO HAVE ZERO EFFECT

I am not asking the Commission to accept an unsupported claim that the project will reduce nearby property values by a specific percentage.

I am asking the Commission not to assume that the effect is zero without evidence.

The Commission should determine whether the applicant has performed:

- comparable-sales analysis;
- appraisal analysis;
- hedonic analysis;
- BESS proximity analysis;
- insurance-market analysis; or
- other empirical research.

Relevant factors may include:

- proximity to the BESS;
- proximity to transmission infrastructure;
- perceived fire risk;
- visual effects;
- noise;
- insurance availability;
- insurance premiums;
- disclosure requirements; and
- marketability.

If the Commission concludes that the available evidence is insufficient to quantify an effect, that does not establish that the effect is nonexistent.

The appropriate response is additional analysis or a transparent acknowledgment of uncertainty.

XV. CUMULATIVE ECONOMIC AND ENVIRONMENTAL IMPACTS SHOULD BE CONSIDERED

The project should not be evaluated as though it exists in isolation from other large energy and BESS development in the region.

The Commission should evaluate cumulative:

- agricultural land conversion;
- emergency-response demand;
- fire-preparedness requirements;
- transmission infrastructure;
- water-quality oversight;
- property-market effects;
- insurance effects; and
- public infrastructure demands.

The marginal economic and environmental impact of another large BESS can differ substantially from the impact of the first project in a region.

A community cannot indefinitely receive projects that each claim their own individual tax benefit while the cumulative costs of emergency preparedness, agricultural conversion, infrastructure, and environmental risk remain unaccounted for.

XVI. THE LAMBIE INDUSTRIAL PARK ALTERNATIVE WARRANTS PARTICULAR ATTENTION

The fundamental question presented by this proceeding is not whether battery storage should exist.

It is whether Corby is an appropriate location for battery storage.

If an industrially oriented alternative such as the Lambie Industrial Park is a feasible alternative that can provide substantially similar grid benefits while reducing:

- agricultural land conversion;
- residential exposure;
- water-conveyance conflicts;
- emergency-response concerns;
- property-value concerns; and
- environmental risk,

then those differences are directly relevant to the Commission's alternatives analysis.

The relevant question is not whether Lambie is merely preferable to the applicant.

The question is whether Lambie or another industrial-site alternative is feasible, would accomplish the basic project objectives, and would avoid or substantially reduce significant environmental effects associated with the proposed location.

The Commission should therefore compare feasible alternatives using a consistent level of scrutiny.

An industrial-site alternative should not be rejected merely because it is less convenient to the applicant.

XVII. LESS-THAN-SIGNIFICANT CONCLUSIONS SHOULD NOT REST ON UNTESTED OR DISPUTED ASSUMPTIONS

Across several subject areas, the same analytical problem appears:

an uncertain or disputed factual premise is followed by a conclusion that the impact is less than significant.

Examples include:

- soil and earthwork calculations;
- availability of necessary easements;
- agricultural impacts;
- firewater containment;
- canal contamination;
- emergency-response costs;
- property-value effects; and
- economic benefits.

The Commission should therefore conduct a cross-disciplinary review of every conclusion that depends on a disputed or unverified assumption.

For each issue, the Commission should identify:

- the factual assumption;
- the evidence supporting it;
- the uncertainty;
- the reasonably foreseeable adverse scenario;
- the mitigation proposed;
- whether the mitigation is enforceable;
- whether the mitigation can actually be implemented; and
- whether the conclusion remains valid if the underlying assumption proves incorrect.

This is particularly important where the underlying factual issue concerns a physical characteristic of the site, the availability of a property right, or the ability of a containment or drainage system to perform under emergency conditions.

XVIII. THE CURRENT RECORD SUPPORTS AT LEAST SUPPLEMENTAL ANALYSIS

The combination of:

- the new SID filing;
- unresolved easement issues;
- water-quality questions;
- actual seasonal drainage conditions documented in the attached video;
- agricultural impacts;
- soil and earthwork calculation concerns; and
- the need for a genuine net-economic-benefit determination

creates more than a collection of isolated objections.

Together, these issues raise a fundamental question concerning whether the Staff Assessment has adequately analyzed the project as it can actually be constructed and operated at this location.

A revised or supplemental analysis should address these issues before certification.

XIX. REQUEST FOR SPECIFIC COMMISSION FINDINGS

Before certifying the project, I respectfully request that the Commission make affirmative findings on the following questions:

1. Property Rights

Does the applicant presently possess, or otherwise have a legally established path to obtain, every easement and property right required to construct and operate the project as described?

If not, why is the project configuration analyzed in the Staff Assessment considered legally and physically feasible?

2. SID Canal and Drainage

What is the exact hydraulic relationship between the project site, proposed drainage system, nearby stormwater canal, and SID canal?

3. Stormwater

What design storm and corresponding rainfall assumptions were used to calculate project runoff?

What is the resulting peak discharge and total retained volume?

4. Firewater

What is the maximum credible contaminated firewater volume?

What is the containment capacity under the same conditions?

5. Combined Storm and Fire Conditions

What happens if a battery emergency occurs during or immediately following a major winter storm when soils and drainage facilities are already saturated?

6. Containment Failure

Where does contaminated water go if the containment system fails, overtops, becomes inaccessible, or loses power during a fire?

7. Water Board Authority

What Water Board approvals are required?

Are those approvals within the scope of CEC opt-in certification authority or expressly outside it?

8. Agriculture

What is the annual economic value of the agricultural activity displaced by the project, and what other agricultural operations could be affected?

9. Emergency Response

What incremental public-safety costs will be imposed on local agencies?

10. Property Values and Insurance

What evidence supports any conclusion that the project will have no material property-value or insurance impact?

11. Economic Benefits

How much of the applicant's approximately \$70 million tax estimate constitutes revenue to the local government relevant to Public Resources Code section 25545.9?

12. Net Economic Benefit

After considering reasonably foreseeable local-government costs, does the project still produce an overall net positive economic benefit to the local government that otherwise would have had permitting authority?

13. Alternatives

Would an industrial-site alternative materially reduce the project's environmental and economic impacts while providing substantially the same grid function?

XX. CONCLUSION

The Corby project should not be approved simply because battery storage provides statewide grid benefits.

Those benefits do not answer the location question.

The Commission must determine whether the proposed location is appropriate after considering the project's full environmental and economic consequences.

At present, the record presents substantial concerns involving:

- agricultural land conversion;
- soil and earthwork calculations;
- unresolved property rights;
- SID canal crossings;

- actual seasonal drainage conditions;
- stormwater capacity;
- firewater containment;
- potential water contamination;
- Water Board authority;
- emergency-response costs;
- agricultural economic losses;
- property and insurance effects;
- cumulative impacts; and
- the proper application of Public Resources Code section 25545.9's net-economic-benefit requirement.

The most significant recent development is SID's September 4, 2026 filing, TN 272340.

SID has placed directly before the Commission the question of whether the project possesses the necessary authorization concerning SID property and infrastructure.

That issue should not be deferred until after certification.

Likewise, the potential pathway from a major battery fire to contaminated agricultural water should not be dismissed without a site-specific engineering analysis.

The attached video provides additional evidence of actual drainage conditions during a rain event on nearby agricultural land. It documents runoff from an approximately 40-acre agricultural parcel at 6687 Byrnes Road and looks both north and south along Byrnes Road, including the canal running along the roadside. The video does not purport to establish a precise runoff volume from the Corby site. Rather, it demonstrates actual local drainage conditions and provides a visual basis for requiring the applicant to substantiate its stormwater assumptions with site-specific hydrologic and hydraulic calculations.

The applicant's approximately 40.3-acre project site is comparable in acreage to the agricultural parcel shown in the video. The Commission should therefore require the applicant to demonstrate, quantitatively, how stormwater from the proposed industrial facility would be managed under comparable rainfall conditions and how contaminated firewater would be prevented from entering nearby agricultural drainage infrastructure if a battery emergency occurred during a major storm.

Finally, the applicant's public estimates of approximately \$385 million in investment, \$70 million in estimated tax revenue over the project's life, and up to 200 construction jobs should not be confused with a demonstrated net economic benefit to the relevant local government.

Public Resources Code section 25545.9 requires an overall net positive economic benefit. Although the statute establishes a rebuttable presumption, the Commission should consider substantial evidence concerning reasonably foreseeable negative

economic impacts and should distinguish gross project expenditures and tax estimates from actual net local-government benefits.

For these reasons, I respectfully request that the California Energy Commission:

**DENY CERTIFICATION OF THE CORBY BATTERY ENERGY STORAGE
SYSTEM PROJECT AT THE PROPOSED LOCATION.**

At minimum, the Commission should require supplemental analysis addressing the issues identified above, resolve all outstanding property-right and water-quality issues, correct and audit the identified technical calculations, require site-specific stormwater and firewater analysis, conduct a complete net-economic-benefit determination under Public Resources Code section 25545.9, and fully evaluate feasible alternative locations before making a final certification decision.

The issue before the Commission is not whether California should develop energy storage.

It is whether Corby is the right place to do it.

The current record does not provide substantial evidence sufficient to establish that it is.

Respectfully submitted,

Harilaos Bouzos

6659 Byrnes Rd

Vacaville, CA 95687

ATTACHMENT 1

Video Documentation of Stormwater Runoff During Rain Event — 6687 Byrnes Road

This video documents runoff from an approximately 40-acre agricultural parcel at 6687 Byrnes Road during a rain event in January 2023. The video also includes views looking north and south along Byrnes Road and shows the canal running along the roadside.

The video is submitted as visual evidence of actual local drainage conditions and is not offered as a substitute for site-specific hydrologic or hydraulic calculations.

https://share.icloud.com/photos/04aqLPdSUV8h8QZQ1_osZz0jg