

DOCKETED	
Docket Number:	24-OPT-05
Project Title:	Corby Battery Energy Storage System Project
TN #:	272778
Document Title:	Keep Vacaville Safe Comments - Challenging Override Considerations
Description:	N/A
Filer:	System
Organization:	Keep Vacaville Safe
Submitter Role:	Public
Submission Date:	9/14/2026 2:46:33 PM
Docketed Date:	9/14/2026

Comment Received From: Keep Vacaville Safe
Submitted On: 9/14/2026
Docket Number: 24-OPT-05

Challenging Override Considerations

Additional submitted attachment is included below.



California Energy Commission

Re: Corby Battery Energy Storage System Project -CEQA Comment Letter Opposing Certification and Any Statement of Overriding Considerations

Introduction and Interest

Keep Vacaville Safe submits these comments opposing certification or approval of the Corby Battery Energy Storage System Project and opposing reliance on any Statement of Overriding Considerations. The Staff Assessment acknowledges significant and unavoidable visual impacts at six key observation points and recommends certification with an override. Before the California Energy Commission may consider such an override, it must first ensure that the Staff Assessment contains a legally adequate CEQA analysis, imposes all feasible mitigation, and supports any claimed project benefits with substantial evidence.

These comments focus on four core deficiencies: inconsistent and underdeveloped cumulative impacts analysis; inadequate hazards, safety, public-health, and agricultural-risk analysis; unsupported or overstated claims of project-specific benefits; and an alternatives analysis that does not fairly evaluate feasible industrial-zoned locations capable of reducing significant impacts.

Keep Vacaville Safe has separately submitted detailed comments addressing site-specific agricultural, fire-safety, toxic-deposition, groundwater, emergency-response, cultural-resource, environmental-justice, and alternatives concerns. Those comments are incorporated by reference, and this letter focuses specifically on why the Staff Assessment cannot support certification or any Statement of Overriding Considerations on the current record.

Legal Framework and Standard of Review

CEQA requires an adequate, good-faith environmental analysis supported by substantial evidence. That analysis must define the environmental baseline, evaluate significance using scientific and factual data, disclose cumulative impacts where incremental effects may be cumulatively considerable, and identify all feasible mitigation. Because sufficiency is judged by adequacy, completeness, and a good-faith effort at full disclosure, the Commission cannot rely on conclusory findings, inconsistent study areas, or unsupported assumptions when deciding whether to certify the project.

An Override Cannot Cure CEQA Defects

Overriding considerations are legally permissible only if the Staff Assessment or other environmental document is legally adequate. An override cannot substitute for, or cure, analytical deficiencies, including failures in cumulative-impact analysis or hazards and safety analysis. Staff directs decisionmakers to Section 11 for override findings and recommendations and concedes significant effects on aesthetics under CEQA Appendix G. Because CEQA requires cumulative impacts to be discussed where they may be cumulatively considerable, the Commission must first ensure a legally adequate analysis and impose all feasible mitigation before considering an override.

Deficiencies in Cumulative Impacts Analysis

Methodology and Project List

The Staff Assessment references Appendix A and identifies a broad set of nearby and regional projects, but the record reflects material inconsistencies and narrowing that may understate cumulative effects across multiple disciplines. Appendix A purports to list existing and reasonably foreseeable projects and identifies 130 potential sources of criteria pollutants within six miles. For biological resources, staff recognizes a broader cumulative context that includes agricultural conversion, grid upgrades, industrial and logistics development, and other energy or storage projects in Solano County. For visual resources, however, staff narrows cumulative consideration to only the Vaca Dixon Power Center Project. The record must consistently apply a reasoned geographic and temporal scope across issue areas, supported by substantial evidence, rather than selectively excluding reasonably foreseeable projects.

Omitted Nearby BESS Cluster

The cumulative analysis also appears to omit reasonably foreseeable battery energy storage projects near the Corby site. Through a public records request to Marin Clean Energy, documentation was produced indicating that several BESS projects are planned near Corby. In particular, a NextEra 2023 proposal provided in response to an RFP states that Corby would share the same point of interconnection with another large-scale BESS project known as Nut Tree, described as a 400 MW project. The proposal's use of cluster terminology for Corby and Nut Tree is significant because it suggests that the projects are not isolated facilities, but part of a broader concentration of storage development around the same electrical infrastructure.

MCE also produced a spreadsheet identifying other available or planned BESS projects statewide, including projects in Solano County and/or Vacaville near the Corby project. Those projects include Nut Tree 15, Nut Tree 20, Menard Energy Storage Var A, Menard Energy Storage Var B, and Menard Energy Storage Var C. The CAISO Interconnection request queue also identifies that Corby II, which appears to be an expansion of the original Corby BESS project. If these projects are reasonably foreseeable, they should have been included in the cumulative project list and evaluated

across the disciplines where clustered BESS development could matter, including hazards and emergency response, air quality, firewater demand, contaminated runoff, public health, groundwater, agricultural resources, visual resources, construction traffic, and grid-interconnection impacts.

The omission is especially important because a cumulative analysis cannot lawfully treat Corby as a standalone risk if the record contains evidence of a nearby BESS cluster sharing or relying on the same interconnection area. Multiple utility-scale BESS projects in proximity could increase the probability of overlapping construction, cumulative visual and farmland conversion effects, compounded emergency-response demands, simultaneous or sequential thermal-runaway hazards, and cumulative toxic-release and runoff scenarios. The Staff Assessment should therefore be revised to identify and analyze the Corby, Corby II, Nut Tree, Nut Tree 15, Nut Tree 20, and Menard Energy Storage variants as part of the cumulative setting, or explain with substantial evidence why any listed project is not reasonably foreseeable. Without that disclosure, the EIR's cumulative conclusions are incomplete and may understate the project's cumulatively considerable impacts.

Aesthetics

Staff both acknowledge significant and unavoidable project-level aesthetic impacts and, at points, downplays cumulative visual effects by limiting the cumulative set to one project without substantial explanation. Staff find substantial degradation of public views from multiple KOPs even with VIS-1 and VIS-2. Staff also concludes the project would have a cumulatively considerable construction effect despite mitigation. Yet staff limits cumulative visual analysis to only one project (VDPC), which is insufficient absent reasoned support. Recirculation is required if expansion of the cumulative set or revision of conclusions reveals new significant information.

Air Quality

The SVAB is nonattainment for ozone and particulate-matter standards, including one-hour state and eight-hour federal and state ozone, federal 24-hour PM_{2.5}, and state PM₁₀ standards. In that context, the cumulative analysis must disclose how concurrent construction and operations from the 130 identified sources could combine to exacerbate nonattainment conditions. Staff concludes cumulative criteria-pollutant impacts are less than significant with mitigation, but relies on a six-mile radius and threshold screening. The analysis should transparently present cumulative emissions totals, overlapping project schedules, and modeled concentrations or transport pathways, rather than relying only on threshold comparisons.

Biological Resources and Farmland Conversion

The project contributes to permanent loss of foraging habitat and conversion of Important Farmland. Without clear and open data on the current state of the environment in a specific region, tracking the loss of natural resources, and ensuring

that any compensatory actions, such as restoring habitats, occur in similar locations, it becomes difficult to effectively manage and mitigate environmental impacts. Transparency in these areas is crucial for accurate assessment and effective environmental protection. The Staff Assessment should therefore provide a transparent regional baseline, loss accounting, and like-for-like mitigation location analysis before reaching any cumulative conclusion.

Hazards, Safety, and Public Health: Missing or Inadequate Analysis

Thermal Runaway, Off-Gassing, and Exposure

Staff acknowledges that a reasonable worst-case non-fire event could expose nearby residences to nitrogen dioxide (NO₂) concentrations above health-based screening levels. Specifically, worst-case NO₂ at nearby homes could surpass the AEGL-1 level, the concentration above which mild, temporary irritation or discomfort may occur, and the modeled peak concentration of 2,587 micrograms per cubic meter exceeds that threshold. Staff also identifies a combined hazard index of 3.44, well above the safe benchmark of 1.0, with exceedances potentially extending up to 2,412 feet from the source. These findings mean that residents, workers, motorists, and emergency responders within the affected area may face risks beyond levels ordinarily considered protective, and they require more than general planning commitments. The Staff Assessment should therefore include receptor mapping, AEGL-based shelter-in-place and evacuation triggers, public-notification timelines, real-time monitoring, responder safety protocols, and enforceable response logistics before concluding that hazards and public-health impacts have been adequately mitigated.

This risk must also be evaluated against Vacaville's existing public-health baseline. California Health Maps reports that the Solano 6 (A0627) area, covering Dixon and Vacaville, had 1,932 cancer cases during 2017–2021 and an age-adjusted all-sites cancer incidence rate of 422.7 per 100,000, compared with a statewide rate of 398.3 per 100,000 for the same period. In addition, the City of Vacaville has publicly acknowledged hexavalent chromium concerns in local drinking water and explains that California adopted a 10 ppb maximum contaminant level for hexavalent chromium; the California State Water Resources Control Board identifies hexavalent chromium as carcinogenic and toxic and notes that it is among the chemicals known to the State of California to cause cancer. In this context, the proposed facility should not be evaluated as if it were being added to a community with no existing carcinogenic burden. A thermal runaway or fire event could release toxic combustion byproducts, metals, contaminated firewater, and particulates into air, soil, surface water, groundwater, and agricultural pathways, potentially compounding existing cancer-risk concerns rather than merely creating a short-term nuisance. The Staff Assessment should therefore conduct a cumulative public-health and cancer-risk analysis that accounts for the area's elevated cancer incidence, known chromium-6 drinking-water context, existing contaminant exposures, sensitive receptors, wind and runoff pathways, and the possibility that a reasonably foreseeable battery incident could increase long-term

cancer risk or worsen cumulative health burdens. Without that analysis, the record cannot support a conclusion that public-health impacts are less than significant or adequately mitigated.



California Health Maps is an interactive mapping tool of health data for geographies beyond the county level in California. You can map cancer incidence for 12 of the most common invasive cancer sites and filter by sex, race, and ethnicity. [Visit Learn](#) to review methodology, data sources, and more.

Cancer Incidence ?

Download

Print Page

Select Area Type

Zone

Location Search

vacaville

Date Range

5-Year: 2017-2021

Cancer Site/Type ?

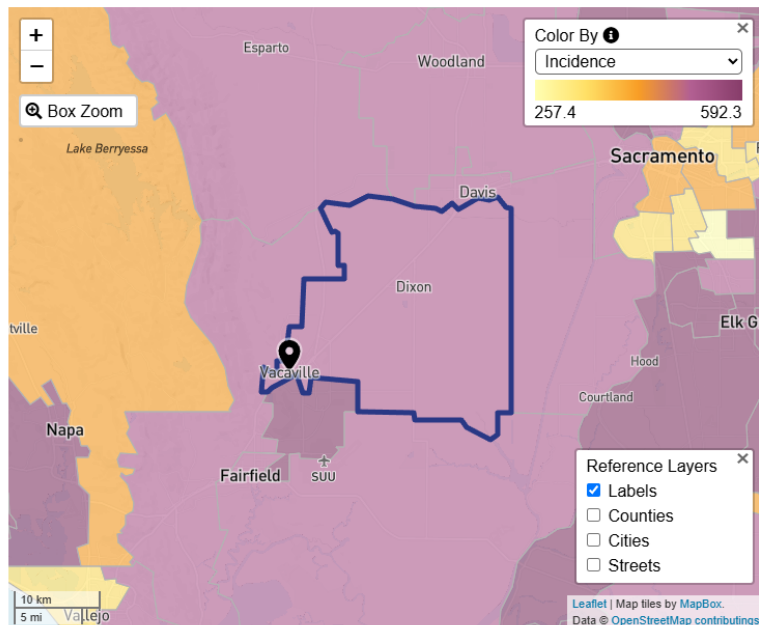
All Cancer Sites

Sex ?

Male and Female

Race and Ethnicity ?

All Races and Ethnicities



Solano 6 (A0627) ×

Counties: Solano County

Cities: Dixon, Vacaville

5-Year: 2017-2021

All Cancer Sites

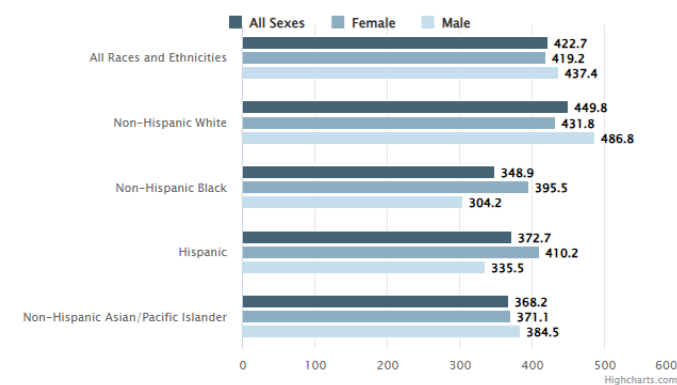
Male and Female

All Races and Ethnicities

Cancer Statistics

	Selected Area	Statewide
Cases	1,932	884,552
Age-Adjusted Incidence Rate ? (95% LCI, 95% UCI) ?	422.7 (403.6, 442.2)	398.3 (397.5, 399.2)

Age-Adjusted Incidence Rate All Cancer Sites



According to California Department of Public Health guidelines, cancer incidence rates cannot be reported if based on <15 cancer cases and/or a population of <10,000 to ensure confidentiality and stable statistical rates.

Solano 6 (A0627)

Demographics	Selected Area	Statewide	Healthcare Access and Use	Selected Area	Statewide
Population ⓘ	73,744	39,437,610	% Uninsured ⓘ	5.6 %	7.1 %
% Hispanic ⓘ	30.4 %	39.3 %	% Annual Checkups ⓘ	62.6 %	62.0 %
% Non-Hispanic Asian/Pacific Islander ⓘ	7.9 %	16.1 %	% Colorectal Cancer Screening ⓘ	60.9 %	58.7 %
% Non-Hispanic Black ⓘ	7.7 %	6.2 %	% Mammograms ⓘ	73.9 %	73.0 %
% Non-Hispanic White ⓘ	53.5 %	37.9 %	% Cervical Cancer Screening ⓘ	83.3 %	80.8 %
% Foreign Born ⓘ	15.7 %	26.5 %	% Preventive Care (Men, 65+ years) ⓘ	38.7 %	36.0 %
% Rural ⓘ	7.6 %	5.8 %	% Preventive Care (Women, 65+ years) ⓘ	33.6 %	29.3 %
% Over Age 65 ⓘ	17.0 %	14.8 %			
Socioeconomic Status ⓘ	3		Health and Well-Being	Selected Area	Statewide
			% Obesity ⓘ	30.6 %	28.9 %
			% Smoking ⓘ	12.1 %	11.8 %

Source notes: Cancer incidence data are from California Health Maps, an interactive mapping tool using California Cancer Registry data for geographies below the county level; selected area Solano 6 (A0627), 5-year period 2017–2021, all cancer sites, male and female, all races and ethnicities. Chromium-6 information is from the City of Vacaville’s Hexavalent Chromium public information page and the California State Water Resources Control Board’s hexavalent chromium drinking-water materials, including the 10 ppb maximum contaminant level and carcinogenicity discussion.

The hazards and public-health analyses also fail to address potential exposure to PFAS and other “forever chemicals” that may be generated, released, transported, or deposited during and after a BESS thermal-runaway or fire event. Public-comment materials submitted for the record state that NextEra has been named in litigation arising from a thermal-runaway fire at its East Hampton BESS facility, where alleged system failures reportedly released ultrashort-chain PFAS, including PFPrA, that bypassed containment, migrated through groundwater, and contributed to nearby public drinking-water wells being taken out of service. Those allegations do not by themselves establish liability, but they are directly relevant to whether the Corby EIR has adequately evaluated reasonably foreseeable incident pathways, operator history, containment design, and cumulative water-quality risk. The Staff Assessment should not dismiss PFAS exposure as speculative where the same owner-operator has allegedly been connected to BESS-related groundwater contamination at another facility.

This omission is especially important because the Corby site is located near agricultural operations, surface-water pathways, irrigation infrastructure, residential wells, and shallow groundwater. Firefighting water, contaminated runoff, smoke-plume deposition, ash, exploded or damaged battery components, and later stormwater mobilization could all provide pathways for PFAS, metals, and other persistent contaminants to reach soil, crops, canals, creeks, groundwater, and drinking-water receptors. If multiple nearby BESS projects are reasonably foreseeable, the EIR should evaluate whether clustered BESS development increases the probability, geographic extent, and long-term cost of PFAS monitoring, treatment, agricultural restrictions, well replacement, cleanup, and public-health response. The absence of any meaningful PFAS or forever-chemical

analysis therefore further undermines the Staff Assessment's hazards and public-health conclusions.

Frequency, Incident History, and Emergency Response Capacity

Staff's fire-frequency analysis should evaluate thermal runaway, off-gassing, and fire over the Project's full 30–35 year operating life, rather than treating a major event as remote or isolated. As explained in Keep Vacaville Safe's separately submitted comments, corrected incident data and statistical uncertainty materially change the risk picture, including corrected point estimates and upper-confidence scenarios that make an off-gassing or fire event reasonably foreseeable during the Project life. Those findings require more than generic planning conditions. The environmental document must assess local responder capacity and mutual-aid needs, draw site-specific lessons from comparable incidents, and adopt binding pre-incident requirements for staging, isolation zones, water supply, runoff containment, staffing, apparatus, training hours, funding, and performance metrics. Staff concedes that a BESS fire would significantly impact the Dixon Fire Department without mitigation and proposes funding for Station 82, but the analysis should quantify the resources needed to meet modeled worst-case scenarios and cumulative demands from nearby projects.

Runoff/Soils Contamination and Agricultural Impacts

Staff modeling recognizes particulate deposition and proposes sampling after a fire; however, the agricultural impact analysis depends on assumptions and calculations that must be corrected and disclosed. As detailed in Keep Vacaville Safe's separately submitted comments, Appendix LU appears to understate modeled lithium deposition by approximately three orders of magnitude, changing the reported value of approximately 0.182 mg/kg to approximately 182.2 mg/kg, or about 6 to 12 times higher than local background levels if background lithium is approximately 15 to 30 mg/kg. That correction materially changes the analysis of agricultural soils, crops, orchards, SID canals, Gibson Canyon Creek, groundwater, irrigation water, domestic and nearby residential wells, and public health. The environmental document should correct the deposition calculations, disclose toxicology thresholds, crop-response literature, sampling and analysis protocols, cleanup standards, and enforceable remediation criteria before relying on any less-than-significant conclusion.

The Staff Assessment also should evaluate firewater source, flow rate, duration, seasonal availability, delivery method, and contaminated-runoff containment before certification. The longer submitted comments identify site-specific concerns involving shallow groundwater, SID canals, nearby surface-water pathways, domestic and agricultural wells, and the limited capacity of the proposed 24,000-gallon onsite tank relative to prolonged thermal-runaway response needs. Those water-supply and containment issues are not merely operational details; they bear directly on whether the Kilkenny Road agricultural site is environmentally suitable for this utility-scale BESS facility.

The Claimed Project Benefits Are Overstated, Generalized, or Untethered to Site-Specific Evidence

“Critical Location,” “Only High-Voltage Substation Within 50 Miles,” and “Minimal Upgrades”

Staff repeats assertions that Vaca-Dixon is uniquely situated, requires minimal upgrades, and is the only high-voltage substation within 50 miles, but those claims require verification and context. Staff states that PG&E’s Vaca-Dixon substation is crucial for regional reliability and that the grid is already built to handle high power flows, allowing the project to connect with minimal additional infrastructure. Yet the Cluster 9 Study identified grid impacts requiring mitigation, including upgrades to 500 kV and 230 kV breakers at multiple substations, including Tesla, Metcalf, and Vaca-Dixon. The Staff Assessment should reconcile these facts and provide a comparative siting analysis, including the Lambie Industrial Park alternative, which is intended for industrial uses buffered from residential and agricultural uses and where BESS is allowable in Manufacturing and Industrial zones under County Ordinance ZT-25-02.

Generalized Policy References and Fossil Displacement

The Staff Assessment leans on statewide goals and generic displacement claims rather than quantifying **site-specific** reliability or congestion relief benefits. Project purpose cites helping meet RPS, GHG reduction, and carbon neutrality goals. Staff claims alleviation of storage bottlenecks. Staff asserts the project boosts reliability, congestion relief, and operational flexibility at a key node. CEQA demands substantial evidence of project-specific benefits; generalized policy alignment cannot justify accepting significant impacts. The record must show how this specific site uniquely achieves claimed reliability, congestion relief, or curtailment reduction compared to feasible alternatives.

GHG and Air-Quality Benefit Claims Lack Transparent, Testable Assumptions

Staff concludes net GHG reductions based on annual cycling and displacement of natural gas generation, but the record does not fully disclose the assumptions needed to test that conclusion. Staff states the project would lead to a net reduction in statewide GHG emissions, estimates 462–629 MTCO₂e for 1,200 MWh from a gas plant, assumes up to 365 cycles per year, estimates 168,630–229,512 MTCO₂e displaced annually, and estimates indirect GHG emissions from losses and auxiliary loads at 8,913 MTCO₂e per year. To support these claimed net benefits with substantial evidence, the Staff Assessment or other environmental document must disclose and substantiate, at a minimum, the following inputs and sensitivities:

1. Charging source and time-of-day profile and the associated marginal emissions by hour and season. Operations would charge from PG&E grid electricity.

2. Marginal emissions methodology and data vintage for displacement calculations. CEQA requires analysis of GHG emissions; focus should be on the project's effect on climate change, not only quantities.
3. Curtailment assumptions linking this specific interconnection to reduced renewable curtailment. CAISO curtailed 2,742 GWh in early 2025; project would store up to 1,200 MWh that could otherwise be curtailed.
4. Round-trip efficiency, auxiliary loads, ambient effects, and degradation over life. Staff cites 85 percent round-trip efficiency. Indirect emissions account for losses and auxiliary loads.
5. Cycling assumptions, calendar/cycle degradation, augmentation schedule, and end-of-life performance.
6. Lifecycle emissions from battery manufacturing, refrigerants (HFC-32, R-513a), and SF6 in substation equipment. R-513a and HFC-32 GWPs are 631 and 675. Total refrigerant mass estimates are provided. Substation includes four 245-kV breakers with SF6; Corby Bay includes one 230-kV breaker, totaling 686 pounds of SF6. Pre-phase-out SF6 leaks are estimated at 35.46 MTCO2e/year.
7. Conditions under which charging from marginal gas or imports could increase net emissions. Consistency with state long-term goals must be supported by substantial evidence showing how strategies address the project's incremental contribution.

Without transparent documentation and sensitivity analyses demonstrating robust net benefits across realistic grid conditions, the GHG and fossil-displacement conclusions are not supported by substantial evidence. If revisions disclose new significant information, recirculation is required before certification may be considered.

Hazards/Safety Mitigation Must Be Enforceable and Adequate

Proposed conditions emphasize planning, training, and monitoring, but must include performance-based, enforceable measures ensuring public protection before and during incidents.

1. Staff acknowledges AEGL exceedance warrants further review for shelter-in-place or evacuation. PH-1 requires an Emergency Response Plan and notification system. PH-2 requires on-call real-time air monitoring upon alarms or events. The Corby EIR needs to define AEGL-based action levels and notification timelines integrated with community alerting.
2. For a trailer-sized lithium-ion fire, a 500-meter / 1/3-mile isolation and evacuation distance is recommended. **(Source: National Fire Protection Association, Emergency Response Guide for Alternative Fuel Vehicles, lithium-ion battery fire guidance.)** Evacuation Radius for this specific location needs to be identified in the Corby EIR to fully evaluate impacts to public health.

3. WORKER SAFETY-10 would provide a drone to detect NO₂, CO, and HF. WORKER SAFETY-7 includes detection, access, command center, and water supply measures. The EIR should include a source for water supply, specific type of drone and sensors that will be used, mutual aid training and equipment, with response time standards.
4. WATER-5 requires a Water Quality Control Plan addressing accidental discharges. HAZ-9 requires post-fire sampling and analysis. BIO-21 adds ecological monitoring and restrictions on cleanup timing. The EIR should Define berming for water containment, isolation valves, and sampling/cleanup thresholds before re-entry, crop harvest, or irrigation restart.

If additional enforceable mitigation is feasible to reduce risks, the Commission cannot rely on overriding considerations in lieu of adopting those measures.

Alternatives Analysis Requires Correction and Expansion

The record should fairly evaluate alternatives that could avoid significant farmland conversion, agricultural-water risks, emergency-response constraints, and local-ordinance conflict, including the Lambie Industrial Park site. CEQA requires a reasonable range of alternatives that feasibly attain most project objectives while avoiding or lessening significant environmental effects. The Lambie site's industrial zoning buffers residential and agricultural uses, and BESS is an allowable use in Manufacturing and Industrial zones. The Staff Assessment should also evaluate whether a direct Lambie 230 kV interconnection, localized or underground gen-tie configuration, or optimized micro-siting envelope within Lambie could reduce visual, cultural, agricultural, biological, and safety impacts, rather than assuming only a long gen-tie route back to Vaca-Dixon. Staff's assertion that neither action alternative would avoid or substantially lessen significant effects should therefore be revisited after updated cumulative, hazards, water, fire-frequency, toxic-deposition, and land-use analyses; otherwise, recirculation is warranted.

The Staff Assessment also fails to address Solano County Measure T, a voter-approved land-use policy that reflects the County's commitment to protecting agricultural lands and directing urban and industrial growth away from inappropriate rural locations. That omission matters because the proposed Corby site is located in an agricultural setting, while feasible industrial-zoned alternatives such as Lambie Industrial Park appear specifically intended to accommodate industrial energy infrastructure with fewer conflicts involving farmland, residences, irrigation systems, and rural water resources. The EIR should analyze whether siting a utility-scale BESS on agricultural land is consistent with Measure T's growth-management and farmland-protection purposes, and whether approval at this location would undermine the local policy framework adopted by Solano County voters. Without that analysis, the alternatives and land-use discussion is incomplete and does not provide decisionmakers or the public with the information needed to compare the proposed site against lower-conflict locations.

Specific Requests for Revisions and Recirculation

Keep Vacaville Safe requests that the CEC require revisions and, as needed, recirculation to:

1. Staff states it used multiple cumulative-analysis approaches and considered the projects listed in Table A-1, but staff needs to revise and expand that analysis because material gaps in the project list, inconsistent geographic and temporal scopes across resource areas, and omitted reasonably foreseeable BESS projects near Corby. The revised analysis should address aesthetics, air quality, biological resources, hazards and public health, water, agriculture, emergency response, and toxic runoff using a consistent, evidence-based project list and quantified cumulative effects.
2. Staff concludes the project would produce net GHG reductions and does not recommend additional GHG conditions of certification, but Staff needs to revise the analysis because those conclusions are not adequately supported without transparent modeling disclosures and sensitivity analyses. The revised analysis should disclose and test charging profiles, hourly and seasonal marginal emissions, curtailment linkage, round-trip efficiency and degradation, lifecycle emissions from refrigerants and SF6, and conditions under which charging from marginal gas or imports could increase net emissions.
3. Staff recommends PH-1 and PH-2 for emergency planning, public notification, and real-time air monitoring, and identifies WORKER SAFETY-7 as mitigation for fire-department impacts. Those measures remain incomplete unless they are strengthened with enforceable, performance-based requirements, including AEGL-triggered alerts and evacuation protocols, pre-staged resources, responder-capacity and funding metrics, site-specific isolation and runoff-containment engineering, defined water-supply logistics, post-incident reentry criteria, and agricultural sampling, cleanup, and remediation standards.
4. Staff evaluates alternatives and concludes that neither action alternative would avoid or substantially lessen the project's significant effects. That conclusion must be reassessed because the alternatives analysis does not fairly evaluate industrial-zoned locations such as Lambie Industrial Park, direct or localized Lambie 230 kV interconnection options, optimized site configuration, comparative grid benefits, or whether those alternatives could avoid or substantially lessen significant farmland, fire-safety, water, public-health, cultural-resource, or visual impacts.

If revisions add significant new information, the CEC must recirculate before considering certification.

Response to Comments

Keep Vacaville Safe requests a written response to each comment, supported by citations to the administrative record and revised analysis as appropriate. Public review is afforded under Public Resources Code section 25545.7.6 and related CEQA provisions. Staff issued a Notice of Availability consistent with CEQA Guidelines section 15087.

Incorporation of Supporting Comments and Materials

Keep Vacaville Safe incorporates by reference its separately submitted detailed comments and supporting materials addressing agricultural-site unsuitability, corrected fire-frequency calculations, toxic-deposition errors, groundwater and firewater concerns, emergency-response limitations, cultural-resource impacts, environmental-justice issues, and the need for a corrected Lambie Industrial Park alternatives analysis. The Commission should consider those materials as part of the administrative record and should not treat this focused letter as a waiver or narrowing of the issues raised in those submissions.

Conclusion and Requested Agency Action

For the reasons above, the Staff Assessment is not legally adequate under CEQA. The Commission should deny certification or, at minimum, withhold certification and any Statement of Overriding Considerations unless and until the CEC completes the requested revisions, adopts enforceable mitigation, and recirculates the analysis where required. Staff's recommendation to approve with an override for visual resources cannot substitute for an adequate environmental analysis supported by substantial evidence.

Respectfully submitted,

Keep Vacaville Safe