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CALIFORNIA ENERGY COMMISSION

IN THE MATTER OF:

Corby Battery Energy Storage System Project	)	Docket No. 24-OPT-05

CORBY BATTERY ENERGY STORAGE SYSTEM PROJECT

CEC STAFF ASSESSMENT PUBLIC MEETING

Hybrid Meeting In-person and via Zoom

Ulatis Community Center
1000 Ulatis Drive
Vacaville, CA 95687

Tuesday, September 1, 2026

4:00 p.m.

Reported by:

Martha Nelson

APPEARANCES

COMMISSIONERS

Noemi Gallardo, Lead Commissioner

COMMISSIONER ADVISOR

Caroline Grey, Senior Advisor to Chair Hochschild

CEC STAFF

Kaycee Chang, Supervisor, CEQA Project Management Unit

Drew Bohan, Executive Director

Jennifer Martin-Gallardo, Deputy Executive Director

Jared Babula, Staff Attorney

Renee Longman, Project Manager

Eric Knight, Branch Manager, Siting and Environmental Branch

William Larson, Senior Environmental Planner (Archaeologist)

Brett Fooks, Branch Manager, Safety and Reliability Branch

Greg Chittick, Senior Engineer and Battery Safety Consultant

PUBLIC ADVISOR'S OFFICE

Jessica Bonitz, Deputy Public Advisor

Dorothy Murimi, Associate Governmental Program Analyst

Kim Todd, Associate Governmental Program Analyst

APPEARANCES

INTERPRETERS

Ttzol Lopez

Faviola Valencia

ASPEN ENVIRONMENTAL GROUP

Tatiana Inouye, Senior Land Use Technical Specialist

APPLICANT

Qaim Syed, Corby Energy Storage

CALIFORNIA NATIVE AMERICAN TRIBES, ELECTED OFFICIALS, AND GOVERNMENT COMMENT

John Carli, Mayor, City of Vacaville

Mitch Mashburn, Chair, Solano Board of Supervisors

Michael Silva, Vice Mayor, City of Vacaville

Roy Stockton, Vacaville City Council

Ernest Van Sant, Dixon Fire Protection District

PUBLIC COMMENT

Cara Martinson, California Energy Storage Alliance, and American Clean Power

Mabrey Byrnes Scott

Martin Vindiola, California State Association of Electrical Workers, California State Pipe Trades Council, and Western States Council of Sheetmetal Workers

Michael Geller

APPEARANCES

PUBLIC COMMENT (cont'd)

Danny Bernardini, Napa-Solano Building & Construction Trades Council

Colleen Britton

Robin Jaeckel

Joel Barrilleaux

Michael Jefferson

Sarah Dunn, Keep Vacaville Safe

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Dee Cole

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Chris Heise

Andrew Russo

Linda Geller

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Karen Travenia

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Charlene Schmid

Chris Whitaker

APPEARANCES

PUBLIC COMMENT (cont'd)

Noelle DeMartini

Amber Cargo-Reed

Brett Riley

Darlene Conner

Ralph Muehlenbruch

Christiane Noeltong

Richard Maddux

Gaul Culley, Pleasants Valley Ag Association

Savannah Haas

Tim Gisi

Derek Johnson

Jason Roberts

Tyler Sababuchi

Rosi Stabile

Maria Alemany

Karen Bell

David Schwartzel

Alicia Minyen

Michelle Jones

APPEARANCES

PUBLIC COMMENT (cont'd)

Jenny Leilani Callison

Lindzi Mendez

Thanh Vuong

Priyanka Mohanty

Kelly Howard

Simone Martin

Joshua Anello

Neil Serr

Rozeli Montes Lopez

Sarah Hoving

Chris Howard

INDEX

		PAGE
1.	Welcome and Introductions	8
2.	CEC staff presentation on the Staff Assessment Certification Program a. Application Overview b. Engineering Evaluation, Environmental Impact Analysis, Alternatives Analysis, Conformance with Laws, Ordinances, Regulations, and Standards (LORS)* c. Opt-In Requirements d. Staff Recommendation e. Next Steps in the CEC Proce	22
3.	Applicant Remarks	70
4.	CEC Office of the Public Advisor, Energy Equity, and Tribal Affairs presentation on public participation and California Native American tribal consultation opportunities	73
5.	Government Comments: California Native American Tribes, Elected Officials, Government Agencies	77
6.	Public Comments	102
7.	Closing Remarks	202
Adjournment		203

P R O C E E D I N G S

4:01 p.m.

TUESDAY, SEPTEMBER 1, 2026

MS. CHANG: Hi everyone. Welcome. I am Kaycee Chang with the Siting, Transmission, and Environmental Protection Division, or as we like to say, STEP. And I supervise the STEP Division's project managers who oversee siting proceedings.

Thank you for attending this meeting hosted by the California Energy Commission, or CEC. Today, we will present our staff assessment of the Corby Battery Energy Storage System Project.

I will pause for a moment and invite our interpreter, Ttzol and Faviola, to make a statement.

(Spanish Interpreter Lopez translates instructions from English to Spanish.)

SPANISH INTERPRETER LOPEZ: And this just was a message for those who need interpretation services in Spanish. If you know somebody who needs them, we are in the back part and you can go for the equipment. For those attending online, you can hear us via Zoom. (Speaking Spanish.)

MS. CHANG: Thank you, Ttzol.

And Commissioner Gallardo will now lead us in the Pledge of Allegiance.

COMMISSIONER GALLARDO: Please stand if you're able.

(The Pledge of Allegiance is recited in unison.)

COMMISSIONER GALLARDO: Thank you.

MS. CHANG: Thank you, everyone.

Next slide, please.

We would first like to go over meeting logistics.

This meeting is hybrid with attendees in-person here at the Ulatis Community Center and virtual attendees on Zoom. Thank you for being here. We also thank our Spanish interpreters and our court reporter for their assistance today.

For those attending virtually, Zoom closed captioning has been enabled. Attendees can use the service by clicking on the Live Transcript icon and then choosing either Show Subtitle or View Full Transcript. The closed captioning service can be stopped by exiting out of the Live Transcript or selecting the Hide Subtitle icon. We have also enabled Spanish interpretation on Zoom.

Please note that there is a court reporter capturing all that is said today to create a transcript of the meeting. This meeting is also being recorded. The meeting recording will be available on the CEC's website and that should be about one week from today. And for those participating in-person, please be mindful of

speaking slowly and clearly into the microphone so that the court reporter and Spanish interpreters can hear everything you say and to improve the audio for those participating online. If you are in the room with a computer, please mute your speakers. Thank you.

Next slide, please.

This slide provides an overview of today's agenda. We will be sharing information with the public and present our project findings, which are detailed in the Staff Assessment. After welcoming remarks, we will start with CEC presentations about the application, our engineering and environmental analyses, Opt-In requirements, and next steps. Then, we will ask the applicant to make remarks.

Our Public Advisor's Office will then share about how to participate in proceedings and how to comment during today's meeting. There will be plenty of opportunities for comments from California Native American tribes, government agencies, elected officials, interested parties, and members of the public. During the public comment period, we will start with government comments and then open it up for public comments.

We have agendas at the back of the room for those interested in seeing that handout.

Next slide, please.

We are joined by representatives from the CEC, both in-person and virtually. On the slide is the full list of today's speakers. The presenters will all introduce themselves, but we wanted to share this list in case helpful. We also have CEC Staff Attorney Jared Babula here in-person on the dais. And we are fortunate to have with us today CEC leadership, including our Siting Lead Commissioner, Noemi Gallardo, Advisor to the Chair, Caroline Grey, Executive Director Drew Bohan, and Deputy Executive Director Jennifer Martin-Gallardo.

And now, I would like to invite Commissioner Gallardo to share welcoming remarks.

COMMISSIONER GALLARDO: Buenas tardes. Good afternoon, everyone. My name is Noemi Gallardo. I am one of the five Commissioners at the Energy Commission.

Before I proceed with my main points here, I just wanted to make sure folks in the back, there are still a lot of seats in the front. Don't be shy. Both sides have seats up here in the front. Again, there's more seats up here if anyone's having trouble. All right.

Well, as Kaycee said, I am the Lead Commissioner for Siting, which means I am the Commissioner who has the responsibility to oversee the Energy Commission's permitting programs, both the ones that address thermal power plants and also clean energy facilities, including

battery energy storage systems like the one being discussed today.

So I do have an Associate Commissioner, our Chair David Hochschild. He cannot be here today due to some travel that he had as a prior obligation. But one of his advisors, as was mentioned, Caroline Gray, is here on his behalf and will be speaking and giving remarks in a little bit.

So as the Lead Commissioner for the Opt-In Certification Program, I have been following this proceeding, the Corby BESS Project, very closely. And I do look forward to hearing staff's presentation today, the applicant's response, and also comments from the audience, both in the room and on Zoom.

I wanted to express some gratitude also, first to the local officials and residents of Vacaville and Solano County. Thank you for welcoming us back. I realize it may be a bit harder to have us here this time around than last time that we came in November. We have heard from many of you that you disagree with the Staff Assessment and recommendation that will be presented today. Nonetheless, you have welcomed us and we really appreciate that. I personally appreciate that.

And last time that we were here, everyone was very respectful to the staff and to me and to each other.

And I ask that you give us the same grace and patience today as we get through all of the material. And also, because we want to hear each and every one of you, and there are a lot of you in the room, and I think there are a lot on Zoom as well. And so we want to make sure everybody has a chance to speak.

And it is our responsibility to provide you information. And so we're glad that we could come to you to be able to do that here in your community. And we also appreciated everything that was shared the last time, and we hope that everyone is willing to participate in the public comment today.

I also wanted to thank the applicant, NextEra, for being here, for being willing to speak also. And I want to thank our vendors, our many vendors who are helping us here today and the other workers who are supporting us. Thank you to the interpreters for being able to provide services in the Spanish language for those members of the community who need that service, also to our court reporter, our IT team for setting us up.

A big thank you to the Ulatis Center. They set us up very well here. It's always very comfortable, so appreciate them. I also want to acknowledge our security staff and our CHP officers joining us. Thank you for taking care of us.

And finally, I do want to thank the Energy Commission staff who've been working on this proceeding. They've been working very diligently on this application since the beginning. And over the last eight or so months, the Energy Commission staff -- if possible, if you could turn down your phones, that would be helpful, too, to ease the disruptions. Thank you so much for the reminder there.

So Energy Commission staff has taken information from the last time we were here at the November meeting and other sources of information and conducted an independent review of the potential impacts of this proposed project using all of that information. And the result of staff's evaluation is contained in the Staff Assessment, which was published on July 15th. And that Staff Assessment is a reflection of many hours of time and dedication that our staff have invested into conducting a very thorough and comprehensive analysis. Later on, staff will go through the most relevant portions of that assessment.

So today's meeting is your opportunity to provide feedback to the staff and to me on that environmental analysis and the other impacts associated with the project proposal.

And then after today's meeting, you will still have an opportunity to provide written comments and you'll have another opportunity to provide your comments at a

business meeting that we are planning for November 18th, where our Executive Director, who you'll also hear from, will provide a final recommendation to the Energy Commission on whether to approve or deny the project certification. And then the Commissioners, all five of us, will vote whether to approve or deny that project during that meeting.

So again, today we will not be taking a vote. And I do encourage anyone and everyone who is willing and able to join us during that final meeting. We will have it at our headquarters in Sacramento, but you can also participate remotely just as we have that option today.

And today's focus will be feedback from all of you on the environmental analysis, and that information is what staff will consider when determining whether and how to update the Staff Assessment.

So we know that all projects have impacts, every single one of them, whether they be energy-related or housing or industrial projects. And one of the focal points of the staff's analysis for the Corby Project has been the safety impact. That is, for me, the most important category for any project. And as the Chair, David Hochschild, and I have said before, we would not approve a project that we would not feel safe having near our homes or in our neighborhoods. And we continue using

that lens to view this project. So I want to be candid with you about that.

We have also been candid about viewing this project in a larger lens as part of the energy landscape for the state of California. And the unfortunate reality is that we, as a state, must be proactive to provide sufficient sources of energy for all Californians so that that energy can be reliable for all of us. And at the same time, we are also trying to ensure that energy is clean because fossil fuels have polluted our environment for too long, leading to health impacts including cancer and asthma, reduced life expectancies for those living near fossil fuel power plants.

And we know that in Solano County alone, there are seven gas-fired power plants. And of those, five are in disadvantaged, lower-income communities. These gas plants generate almost 200 million metric tons of carbon dioxide per year. And those emissions affect the residents of Solano County and all of California because pollution does not have boundaries.

And so those are the types of things that we are taking into consideration as a state and also as a responsibility of mine as a Commissioner and also the chair. So we are addressing those issues, those health impacts, the extreme weather that happens that is also very

problematic for our state. And it's part of why the state did establish the Opt-In Certification Program to create a pathway for more clean energy facilities like battery energy storage systems to be considered.

So before I pass the mic, I do want to point out that we have a lot of staff in the back so that if you have any question about how to participate today or throughout the proceeding, I encourage you to go speak with them. They are very lovely people supporting us and supporting you. They also have a lot of information.

I think it was mentioned before, there's some material. There are some fact sheets, both in English and in Spanish, that you can have access to if you have any questions about the process, about batteries. There are also the agendas. And I think we have some copies of the Staff Assessment. It is very long, so we thought we'd bring a in case you all wanted to peruse it today or weren't able to see a copy or print a copy and wanted to have one.

Again, I personally appreciate all of you taking the time to be here with us, whether it's on Zoom or in the room, and also for your participation. We look forward to hearing all of what you have to say today, and we will stay as long as possible, until they kick us out of this location, to be able to hear all your comments.

I will now pass the microphone to Caroline Grey for any comments you'd like to add.

MS. GREY: Thank you, Commissioner Gallardo. My name is Caroline Gray, and I serve as a Senior Advisor to Chair David Hochschild at the California Energy Commission. Chair Hochschild wasn't able to make it today, so I'm here on his behalf. And I want to thank everyone in this room who came out to be a part of this process.

I'd also repeat Commissioner Gallardo's reminder that there are still a couple seats up here in the front, so if about five more people want to fill them, they're ready and waiting.

The legislature created this Opt-In Certification Program through AB 205 because California has an urgent need to build the clean energy infrastructure required for -- oh, all right, let's try again. Better? Yay. Okay.

So the legislature created the Opt-In Certification Program through AB 205 because California has an urgent need to build the clean energy infrastructure required for a reliable 100 percent clean energy future. But moving with urgency does not mean cutting corners and the legislature gave the Energy Commission the responsibility to conduct a rigorous, transparent review of these projects. And public participation, like the kind

you're participating in now, is a critical part of that review.

As Commissioner Gallardo said, we expect to be here until 9:00 p.m., and we want to hear every comment from everyone who wants to speak. I do want to remind you that the record also remains open for written comments through September 14th at 5:00 p.m., so you have multiple avenues to participate.

These are hard decisions. California has to weigh our clean energy and reliability needs alongside safety, environmental impacts, community concerns, and the many other considerations you'll hear about today. We may not always agree on the outcome, but we are committed to doing the most rigorous job we can, hearing every voice, and making decisions based on the fullest possible record.

With that, I'll turn to our Executive Director, Drew Bohan.

EXECUTIVE DIRECTOR BOHAN: Thank you. Again, Drew Bohan, Executive Director for the Energy Commission. I will be very brief.

I want to thank you all, as my colleagues did, for showing up, but also to the many people who commented. We had an unprecedented number -- unprecedented number of written comments. I've read them all, except for I just checked the 20 that have come in in the last two days

alone, and because I've seen the staff presentation a couple times, I will be reading them during that portion, but I'm grateful that folks took the time to send those.

I spoke to the reporter earlier, and she asked, "Do you listen to what people say, or is this just a check-the-box exercise?" And I told her emphatically, "No, we listen. Not only do we listen, over the years, we've made changes based on what we hear from the public." So this is a very meaningful opportunity for you to participate, so thanks again for coming.

We got a lot of concerns in writing. We'll hear some more, I assume, tonight. One of them, though, was on fires. And I just want to say at the start, we're going to talk to you about that. We want to -- I want the staff to explain to you how they arrived at the conclusion that we arrived at, which is we think this is not going to be dangerous for your community, and that's an important finding.

And we had our staff take a look. We have professionals that understand fires well and air quality concerns from fires. We also hired three separate consultants to get different opinions about this, and that was the conclusion we arrived at. We go through a step-by-step, really rigorous process to do this. You'll hear about it. You may disagree. And we look forward to

hearing from you, but I think it's important that you hear at least the rationale we arrived at because we looked at this project with open eyes. It's not the Energy Commission's project, it's a developer, and we looked at it objectively, and we tried to match what the developer is proposing against the statute that directs our evaluation, and you'll see -- you'll see, and you've seen from our staff analysis, where we landed.

With that, I want to say thank you again and pass it along to Jessica.

MS. BONITZ: Is this working? Hello? Testing? Okay. Thank you.

I'm Jessica Bonitz with the Energy Commission's Office of the Public Advisor, Energy Equity, and Tribal Affairs. Today, we will have some presentations, hear from government representatives, and then have our main public comment period. I just want to mention at the beginning of our time together a few instructions for later in the day, which I will repeat again later.

If you're in the room and would like to make a comment, please turn in a blue card as soon as possible to the Public Advisor's table at the back. For those of you on Zoom who'd like to make a comment, I will provide instructions on how to do so later in the meeting. If you represent a government entity, whether it's local, state,

federal, California Native American tribe, or the legislator, and you're in the room, please indicate that on your blue card. If you're on Zoom, I'll provide instructions on how to raise your virtual hand later in the meeting.

Please note that public comments will be taken towards the end after presentations from CEC staff. For those of you who can't stay late and are in the room here in-person, you can write your comments in a blue card, even if it's solely a support or opposed position. Representatives from the Office of the Public Advisor will read those comments into the record during the public comment period. If you're on Zoom and cannot stay late for the public comment period, please email your comment to publicadvisor@energy.ca.gov, and your comment will be read out loud during the public comment period.

I also want to point out that we have fact sheets about the Opt-In Program, the Corby Project, battery storage, and battery safety at the Public Advisor's table in the back.

I will now pass the mic to Renee Longman.

MS. LONGMAN: Thank you, Jessica. I am Renee Longman, the CEC Project Manager for the Corby Battery Energy Storage Project.

The goal of today's CEC meeting is to present

staff's assessment, which includes a Draft Environmental Impact Report, or EIR, of the Corby BESS Project, and encourage public participation to gather information and feedback before the public comment period closes at 5:00 p.m. on September 14th, 2026. You may provide oral comments today or in writing to our project docket. Jessica Bonitz with our Public Advisor office will provide more details about that later in today's meeting.

Next slide, please.

The application for the Corby Battery Energy Storage Project was submitted to the CEC under the Opt-In Certification Program created under AB 205. The project proposes a battery energy storage system, or BESS, on approximately a 40.3-acre parcel in Solano County, California.

The project would include a 300-megawatt battery energy storage system, BESS, capable of storing 1,200-megawatt hours, providing up to four hours of energy storage, or enough power to run approximately 225,000 homes.

The project would also include associated project substation, inverters, and other ancillary facilities, such as fencing, sound barrier, roads, optional groundwater well, water tank, stormwater retention basins, storage containers, a supervisory control and data acquisition,

SCADA, system. The project would connect to the Pacific Gas and Electric Company, PG&E, Vaca-Dixon Substation northwest of the project site and across I-80, or Interstate 80, via a 1.1-mile-long 230-kilovolt generation tie line, portions of which would be installed overhead and underground.

Next slide.

The CEC received the project application on November 7th, 2024.

The CEC staff reviewed the data submitted and completed a series of requests for information before deeming the application complete on October 17th, 2025.

The CEC staff then held a public information and environmental scoping meeting in Vacaville, California on November 6th, 2020 -- 2025, sorry.

On January 16th, 2026, the applicant proposed a change in the battery technology to be used for the project and filed an updated project description to the docket. Subsequently, between January and April, the applicant filed additional materials to the docket.

In March 2026, the applicant requested a 62-day extension to issue the Staff Assessment, which was granted by CEC staff. The CEC extended this schedule twice, in May and June 2026, to allow CEC staff time to complete their independent analysis.

The CEC staff assessment was filed on July 15th, 2026, opening the 60-day public comment period, which closes on September 14th, 2026.

Today, we will share information from the Staff Assessment and hear any comments from agencies, governments, California Native American tribes, and interested members of the public. No decisions are being made at this meeting.

The CEC staff will publish an Updated Staff Assessment, which will include a final recommendation on the proposed project no later than October 19th, 2026.

The project and the CEC staff recommendation will be presented at a business meeting on November 18th, 2026, where the CEC Commissioners will vote, delivering a formal and final decision whether to approve the Corby Project. The business meeting will be formally noticed.

Next, I'll shift to discussing the key components of the Staff Assessment.

Next slide.

The Staff Assessment, which includes the draft EIR, has been prepared by a team of CEC technical experts, including mechanical engineers, air resource engineers, archaeologists, geologists, land use planners, biologists, and more. CEC staff evaluated the potential environmental effects of the construction and operation of the project in

compliance with the California Environmental Quality Act, or CEQA, the CEQA guidelines, the Warren-Alquist Act, and the California Code of Regulations, Title 20.

The topic areas shown on this slide, facility design, facility reliability, transmission system engineering, and worker safety and fire protection, are not included in a typical EIR. These engineering topics are required to be analyzed per the requirements of the Warren-Alquist Act and in implementing regulations in California Code of Regulations, Title 20.

CEC staff evaluated engineering aspects of the proposed project and concluded that the construction and operation of the project would conform with or follow all applicable local, state, and federal laws, ordinances, regulations, and standards, or LORS for short, and should the project be certified, that it can be reliably operated.

For further specific details, we encourage you to download the Staff Assessment from our CEC website. A slide later in this presentation describes how to find project documents on the website.

Next slide.

This table summarizes CEC staff's CEQA impact conclusions for the environmental topic areas. A less than significant impact is an impact that would not exceed the defined significance criteria or would be eliminated or

reduced to a less than significant level through implementation of the applicant's project measures and/or in compliance with existing federal, state, and local laws, ordinances, regulations, and standards. A less than significant with mitigation incorporated is an impact that would be reduced to a less than significant level through implementation of the identified mitigation requirements.

In the Staff Assessment, mitigations are called conditions of certification, or COCs for project components covered by the Opt-In Certification Program. In all but one resource area, CEC staff concluded that the project would result in less than significant impacts with mitigation incorporated where applicable.

For visual resources, CEC staff concluded that the proposed project would substantially degrade the existing visual character or quality of public views of the site and its surroundings, resulting in a significant and unavoidable visual impact even after mitigation. Additional details about the visual resource impacts will be provided later in this presentation.

CEC staff also assessed the project's conformance with laws, ordinances, regulations, and standards, or LORS, to determine whether the project as proposed would be constructed and operated in compliance with all applicable -- with applicable air and water quality, public

health and safety, and other requirements. Staff has proposed conditions of certification to ensure conformance where necessary and feasible.

For land use and agriculture, CEC staff notes non-conformance with LORS. The bolded red rows in the table means the project does not conform with LORS or causes significant and unavoidable impacts.

Next slide.

We will now begin our staff presentation on environmental topics. Please note that we are not presenting all the topics from our assessment. We chose to present these today because they are the topics of most relevance and interest based on public comments we received during the project scoping period based on the results of CEC staff analysis and public comments filed to the docket. The topics we will present are visual resources, land use and agriculture, cultural and tribal cultural resources, battery safety including public health and worker safety and fire protection, and lastly, alternatives.

I will pass it over to Eric Knight.

COMMISSIONER GALLARDO: I'm going to interrupt here. We do see more people coming into the room. We still have some chairs in the front row but we would like to add more on the sides just to ensure that everyone has a seat. So we're going to take just a quick break so that

the staff at the center here can help us do that. So I apologize for the interruption but want to make sure everyone has a seat. So we're going to do that now. We'll take a 10-minute break.

(Off the record at 4:33 p.m.)

(On the record at 4:58 p.m.)

COMMISSIONER GALLARDO: All right. So we're going to get started again. Apologies to our presenter, Eric Knight, for interrupting him, but I think we can get started now.

Eric, if you're ready, go ahead.

MR. KNIGHT: I'm ready, yeah. Thank you, Commissioner.

Good evening, everybody. Eric Knight, Manager of the Siting and Environmental Branch at the CEC. The visual resources staff assessment was prepared under my direction.

Next slide, please. Next slide.

There are four CEQA checklist questions for visual resources. The project would have no impact under the first two questions that address scenic vistas and scenic resources. This is because no scenic vistas or scenic resources have been identified or the project is not within views from locally designated sensitive ridge lines or viewsheds.

The third question, shown at the top of the

slide, asks, "Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings?" Here, staff found that the impacts would be significant and unavoidable.

Staff's evaluation focused on project prominence and visual absorption capability. Project prominence measures the degree of visual contrast with the existing landscape, while visual absorption capability assesses the ability of the existing landscape to absorb the visual contrast without resulting in a substantial alteration to its visual character.

The project-induced physical change to the existing visual character or quality was evaluated from nine key observation points, or KOPs. A KOP is a representative point in a publicly accessible location where a public view of the project is analyzed and evaluated. For each of the KOPs, the applicant provided photographs showing the existing view and photo simulations of how the proposed project components would appear from each KOP. On the next slide, I'll show before and after images from one of the KOPs as an example.

In general, the undeveloped rural project site will be substantially modified as the project would introduce forms, lines, colors, and textures associated with the BESS facility, substation, and associated

infrastructure that are not currently found in the existing landscape of the site. The project components cannot be camouflaged, disguised, screened, or surface-treated, nor can setbacks be employed that would mitigate the degradation of existing visual character or quality to less than significant levels. The existing rural open space would be replaced with an inherent semi-industrial utilitarian landscape character, and after mitigation, the visual impacts remain significant and unavoidable.

Next slide, please.

This slide shows images from figures 5.15-4a and 4b in the Staff Assessment for KOP 2a. The image on the left is how the project site currently looks to travelers at the intersections of Byrnes and Kilkenny Roads, looking south down Byrnes Road and towards the site. And the image on the right is a proposed project simulated in the view. The nearest project boundary to KOP 2a would be approximately 100 feet to the southwest.

Next slide, please.

The fourth and last CEQA checklist question asks, "would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?" Here, the impact was found to be less than significant with mitigation. The World Atlas Night Sky Brightness Interactive Map, which quantifies light

pollution, shows the project site in an area where brightness is relatively moderate and transitional. I'll show this map on the next slide. Existing nighttime lighting conditions vary throughout the area.

Because no light sources currently exist on the project site, the proposed project has the potential to be a source of substantial artificial light in the nighttime environment from outdoor lighting for site and building access and security purposes and glare and reflectance during daytime from project surfaces. However, staff concludes that these impacts can be mitigated to less than significant with the effective implementation of staff's proposed conditions of certification.

Next slide, please.

This slide is from the World Atlas Night Sky Brightness Map. It shows the brightness at night emitted from the general project area along the Interstate 80 corridor in the vicinity of the City of Vacaville and Solano County, California. The project site is in an area depicted by the pinkish-orange color near the top right corner of the image, indicating a transition zone between Rural/Suburban and Suburban/Urban, an area of relatively moderate emitted illumination.

Next slide, please.

Staff found that with the implementation of

staff's proposed conditions of certification and mitigation measures, the project would conform with the applicable goals and policies of the Solano County General Plan, Scenic Resources Chapter, and the City of Vacaville General Plan, Conservation and Open Space Element, as it pertains to sensitive viewsheds, scenic highways, and sensitive receptors -- or sensitive resources, excuse me.

Excuse me. That concludes the presentation on visual resources. I'll pass it over to Tatiana Inouye.

MS. INOUYE: Hello. My name is Tatiana Inouye with Aspen Environmental Group. I am the Senior Land Use Technical Specialist in charge of preparing the Land Use and Agriculture Staff Assessment for this project.

Next slide, please.

The Corby BESS Project would be constructed within unincorporated Solano County and within the City of Vacaville. The 40.3-acre BESS facility would be constructed on one parcel within Solano County that is zoned Exclusive Agriculture A-40. This zoning is intended to promote and preserve agriculture-related uses and requires the parcel size to be a minimum of 40 acres.

The 1.1-mile gen-tie line would cross one Solano County parcel zoned Exclusive Agriculture and three City of Vacaville parcels. Two of these city parcels are zoned Business Park and one is zoned Residential High Density.

The laydown area for the gen-tie line would be located on one City of Vacaville parcel that is zoned Residential High Density. Currently, the proposed site for the BESS facility is an uncultivated and vacant parcel that was formerly used as an orchard. The proposed gen-tie line and the gen-tie laydown area would be constructed across lands that are actively maintained as orchards.

Next slide, please.

To evaluate the project's impacts to agricultural resources, the Land Use Team reviewed Department of Conservation farmland mapping data and confirmed that the project would be constructed on 40.8 acres of important farmland in Solano County and 21 acres of important farmland in the City of Vacaville. The Department of Conservation categorizes important farmland as prime farmland, farmland of statewide importance, unique farmland, and farmland of local importance.

Because construction and operation of the BESS project would remove existing orchards along the gen-tie route and would prevent agricultural use of the BESS site throughout the life of the project, the project would result in the permanent conversion of important farmland. Permanent conversion is defined as the loss of an agricultural resource due to long-term changes in the site that prevent future agricultural activities.

To further determine whether this conversion of important farmland would be significant, the Land Use Team applied the California Land Evaluation and Site Assessment Model known as the LESA Model. The LESA Model rates the soil resource quality, acreage, and water availability of the project site and considers the extent of surrounding agricultural resources. The results of the LESA Model indicate that the project's conversion of important farmland within Solano County would be a significant impact if left unmitigated.

Next slide, please.

The Land Use Team also reviewed all applicable local, regional, and state LORS pertaining to land use and identified any conditions of certification that would facilitate compliance with these laws. As noted on this slide, the proposed project would not conform with Solano County Ordinance No. ZT-25-02, which prohibits BESS facilities in certain zoning districts, including the project site's exclusive Agriculture A-40 zone.

If the CEC were to certify the proposed project, this certification would authorize the construction and operation of the BESS facility despite an inconsistency with local zoning. By state law, a certificate issued by the CEC supersedes any local statute, ordinance, or regulation.

Other applicable laws include Solano County's Agricultural Mitigation Program set forth in County Ordinance No. 2024-1858. This Agricultural Mitigation Program requires a three-to-one mitigation ratio for conversion of important farmland. Implementation of Condition of Certification Land-1, which is further explained on the next slide, would ensure that these mitigation requirements are met.

The project's underground gen-tie Route Option 1 would cross an irrigation canal, which would require an easement from Solano Irrigation District per the Irrigation District's rules and regulations.

Implementation of Condition of Certification Land-2 would ensure that the project owner obtains this easement. The project's underground gen-tie Route Option 2 would run within a City of Vacaville Road right-of-way. The city's Municipal Code, section 14.12.040.100, would normally require an encroachment permit for working in the city's right-of-way. The city will make sure that -- I'm sorry, the CEC will make sure that the project follows the city's encroachment permit requirements as part of the CEC's own approval process through Condition of Certification Land-3.

Next slide, please. The Land Use Team concluded that the conversion of important farmland to non-

agricultural use would be a significant impact without mitigation. We recommend Condition of Certification Land-1, which would satisfy Solano County's Agricultural Mitigation Program requirements for farmland conversion. Under Land-1, the project owner would be required to execute an agreement with Solano Land Trust to establish an agricultural conservation easement that contains a minimum of 122.4 acres of important farmland in Solano County.

To ensure that construction and operation of the proposed gen-tie line comply with Solano Irrigation District's rules and regulations for easements, we recommend Condition of Certification Land-2.

To ensure that the project meets the City of Vacaville's encroachment permit requirements, Condition of Certification Land-3 provides that these requirements will be carried out through the CEC's approval process.

Thank you, and I will pass the presentation over to Brett -- or, I'm sorry, to Bill Larson.

MR. LARSON: Good afternoon. My name is Bill Larson. I'm a Senior Environmental Planner, Archaeology, with the CEC. I'm going to present a brief overview of the findings for cultural and tribal cultural resources.

Next slide.

Analyses for cultural and tribal cultural resources included a comprehensive literature review and a

records check at the Northwest Information Center, consultation with California Native American tribes, including a search of the Sacred Lands File curated by the Native American Heritage Commission, Historical Society outreach and consultation, pedestrian archaeological and built environment surveys, as well as built environment desktop surveys. Additionally, a buriedarchaeological site sensitivity analysis was conducted.

Next slide.

To be considered significant, a resource is typically 45 to 50 years old or older and must meet at least one of the four core criteria shown in this slide. In addition to meeting a significance criterion, the resource must retain enough of its historic physical characteristics and location to convey its significance. If these are met, the resource qualifies as a historical resource for the purposes of CEQA.

Next slide.

The analysis did not identify any archaeological or tribal cultural resources within the project area of analysis. The buried site sensitivity analysis resulted in a low to moderate potential for encountering buried archaeological deposits. Twenty-seven historic built environment resources were identified as requiring investigation. Three appear to be eligible for the

California Register of Historical Resources, CRHR, therefore qualifying as historical resources for the purposes of CEQA.

One, the Vaca-Dixon Substation Historic District, is recommended eligible for listing to the National Register of Historic Places and the California Register of Historical Resources under criteria A/1, Events, and C/3, Architecture.

Two, the Vaca-Peabody 230 kilovolt transmission line is assumed eligible for listing to the National Register and the California Register under criteria A/1, Events, and C/3, Architecture.

These two historical resources are about a quarter mile away from any project work and will not be affected by the project.

Next slide.

The third historical resource is the Catherine Kilkenny Residence, seen here on this slide with the picture on the right showing the ranch in conjunction with the project footprint in dashed yellow lines depicting the boundaries of the proposed project site, gen-tie Corridor, and laydown areas.

CEC staff conducted in-depth historical research, reviewed all professionally prepared and public comments, as well as opinions regarding the historic nature and

quality of the property located at 5310 Kilkenny Road in determining California Register eligibility.

CEC staff has determined that the Catherine Kilkenny Ranch Residence appears to be eligible for listing to the California Register under Criterion 2, People, for its association with Catherine Kilkenny and the Kilkenny Family in general, who were important local historical figures for the recognized role in developing the agricultural industry in Solano County, and Criterion 3, Architecture, as an example of late Victorian Queen Anne-style architecture, as well as its association with well-known local Master Builder/Contractor George Sharp, who built many of the buildings and homes in the area during the 1890s and early 1900s.

However, CEC staff recommendations apply to the Catherine Kilkenny Residence only. No other building structures, objects, or landscape features on any portion of the larger property are included in this eligibility recommendation.

The Catherine Kilkenny Residence would be temporarily visually impacted during construction, and there's potential for long-term visual impacts. The construction activity and subsequent facility would be in line of sight of the historic residence, further degrading the original historic setting. Implementation of

Certification, COC Cul-7, which requires the development and implementation of a visual screening plan would reduce visual impacts to a less-than-significant level.

Conditions of certification -- oops. Conditions of certification and mitigation measures for the project include the appointment of qualified cultural resources personnel to develop, oversee, and implement plans, programs, and protocols related to the cultural and tribal cultural resources, including the development of a comprehensive Cultural and Tribal Cultural Resources Mitigation and Monitoring Plan, the development and implementation of a Worker Environmental Awareness Program, archaeological monitoring during construction activities, the development of unanticipated discovery protocols and discovery of human remains protocols, the development of a visual screening plan for the Kilkenny Residence, and the production of a final Cultural and Tribal Cultural Resources Report summarizing all of the cultural resources work conducted during construction.

Next slide.

Conclusions. In sum, the overall finding for cultural and tribal cultural resources for the project is less than significant with mitigation incorporated for the construction and no impact for the operation.

Next slide.

Now transition to battery safety with Brett.

MR. FOOKS: Good afternoon -- or good evening now. Good evening, everyone. My name is Brett Folks, and I'm the Manager of the Safety and Reliability Branch. Today, I will be presenting on behalf of my colleague, Dr. Alvin Greenberg, who wrote the worker safety fire protection section of the Staff Assessment. Staff evaluated potential impacts during both construction and operation, including potential impacts associated with BESS thermal runaway and fire events which will be the focus of this presentation.

Next slide, please.

Staff reviewed the proposed project and identified hazards that could be posed to on-site workers and the off-site public during both construction and the operation of the BESS. Staff assessed the chances of those hazards impacting the public, off-site public, and the workers at the site, with review of the information provided by the applicant, past BESS incidents and available root-cause analysis, engineering studies, and published scientific studies and industry reports.

After reviewing and analyzing this information in the Worker Safety Fire Protection section of the Staff Assessment, staff's evaluation determined that with the proposed CEC-required mitigation measures, any potential

hazards from this BESS installation related to fire or explosion would be less than significant.

Next slide, please.

There are several codes and standards that the project would be required to adhere to if approved. The project would follow the latest edition of the California Fire Code with an emphasis on Chapter 12. This chapter addresses the installation, operation, commissioning, and decommissioning of energy storage systems used for generating or storing energy.

Per Condition of Certification WORKER SAFETY-6, the project would also be required to follow the 2026 edition of the National Fire Protection Association's 855, which reflects the latest standards for mitigating hazards associated with BESS.

Additionally, the project would be required to follow both UL 9540 and 9540A. The former is an industry safety standard that ensures that all components for a BESS are integrated and tested as a whole system. The latter is a test method used to evaluate the fire safety hazards associated with a thermal runaway event.

The project would also be required to follow the California Public Utilities Commission General Order 167-C, which established stricter oversight standards for maintenance and operation of BESS and increases oversight

of emergency response plans.

Next slide, please.

Staff review the engineering and administrative controls available to help prevent and/or reduce the impact of an incident from a BESS to less than significant. The project would use LG's JF2 DC Link container, which is made up of three connected M-Link enclosures.

Some of the engineering controls that would be used include that the JF2 DC Link would use a safer lithium iron phosphate chemistry, and that the cells would have passed safety tests per UL 1973.

A flammable gas detector and smoke detector connected to the fire alarm control panel would be in all three M-Link enclosures. These detectors would activate the NFPA 69 roof ventilation explosion prevention system if necessary.

The containers would also have partial deflagration panels. They would act like a pressure relief valve to help release any explosive energy.

Each M-Link is self-contained in its own enclosure with thermal insulation, which would help to slow down or prevent propagation of a fire from one M-Link to the next.

The project would also be required to follow administrative controls. One of these would be for the

BESS container shipped to the site to have a state of charge below 30 percent. Doing so would decrease the risk of fire.

The project would also be required to develop emergency response plans that would have to be reviewed and coordinated with the local fire department and approved by the CEC.

And staff has ensured that these controls are put in place with Conditional Certification WORKER SAFETY-7.

Next slide, please.

In addition to the robust engineering and administrative controls that would be imposed on the project, staff has been conducting independent research on the current failure rates for BESS. This graph shows how the failure rates of BESS per deployed gigawatt per hour has decreased significantly since 2018 per the Electric Power Research Institute.

Next slide, please.

Also investigated the circumstances of seven BESS fires here in California and one in New York State, which was included for informational purposes, that occurred in the past four years. Staff attempted to learn battery chemistry, whether NMC, NCA, or LFP, the root cause of the fire, how many containers were involved, how long the fire lasted, if any injuries or fatalities occurred, and what,

if any, environmental sampling and analysis was conducted.

Next slide, please.

The key takeaways from staff review are as follows. Siting a BESS facility outdoors in containers and not inside a building minimizes the damage caused by thermal runaway fires and reduces the threat of fire propagation. BESS fires are typically limited to a single container.

When sampling and analysis has been conducted by local authorities, the airborne levels of toxic air contaminants have been well below public health thresholds and has provided important information.

No injuries to workers or the offsite public have been reported, but most importantly, this effort has directed what mitigation staff imposes through our conditions of certification to ensure that the lessons learned from past incidents are incorporated into CEC-permitted projects.

Next slide, please.

Even with the engineering and administration controls in place, there is a possibility that an incident could occur at the site. With that in mind, and based on staff's review of past incidents, I will highlight several mitigation measures required for condition of certification in WORKER SAFETY-7 that would help ensure that the Dixon

Fire Department can safely respond to an incident.

The project would be required to establish a command --

COMMISSIONER GALLARDO: Sorry. We need to make sure we keep the noise levels down so you can hear the information. We came here as part of our duty to share the information, but if there's a lot of talking, you won't be able to hear that. You can respond to it during public comment. We also will want to hear all of what you have to say, and so we need to be respectful all around. I ask for that grace, please.

Sir, again, we need to be able to hear the staff. They've done a lot of work here, and they came all the way here to share the information. So, again, I ask respectfully, please, let's keep it quiet so the staff can finish their presentation, and then we can move forward to public comment.

MR. FOOKS: The project would be required to establish a command and control protocol. It is essential to have training provided by the project owner to first responders to establish roles and responsibilities ahead of time. This ensures that people would be ready to perform emergency duties during the detection, initiation, and possible escalation of a BESS fire.

Additionally, a dedicated mobile command and

control center would be provided outside the BESS facility. This would allow an incident commander to safely and remotely access the BESS BMS telemetry and fire alarm monitoring for the site to assess the situation and determine a course of action to combat a fire incident.

The project owner would be required to provide backup power for the NFPA 69 roof ventilation explosion prevention system, which would help to mitigate the explosion risk to first responders responding to an incident.

The project would also be required to provide thermal infrared cameras for real-time monitoring and early detection of potential fire incidents.

Additionally, the project owner would be required to consult with the Dixon Fire Department to ensure that there is an adequate supply of water on site for use by the fire department.

One thing of note from the public comments that the CEC has received is that the one water tank proposed by the applicant would not provide an adequate supply of water if a BESS fire occurred. Staff concurred and discussed this matter with Dixon Fire Chief Shafer, who agreed. Rather than dictate the additional amount of water, staff believe that the best approach was to allow the Dixon Fire Department to discuss their requirements with the project

owner. Anything decided between the project owner and the Dixon Fire Department would be reviewed and approved by the CEC.

Next slide, please.

One of the most important things needed during an incident is information. Per Condition of Certification WORKER SAFETY-7, the project owner would be required to provide handheld detectors capable of detecting carbon monoxide, nitrogen dioxide, and hydrogen chloride to the Dixon Fire and Vacaville Fire Departments. These detectors would aid first responders in protecting themselves, the occasional onsite worker, and the outside public.

Though handheld detectors are high -- are very helpful for localized ground conditions near the incident itself, staff has proposed Condition of Certification WORKER SAFETY-10, which would require the project owner to provide a chemical-sniffing attachment to a drone to the Dixon Fire Department. Drones have rapidly evolved and the US EPA has a separate chemical detection unit drone program they have used since 2016 as shown in the picture on the slide. The drone could be launched within minutes of the fire department being notified by the project owner that a thermal anomaly has been detected by multiple BMS sensors even before off-gassing or a fire occurs.

Staff has also received several comments related

to shelter-in-place directives and potential evacuations. The equipment provided to the Dixon Fire and Vacaville Fire departments would help first responders make decisions in the field in real time.

Furthermore, any shelter-in-place or potential evacuations would be issued by local agencies and these actions and information must be integrated in the emergency response plan as required by Condition of Certification WORKER SAFETY-2. And I want to reiterate that the emergency response plans would have to be approved and in place before the project starts operation.

Next slide, please.

In summary, staff determined that with a proposed CDC required conditions of certification, any potential hazards or impacts from this BESS installation related to fire or explosion would be less than significant.

This concludes the presentation on worker safety fire protection. I will now pass it over to Greg.

MR. CHITTICK: Thank you, Brett.

Hello. My name is Greg Chittick. I'm a senior engineer and battery safety consultant and I'm currently supporting the CEC as contract staff, and I'm presenting via Zoom. I will present staff's assessment of potential public health impacts for the Corby BESS Project.

Staff conducted a frequency and dispersion

analysis located in Appendix D of the Staff Assessment. The purpose of this analysis was to identify potential failure scenarios that can lead to public health impacts, to conduct a frequency analysis based on past incidents to estimate the potential frequency of thermal off-gassing events associated with this project, and to conduct a dispersion analysis based on failure scenarios to estimate the worst-case pollutant concentrations at residential receptors. The analysis relied on a review of literature to determine the reasonable worst-case parameters and to identify potential hazards and acute public health impacts.

In summary, the analysis determined that pollutant levels would be below the serious long-term health effects levels away from the immediate vicinity of the site and substantially below those levels at nearby receptors in the event of an incident at the BESS installation. Impacts would be less than significant. The following slides summarize staff's analysis of the potential impacts associated with BESS thermal runaway and fire events.

Next slide, please.

The frequency analysis, staff identified incidents since 2016 of all battery types within the United States that have occurred at utility BESS installations. An incident is defined as a thermal off-gassing event that

could produce impacts off-site. Off-gassing is defined as the release of gases, including potentially flammable and toxic pollutants, from a battery cell due to degradation, overheating, or other abnormal conditions. Staff combined this with the Federal Energy Information Administration information on operating BESS facilities installed since 2016 and their total operating megawatt-hour years to generate a frequency rate defined as incidents per megawatt-hour years of operations.

Staff also looked at newer BESS installations, which are more representative of the Corby Project, using LFP battery types and newer manufacturers' builds and designs. To capture this, staff looked at incidents at facilities installed in the last three years and the last five years using only LFP battery types.

In summary, an incident is estimated to occur at the project site once every 11 to 67 years, with a longer duration of 67 years being based on facilities installed in the last three years.

For the dispersion analysis, the purpose is to estimate the -- next slide, please. Yes, thank you.

For the dispersion analysis, the purpose is to estimate the concentrations and health effects of pollutants at residential receptors. Dispersion is defined as the behavior of pollutants as they exit the BESS unit

and move downwind. Generally, the farther from the source, or the BESS unit in this case, the lower the concentration of pollutants as they mix with the air. But there are a number of factors which affects how rapidly this occurs and what the concentrations might be at any point downwind, including the speed and temperature at which the pollutants exit the source, the BESS unit, the wind speeds and stability of the ambient air at the time of the incident, and the rate at which the pollutants are produced from the off-gassing or fire event.

The staff analysis utilized conservative assumptions for these factors and arrived at a reasonable worst-case value, which likely overstates the risk. We do this to ensure we do not understate the risk that different types of pollutants potentially produced and the rates they are emitted are taken from the battery manufacturers' UL testing and from a number of other -- a number of other studies in the literature addressing a wide range of potential pollutants, as well as conservative assumptions about the rate at which the pollutants are produced during an off-gassing incident.

To conduct a dispersion analysis and modeling, the staff used the US EPA regulatory model called AERMOD and five years of representative meteorological data, looking at each hour of the five years to identify the

worst-case hour. Periods with low winds, for example, can produce greater downward pollutant concentrations than higher or less stable winds for lower-velocity releases. And higher winds can produce higher ground-level pollutant concentrations in cases where there is a fire and more buoyancy by bending the plume over towards the ground.

The five years of data allowed staff to evaluate the highest impacts at nearby receptors under a large range of local meteorological conditions. Scenarios examined include both fire and non-fire scenarios. A fire scenario produces generally higher pollutant emission rates but with more temperature and buoyancy, therefore producing a pollutant plume which rises in the air. A non-fire scenario is when the BESS unit cells off-gas, but do not catch fire, and less pollutants are emitted, but the pollutants have a tendency to stay closer to the ground. Both of these scenarios could be experienced in a single incident.

Next slide, please.

This slide summarizes the health thresholds used in the analysis. The pollutant concentrations at different locations downwind were compared with the incident-based health thresholds. We used federal-level guidelines established by the U.S. Environmental Protection Agency called acute exposure guideline levels, or AEGLs, based on

the acronym AEGL. The AEGLs are health-based guidelines meant for short-term emergency exposures like the ones related to the battery storage facilities.

Staff use the AEGLs to determine health effects as the significance thresholds because they are specifically designed for short-term one-time exposures. AEGLs were developed by the National Research Council along with industry, academia, and international agencies, are used by the US EPA, and are designed to be protective of public health and to protect the elderly and children and other individuals who may be susceptible. AEGLs are divided into three levels, AEGL-1, AEGL-2, and AEGL-3. AEGLs are also divided into different timeframes. A one-hour timeframe was used by staff.

The diagram you see on the slide on the right shows the AEGL levels with increasing severity at the center in red. As pollutants disperse downwind in approximately an elliptical shape and mix with the air, the concentration decreases until at a certain distance the concentration equals AEGL-3, then AEGL-2, and eventually AEGL-1 and below.

AEGL-1 represents pollutant concentrations above which people could experience noticeable but temporary discomfort or irritation, like mild stinging or irritation of the eyes and nose, the area in yellow on the figure.

These effects are generally non-disabling, transient, and reversible.

AEGL-2 represents a substantially higher pollutant concentration, the area in orange on the figure, above which exposure is associated with serious, long-lasting, or potentially irreversible health effects like impairment of evacuation ability and severe eyes and respiratory tract damage with potential for chronic adverse effects. Sensitive individuals could be impaired worse. AEGL-2 could be debilitating for evacuation within a short period of time.

Pollutant levels above AEGL-3, the red areas on the figure, can cause severe pulmonary injury and potentially death.

Next slide, please.

The results of the dispersion modeling show that concentrations of pollutants that exceed AEGL-2 or AEGL-3 associated with an incident are contained to the immediate vicinity of the site and are well below AEGL-2 and AEGL-3 at the nearest offsite residential receptors, meaning the project would not cause serious or irreversible health effects at a residence during a BESS incident. Concentrations for all pollutants except one, nitrogen dioxide, or NO2, would be below the AEGL-1 health threshold at the closest residential receptor, which is 880 feet to

the north of the BESS units.

Under the worst-case conditions, nitrogen dioxide impacts could exceed AEGL-1 at some of the closest residential receptors. However, AEGL-1 corresponds to temporary non-disabling discomfort or irritation, and the exceedance at a residence would only occur during meteorological conditions with low stable winds towards the closest residence, which occurs about 0.7 percent of the time. Therefore, the project will result in a less than significant impact to public health.

Next slide, please.

However, to ensure public health and worker safety is protected, CEC staff recommends multiple conditions of certification, or COCs, in the Staff Assessment. Mr. Fooks has discussed the detailed requirements of staff-recommended COCs for Worker Safety and Fire Protection section, many of which would also result in benefits to public health, including such items as emergency response planning, fire department coordination, and best practices such as video and smoke, pollutant fire detection systems.

In addition to those requirements, COC PH-1 would require the applicant to implement an emergency notification system capable of rapid communication to nearby occupants. CEC staff also recommends COC PH-2 to

require the applicant to conduct real-time air monitoring to provide timely feedback to any workers or people potentially affected during a BESS incident. COC HAZ-9 would also require soil and water measurements. Additionally, COC 5 would require a water quality control plan that identifies the potential impact and mitigation of any accidental discharge of materials that would impact surface and groundwater. This plan would include best practice measures to prevent surface water and groundwater contamination in the event of any accidental release of contaminants, such as potentially associated with a battery fire.

The adoption of these conditions of certification would ensure potential public health impacts associated with a BESS incident are less than significant.

I will now pass it over to Tatiana.

MS. INOUYE: Thank you, Greg. I'm Tatiana Inouye, and I will now describe the alternatives analysis for this project.

Next slide, please.

The first step in preparing the alternatives analysis is to describe the objectives of the project. Staff uses the objectives to identify and evaluate feasible alternatives that generally meet the objectives while avoiding or substantially lessening any of the project's

significant impacts. The proposed project's objectives are to construct and operate a 300-megawatt BESS that interconnects to PG&E's Vaca-Dixon Substation to meet contractual obligations to provide energy storage services, to develop a BESS that supports grid stability and helps prevent local and regional blackouts, and to develop a BESS that supports the efficient use of renewable energy in California's Renewable Portfolio Standard goals.

Staff selected two potentially feasible alternatives, plus the required no-project alternative for analysis in the EIR. Evaluation of a no-project alternative is a requirement under CEQA Guidelines Section 15126.6(e)(1). Staff also identified two action alternatives, which include the Lambie Industrial Park alternative and the central overhead gen-tie route alternative. These alternatives are described further on the next slides.

Next slide, please.

The no-project alternative analyzes the types of effects from not constructing or operating a BESS facility at the proposed site. This alternative would not meet the project's objectives, but as previously mentioned, is a required alternative under CEQA. This alternative assumes that in lieu of the project, other activities or development would occur that would be compatible with the

site's A-40 zoning. The no-project alternative would avoid the impacts associated with construction and operation of the project. However, because this alternative would not construct a battery storage facility, it would not contribute to a reduction in greenhouse gas emissions that is expected to occur from the proposed project.

Next slide, please.

The Lambie Industrial Park alternative would be sited on approximately 25 acres within the larger 1,461-acre Lambie Industrial Park, which is zoned Manufacturing/General. The Lambie Industrial Park is characterized with a rolling terrain and would require grading activities to construct a BESS facility. The alternative would also require construction of a 14-mile-long gen-tie with an approximately 175-foot-wide right-of-way to accommodate the 230-kilovolt gen-tie line.

Staff determined that this alternative is feasible and would meet the basic objectives of the project. Staff's analysis of this alternative found that the alternative would have slightly greater air quality emissions due to site grading activities and construction of the longer gen-tie line. However, the overall air quality impacts would remain less than significant with implementation of staff-proposed conditions of certification or mitigation measures.

Ground disturbance from site grading and from construction of a longer gen-tie would impact vegetation and wildlife. With implementation of conditions of certification or mitigation, the overall biological resource impacts from this alternative would be similar to the project.

Next slide, please.

The zoning for the Lambie Industrial Park site allows BESS facilities as a permitted use, and this site does not contain important farmland. However, the 14-mile gen-tie route would cross many residential and agricultural land uses, and conditions of certification would be required to mitigate impacts from this alternative to a less than significant level.

Because cultural resource studies have not been conducted for this alternative, specific impacts to cultural and tribal cultural resources are unknown. Staff expects that any impacts would be of a similar severity as the proposed project and would require similar mitigation.

The Lambie Industrial Park site is located further from residences than the proposed project site. However, under this alternative, staff would require the same conditions of certification as the proposed project to avoid hazards and public health-related impacts. Staff determined that the proposed project's overall impacts

associated with hazards and public health would be less than significant with staff-proposed conditions of certification. As such, the hazards and public health-related impacts from this alternative would be of a similar severity as the proposed project.

Because the Lambie Industrial Park is largely undeveloped, impacts would occur from the visual change of developing a BESS facility and constructing a 14-mile gen-tie line. The overall visual impacts from this alternative would be similar to the project.

Next slide, please.

The central overhead gen-tie route alternative would be an overhead-only gen-tie route that would follow the same alignment as the proposed project. This alternative would eliminate the installation of a concrete duct bank, as well as the transition poles at either end of the 1.1-mile underground segment. The BESS facility would be constructed at the same site as the proposed project. Staff determined that this alternative is feasible and would meet the basic objectives of the project.

Staff's analysis of this alternative found that the alternative would have a slight decrease in air quality emissions due to less ground disturbance. However, the overall air quality impacts would remain less than significant with implementation of conditions of

certification or mitigation measures.

The additional length of the overhead gen-tie line would slightly increase the risk of avian collision with transmission structures. However, the overall biological resource impacts from this alternative would be similar to the project with implementation of staff-proposed conditions of certification.

The overall hazards and public health-related impacts from the alternative would be similar to the proposed project.

This alternative would create additional impacts to views from the Kilkenny Residence. Additional mitigation would be required to specifically address this impact.

Next slide, please.

Staff conducted a comparative analysis of the impacts from the three alternatives and the proposed project. The no-project alternative would have the least environmental effects of the alternatives and the project, but it would not meet the project's objectives. The Lambie Industrial Park alternative would avoid a conflict with the county's zoning requirements for siting BESS facilities. However, construction of a 14-mile, 230-kV gen-tie line would likely impact agriculture, biological resources, cultural resources, land use, and visual resources.

The overall impacts from construction of the BESS facility and the gen-tie line would be of a similar severity as the proposed project. But the extended gen-tie corridor would mean that more people, including additional sensitive receptors, would be affected. This alternative would still require the same type of conditions of certification and mitigation as the proposed project.

The central overhead gen-tie route alternative would require less ground disturbance to construct the 1.1-mile overhead gen-tie segment than the proposed project. However, the overall impacts from this alternative would remain similar to the proposed project and the same types of mitigation would be required.

Neither of the action alternatives would avoid or substantially lessen any of the project's significant effects. Given the detailed analysis of project-specific impacts presented in the Staff Assessment and the conditions of certification and mitigation measures that have been tailored for the proposed project to reduce potential impacts to a less than significant level, the proposed project is the CEQA environmentally-superior alternative among the action alternatives.

That includes the overview of alternatives and I will now pass it to Renee.

MS. LONGMAN: Thanks, Tatiana.

I will now go over the Opt-In requirements and the next steps in the CEC process.

Next slide, please.

As a part of the Opt-In Program, there are mandatory requirements that projects must meet. We are highlighting three of these requirements. As required by Opt-In, the applicant has committed to provisions of the Labor Code, including paying prevailing wages and to using a skilled and trained workforce during construction.

Next slide.

Under Public Resource Code section 25545.9(b), there is a rebuttable presumption that the construction or operation of the facility will have an overall net positive economic benefit to Solano County. Economic benefits may include, but are not limited to, employment growth, housing development, infrastructure and environmental improvements, assistance to public schools and education, assistance to public safety agencies and departments, and property taxes and sales and use tax revenues.

The application shows a net positive economic benefit to Solano County related to employment growth and tax revenues, i.e. property and sales taxes. The project's benefits include economic benefits typical for a large-scale industrial project with an extended construction period. These benefits include construction employment and

associated payrolls, property sales and use taxes, equipment rentals and local spending generated by the project and its workforce. Following construction, the project would employ a small number of employees and continue to contribute tax revenues to the state and local community.

The project would be in Solano County. Property taxes generated over the life of the project would make contributions to the County General Fund and Dixon Fire Protection District to help offset any potential fire response and law enforcement costs. Resulting tax revenues would be allocated among 75 taxing entities in Solano County, including the local agencies and districts where the project is located and in accordance with standard distribution formulas. These include the Dixon Unified School District, Dixon Fire Protection Agency, and Solano County Community College.

Construction and operation of the project would generate state and county sales tax revenues. Sales tax liability would depend on the point of sale and the location from which equipment and materials are purchased.

In addition to direct revenues, the project would generate indirect and induced fiscal benefits as summarized in the applicant's Opt-In application. Project construction would generate approximately $18.2 million in

sales and use tax revenues and $3.4 million occurring to the county. Over the lifetime of the project, operational total tax revenue from property taxes would be approximately $70.5 million.

Next slide.

For the second Opt-In requirement, the applicant must enter into one or more legally binding and enforceable agreements or that -- or that benefit a community-based organization. To meet this requirement, the applicant submitted an executed agreement for $500,000 with the Solano Community Foundation, a grant-making organization that awards grants and scholarships to improve the lives of Solano County residents. Solano Community Foundation is a qualified community-based organization under Public Resource Code section 25545.10(a).

Specifically, funds totaling $500,000 will be distributed by the Solano Community Foundation towards the following: Solano Community Foundation General Operating Fund to support implementation of community-based philanthropic programs; Education Plus! Program Fund to support classroom grants to educators in Solano County; Solano Community Impact Fund to support grant-making and strategic community investments; A Hand Up Fund, which helps clients secure social security, disability benefits and healthcare access, and provides assistance with

clothing for job interviews, vehicle repairs essential for employment, and housing application support.

Next slide.

I will now transition to the recommendation by staff for a CEQA override.

As discussed earlier in this presentation, CEC staff concluded that the proposed project would substantially degrade the existing visual character or quality of public views of the site and its surroundings, resulting in a significant and unavoidable visual impact even after implementation of mitigation. These conclusions were made based on CEC staff's independent and objective evaluation of the proposed project based on all available information.

Under CEQA, to approve a project with unavoidable impacts, an agency must find that specific economic, legal, social and technological or other benefits of the project outweigh those impacts. Such a determination must be supported by specific findings regarding benefits of the project supported by substantial evidence.

Here, although CEC staff concludes that the project would result in significant and unavoidable impacts to visual resources, staff also concludes that these impacts are outweighed by the project's benefits and are therefore acceptable. The project would provide regional

economic growth, numerous local jobs, support for local community organizations, improve grid reliability progress on California's renewable energy and greenhouse gas emission reduction goals, and would displace fossil fuel generation and corresponding air pollution that harms public health and the environment.

Thus, staff concludes there -- concludes, excuse me. Thus, staff concludes there is substantial and compelling evidence in the record to support a CEC decision to approve the project by issuing a statement of overriding considerations.

Next slide.

We will now discuss the next steps in the Opt-In Certification process. Today, we will be taking oral comments on the Staff Assessment. Written comments on the Staff Assessment can be submitted to the project docket until 5:00 p.m. on September 14th, 2026. We will respond to all comments raising significant environmental issues and make edits to the analysis, if necessary, in the updated staff assessment, which will be filed on or prior to October 19th, 2026, along with the executive director's recommendation. The CEC is planning to consider the Corby BESS Project's Opt-In application at a business meeting to be scheduled for November 18th, 2026.

Next slide.

We would like to invite Qaim Syed to the podium for applicant remarks.

MR. SYED: Working now? Awesome. Good afternoon, Commissioner Gallardo, Energy Commission staff, and members of the public. My name is Qaim Syed and I'm here representing the project applicant, Corby Energy Storage.

First, I'd like to introduce who we are. NextEra Energy Resources is the parent company of Corby Energy Storage. NextEra Energy Resources is an American-owned and operated company, and the country's largest energy infrastructure developer. We are the largest producer of wind and solar energy in the U.S. and a world leader in battery energy storage, having developed approximately 20 percent of the energy storage sites in the U.S., including 17 right here in Operation California.

In the state alone, we've invested $12.6 billion in infrastructure that produces $31 million in annual land payments and $44 million in annual property tax revenue. We also have owned and operated three wind projects right here in Solano County's Montezuma Hills region. All that to say, we're a leader in the industry with extensive working experience in California, and for good reason.

Now California needs to build an unprecedented amount of renewable energy resources to meet its climate

and energy goals, including 90 percent clean energy by 2035, ramping up to 100 percent by 2045. This includes a large amount of battery energy storage.

Energy storage projects are especially important because they optimize the way the power grid delivers electricity to customers, even when the sun goes down and the wind isn't blowing. They provide reliable energy on demand that help keep the lights on and air conditioners blowing during periods of high demand in the hottest months of the year. Energy storage projects can help avoid the need for some system upgrades, including large transmission projects that also drive up energy costs.

Corby Energy Storage is geared towards helping California meet those needs. Corby is a 300-megawatt, 1,200-megawatt-hour energy storage project located on approximately 16 acres within a 40-acre privately owned parcel in Solano County. The site provides clean energy storage capacity with no water use during operation on currently vacant land. The relatively small footprint can help support and power 200,000 homes for four hours a day. The project is located within a mile of the Vaca-Dixon Substation where it will be interconnecting and is the only nearby substation without congestion that can support a standalone battery storage project.

Corby will support grid resiliency while creating

over 100 construction jobs and contributing over $70 million in property tax revenue over the life of the project.

Further, the project has executed a community benefits agreement with Solano Community Foundation and has supported various Solano-based community organizations through charitable contributions and membership throughout the inception of the project.

As the owner and operator of the site for 30 years, safe design and operation is of the utmost importance to us. The Corby Project has designed -- has been designed to meet the latest and most stringent code requirements available. The containerized modular units employ proven lithium-ion technology and have demonstrated compliance with the latest versions of NFPA 855, the standard for energy storage systems, and include UL 9548 certification for rigorous thermal runaway testing.

Like the rest of our fleet, the site will be monitored 24/7 via our Renewable Operations Control Center and along with periodic inspections from a local operating workforce who would be onsite in the event of an emergency. We will also be conducting training with the Dixon Fire Department to ensure emergency response personnel are familiar with the site design and emergency response procedures.

Lastly, the project has conducted extensive technical studies and analysis to demonstrate it would have no significant impacts to public health and safety under the most conservative assumptions.

For these reasons, we believe the Corby Project is an important energy reliability project for the state of California, will provide substantial economic benefits to the local community and be designed -- and has been designed with safety and reliability at the forefront.

Thank you.

MS. BONITZ: Hey, hello again. I'm Jessica Bonitz with the Office of the Public Advisor, Energy Equity, and Tribal Affairs. And today I will just quickly present on how members of the public, California Native American tribes and others can participate in this proceeding.

Next slide, please.

Part of the mission of our office is to facilitate public and tribal engagement in CEC programs and policies. We are a free resource available to anyone who wants to participate in CEC proceedings, including the Corby proceeding. I will be sharing our contact information on a later slide.

Next slide, please.

Now I will talk about different ways to

participate in the CEC's Corby proceeding. There are multiple ways to participate. The first is to follow the proceeding. Another is to comment on the proceeding. And a third option open to California Native American tribes is tribal consultation.

Next slide, please.

I will now go into more detail on how to follow this proceeding. One of the most popular ways to participate in our programs and policies is to follow them. You can follow our proceedings by reviewing materials we post on our website, signing up for email updates and by attending events like the one here today. Our events are almost always hybrid or fully virtual via Zoom, so the public can attend our events from anywhere with a phone or internet connection.

On this slide, you see a snapshot of the CEC webpage for the proposed Corby Project. It has information on the proposed project and project status. And it has a place where you can subscribe for free email updates on this project under the subscribe section. There's a link to submit written comments directly to the project docket and a link to the entire project docket.

So what is a docket? The CEC has publicly-accessible online dockets for its proceedings. This is basically a place where application materials, public

comments, notices, agendas and other documents are filed and available online.

On this slide, the image to the right is of the docket for the proposed Corby Project. With few exceptions, all materials in the docket are linked and available for anyone to download and view for free.

Next slide, please.

Another way to participate is to comment. As in all -- as in all of CEC's programs and policies, any person can provide comment verbally at a CEC event or in writing. Please note that comments will become part of the public record with access available via any internet search engine.

To comment verbally, attend the event and wait for the instructions during the public comment period to make your comment. For our hybrid events, you can comment in-person or via Zoom online or by phone. Coming up on our agenda is a public comment period.

The CEC also welcomes written comments. As I stated before on the CEC website, we have what is called a docket for each project proceeding. Written comments can be submitted to the docket for the proceeding at any time, but the most effective time to do so is during the announced public comment periods. On our website, you can submit a comment electronically by typing it into our e-

comment page or uploading a document such as a letter. We also have email and paper mail options to submit a comment that are detailed in the notice for today's event. If you need assistance commenting, you can contact our office. I will have our contact information on the last slide.

Next slide, please.

The CEC has invited tribal consultation in this and other Opt-In proceedings. William Larson from the CEC Siting Division is available for inquiries and other communications from California Native American tribes.

Next slide, please.

Thank you for attending this meeting and your interest in this proceeding. We're here to serve the state of California and your participation is a big part of this process. Here's a contact information for the Office of the Public Advisor, Energy Equity, and Tribal Affairs. My office is available to assist you in participating in CEC's programs and policies. Again, just a reminder to turn in your blue cards at the Public Advisor's table at the back.

So now we will begin public comment at this time. Before we move to general public comment, we will begin with comments from government entities, including local, state and federal government in California Native American tribes. If you represent a government entity, including a California Native American tribe, if you're in the room,

please walk up to the podium. If you're on Zoom, click on the raised-hand feature. It looks like an open palm at the bottom of your screen. And if you're joining us by phone, please press star nine to raise your hand.

We will start with commenters joining us in-person, then transition to our online and phone attendees. If you're here as a member of the public, we ask that you wait until we've heard from government entities. We will continue with general public comments immediately after.

First, we have Mayor John Carli, the City of Vacaville, followed by Supervisor Mitch Mashburn with Solano County.

MAYOR CARLI: Well, good evening. It seems like it's going to be a long night. And this is not the first time that I've had a city council meeting in this room, and so I just want to start off by introducing myself as the Mayor of the City of Vacaville. And my remarks, well, I will try to keep them fairly brief because there's a long line that's going to be behind me for sure. The City of Vacaville will also have its own prepared marks of which mine are a reflection of that.

And so I just want you to consider that this is really a significant moment for the City of Vacaville, for the City of Dixon, for the rural unincorporated area of which I see Supervisor Mashburn, so I will not steal his

thunder because he will certainly be able to express what the county has already done and what it's looking for.

I think it's important that the City of Vacaville -- and there's a feedback here, so maybe we can fix this. I think it's important that you understand as you consider the importance of this moment, that the City of Vacaville is not against battery energy storage systems at the grid scale.

And for the purpose of your education, and I will get to the point in a few minutes here, is that the City of Vacaville has followed a course over the last four years that started in my early term as Mayor that focused on battery energy storage systems located potentially even in the city limits of Vacaville. And it's important because what I don't want you to do is just go through a process. I, too, have worked inside a government entity looking at what is the best practice.

And what you're going to hear tonight in this audience is a lot of people, and you're going to see signs, and some may say no or they're against, but I want you to seriously consider not what they're against, but what they're for. You're going to hear that they're not against all types of battery storage. And we sit right here with one of the best locations because of the Vaca-Dixon Substation. We also own land as the City of Vacaville,

where it was considered to have a site for a battery energy storage system at grid scale. Is one, two, five, ten enough? The City of Vacaville has its own interest in storage as well.

But what we have in front of you, and what I didn't see in the presentation is while it does look like it is part of the parcel that's in the unincorporated area, there is significant development of land use and zoning that is part of what is unique in Solano County. And that is the Orderly Growth Ordinance. It's been reaffirmed not just once now, but it's the second time. And what that says is what is within the city, or actually what is going to be of urban importance, should be municipal.

So the area that you're looking at has two growth areas. One is the Northeast Growth Area, and one is also an area that's focused on the East of Leisure Town. These are areas where we're looking at residential, annexation of hundreds, if not close to 800 acres, that this is in the pathway. So what's in front of you isn't just prime ag land, it's residential and commercial parcels for our development, because in the county, it's well known whether you know it, and that is as we are to grow and develop in a very urbanized tight environment. And the placement here puts this project within 250 feet of where we're trying to develop for advanced manufacturing. That's not to say that

the county's interests aren't important. They very much are.

But we talk about what is the tax increases that it might generate. What about the property value decrease? And I say that in all sincerity, because if you place -- I was standing outside that image where there's only one property right next to it, and so it seems like it's only one resident that it's affecting. What you don't see is the countless hours of staff time for the city developing an entire growth area that includes residential, where those properties will have, basically, the 230-kV lines going through them. What are we supposed to do with that? So you're missing the entirety of the picture.

One other area that I want to point to is there's an alternative that you didn't discuss. It's an alternative that you're going to hear here, and that is, is what about a different technology that doesn't have a thermal anomaly? They do exist. We have studied this as the City of Vacaville. We put in a moratorium for a period of, I think it was about 18 months, so that we could actually study alternatives.

We also came up with, because of the help of so many people that are behind me that you're going to hear from, that there are technologies that are in place at SMUD in Sacramento, iron flow batteries. We are exploring these

and we actually, as a city, we as a council and staff and the support of the people behind here said, we can actually support a different type of technology. And we identified three locations within the City of Vacaville where we actually could put a BESS. And one of those properties -- actually two of those properties are on city property. Well, what about our opportunity? The truth is, is this is the City of San Francisco, City and County of San Francisco's project in our backyard.

And so there are safer technology alternatives and we have been researching them. And that is why what is missing in this whole process is there are alternatives that you didn't suggest. And that is those technologies that are becoming plentiful. They're not just, you know, futuristic thinking. They are in production. They're plentiful, salt iron flow batteries. They're here and we know them. We've been talking to them.

So what's missing in the proposal from Corby, which is highly suspect, is moving directly to a proposition of a different technology. And what we -- I suspected all along is, is while we were working towards a good project, this is actually right in line and right in the way of our future. It's not just ag land.

And just a few other points. The issues of the CEQA flaws here, I want to -- first and foremost, it's not

a matter of if or when there is thermal runaway. We can look at the risk. I appreciate this. I have 32 years of law enforcement experience and seven years as the chief of police working hand in hand with the cities of Dixon and Solano County Office of Emergency Services. So I realize there's a lot of people with a lot of knowledge here, but do not discount what you're going to hear tonight. It isn't just emotion. It is very informed people who have done the research, who have met with these other companies who have alternative technologies, who would actually be okay with a different technology. And that's what you're going to hear.

And so with that, I just want to -- I want to say, I know it's difficult. I've sat on your side of the table many times. But I want you to have an open mind to the alternative that was not part of this process. And that alternative is this different technology.

And with that, I also just want to say that as we continue to grow, please pay attention to our staff reports and our video recordings of our recent discussion on our Northeast Growth Area. We plan to develop all around this. This has been in our sphere of influence for 20 years. And this project is leaning right up into the area where the city and the counties have had discussions about what this future looks like.

So please, I urge you to pay attention to what you're going to hear tonight. We're not against it, but we certainly don't believe that this is the technology that's suited to be around our urbanized area, so thank you.

MS. BONITZ: Thank you, Mayor.

Next, we have Solano County Supervisor Mitch Mashburn, followed by Vacaville City Councilman Michael Silva.

SUPERVISOR MASHBURN: Thank you very much Commissioners for having me here tonight. This seems to be becoming a regular thing for me, whether it's this Commission or the state legislature, or sometimes the governor. But this evening I'm here to talk about the BESS. I have two different statements that I'd like to make. The first is the county's statement on this, and the second is mine.

For the county's statement, I'd like to say that Solano County recognizes the importance of battery energy storage and grid reliability. In fact, the county has adopted a BESS ordinance specifically to establish where these facilities may be appropriately located and how they should be regulated. We're not the county of no.

Other concerns with Corby focus on land use and agricultural protection, water and public safety, and whether less impactful alternatives have been adequately

considered.

The first concern that the county has is that the proposed project is on land designated and zoned agriculture under the County General Plan. The county does not allow BESS facilities at this location. As a matter of fact, there's a prohibition. This is a particularly important because Measure T, as was just discussed a minute ago, the voter-approved Orderly Growth Initiative, protects lands designated agriculture and limits their conversion to other uses without voter approval. We'd be overriding the will of the voters of Solano County. That's 400,000 California residents, I will point out.

We recognize the legislature has given the CEC authority to Opt-In process to supersede local land use authority. However, that does not erase the county's general plan, its zoning, its BESS ordinance or the environmental significance of those locally adopted protections. The county is asking the CEC to fully disclose and evaluate these conflicts rather than treating them as minor land use inconsistencies.

Water and public safety is number two. The county remains concerned that reliable water supply has not been demonstrated as you stated in your own presentation. The Draft EIR identifies two potential sources, the Solano Irrigation District or new groundwater wells. Both remain

uncertain and unproven. We need a clear understanding of the project's water needs and the potential impacts to groundwater, agriculture and neighboring wells.

The analysis needs to fully address fire emergency response, not leave it in the hands of the local fire agency to advise the company on what might be best, including the potential effects of thermal runaway events, contaminated fire suppression water on surrounding agricultural and residential properties. These issues should be evaluated before project approval, not deferred.

Number three, take a harder look at the alternatives. The Commission should more thoroughly evaluate alternative locations consistent with the county's BESS siting framework and alternatives that avoid agricultural lands and reduce impacts to nearby residents.

The analysis should also meaningfully consider alternative technologies and designs that could reduce fire water and hazardous material and community impacts. The purpose of alternatives analysis is to determine whether the project's fundamental objectives can be achieved with fewer environmental and public safety impacts, not simply to justify the applicant's preferred project.

The applicant's schedule, contract commitments to PG&E or the California ISO, should not unnecessarily constrain consideration of feasible and less impactful

alternatives that could still meet the state's underlying energy and reliability objectives. And when I say that, what I'm talking about is earlier, Chair, you spoke to the fact that one of the things that the Commissioners are going to be considering is that there are alternatives that you wouldn't mind having next to your house. There are alternatives out there that are -- that are viable and feasible and have no greater impact than the project as it's proposed right now.

And your slide number 53 shows that when it talks about the Lambie project and the Lambie Industrial Park. It says that, your own slide says that, that project is just as impactful but not more impactful than the current proposed project. If we have a viable alternative that is going to give us the opportunity to provide for the state of California, which you said is the gospel consideration for you, right, in our county, but does not diminish the public's voice, Measure T, the voters will, it doesn't diminish any of those things, why would staff recommend and why are we even considering this project at this site? Because it's viable somewhere else.

That said, I'd like to move over to some of my comments now. I'm saying this as the elected representative of District 5 and the residents out there who may not be able to be here tonight and don't have a

voice.

And the first is that the recommendation that was made tonight ignores local law and voter intent. This project would permanently convert prime farmland in an A-40 agricultural zone to land the county has long protected in its General Plan, zoning, and road buffer policies. Offsite mitigation does not replace soil, community character, or voter protections disregarded here.

Worse yet, Solano County residents explicitly passed Measure T to protect agricultural land and limit industrial sprawl. This has been part of Solano County's general plan for decades, yet the staff produced a multi-hundred page EIR where Measure T is not mentioned a single time, not once. And one of the things that's supposed to be considered in this is local ordinance and Measure T is not mentioned one time. 400,000 people approved it, it doesn't get a mention. That is not oversight. That is an active administrative erasure of local voter intent.

This recommendation failed to prove this project is safe. Lithium-ion BESS facilities carry catastrophic risks of thermal runaway and toxic off-gas releases. Staff did not require or perform full scale installation-level plume modeling. Instead, I could go out there and burn a trash barrel and do a better study than what was provided for this study right here; right?

Instead, they accepted a scale down testing that still admits nearby residents will suffer adverse health effects. If a limited model already shows health hazards for its nearest neighbors, what happens in a real fire, a real life incident? How far will toxic plumes of hydrogen fluoride and carbon monoxide actually travel under Solano County's specific wind profiles and thermal inversions? And I'll remind you, we built the base there for a reason. That wind blows over 20 miles an hour on any given day out there.

If you can answer these questions truthfully, look me in the eye right now and answer these questions for me, then I guess I'll have to let that point go. But the Commission cannot prove -- or should not approve this project knowing the real world danger.

Furthermore, we have zero guarantees, not one, that our groundwater won't be contaminated by PFAS or heavy metals after a fire. There are Solano Irrigation District canals that run directly through this property. How will staff protect that water from becoming contaminated and dispersed all across our county, through all of what we consider to be one of the bread baskets of our county for the purposes of growing and cultivation?

Lastly, this recommendation dismissed the safer lawful alternative. And you've heard me say that in the

county's statement as well. Solano County created a BESS ordinance to direct projects toward appropriate industrial sites. Lambie Industrial Park avoids permanent loss of prime farmland, has buffers from the public, aligns with local policy and still serves state energy goals.

Staff dismissed this alternative based on assumptions and visual impacts while giving too little weight to the public safety and permanent removal of farmland from production. That weak analysis denied this Commission the meaningful comparison that CEQA requires. This Draft EIR fails on local ordinance regulations and standards, public safety, water protection and alternatives, which creates vulnerabilities for litigation to this project.

Do not accept this EIR today. Direct staff to do the work, to analyze Measure T models, model the real fire and water risks, and fully evaluate the Lambie Industrial Park before sacrificing irreplaceable farmland. The public deserves more than to be rushed to approval. We deserve lawful -- a lawful, transparent and safe decision.

Thank you.

MS. BONITZ: Thank you, Supervisor Mashburn.

Next, we have Councilman Michael Silva, followed by Vacaville City Councilman Roy Stockton.

VICE MAYOR SILVA: Thank you and good evening,

Commissioners. My name is Michael Silva. I serve as the current Vice Mayor of the City of Vacaville, and I'm also a City Council member. In addition to that, I actually am a professor of biotechnology at our local Solano College and it's been an honor to serve our -- my hometown. It's been an honor to serve our county in this great state of California, in this great nation of the United States, in this one beautiful rock that we all call home in this vast universe.

You know, I come from a family of fruit pickers and, you know, folks who -- folks who actually work the land. And this land in itself is extremely precious to the family and the legacy that the sacrifices of not just my ancestors, but many of our ancestors made. So I'm here today to respectfully ask this Commission to honor the will of our community.

Solano County went through a long, deliberate process to evaluate the safety and placement of battery energy storage systems. Lithium-ion technology remains among the most volatile energy storage methods available and where the science and safety standards are still evolving.

Recently, I was told aboard an airplane that it couldn't pack additional battery packs because of the threat that it would have to the airplane. And being a

father, I had to leave that behind, not just for the interest of my kid, but everybody on board.

But overall, this process and the process that our city and our county separately went through led our particular county to identify specific areas best suited for battery energy storage systems and a smaller subset suited specifically for lithium-ion storage. This Corby site was not among them.

I want to be clear about what's actually before you. AB 205 created an optional pathway. Developers chose to opt into CEC's review specifically because it allows them to bypass local land use authority. There's no law requiring the Commission to approve a project through this pathway instead of directing it to site the county -- to the site that the county has already identified as appropriate. This is not a matter of national or state security, and there is no significant reason to run power further from the substation when suitable areas already exist.

Solano is one of 40 rural counties represented by the RCRC, and we are not alone in this concern. The RCRC has formally told state regulators that local governments should not be sidelined in decisions about where battery storage is cited. Citing the technology's -- citing the technology's newness and the real risk it poses is an

emergency, and our Board of Supervisors has raised this alarm.

What's at stake extends beyond this actual one project. Corby site sits on prime agricultural land. Again, the proposed site has been identified as prime agricultural land, versatile land that allows us to support Solano's agricultural economy that just posted their crop report from 2020 -- excuse me, 2025, that cited that there was a record $476 million in production this year, up nine percent from the previous year. And these span fruits, vegetables, livestock, and field crops, and supporting nearly 1,700 direct family jobs and countless more indirect jobs throughout our region.

Approving a project that circumvents our journal plans and ordinance tells every developer that the farmland is available for the taking if a state process can override local review. That undermines the diverse, productive economy our farmers and ranchers have built, that families like mine have worked, and the trust that our residents place in our government.

We're asking the CEC to reject support for projects that bypass local planning and to encourage the applicant to work with the county and cities towards sites that works for everyone. We ask the CEC to respect and support our green belt, not a battery belt.

Thank you.

MS. BONITZ: Thank you, Councilman Silva.

Next is Councilman Roy Stockton.

COUNCILMAN STOCKTON: Well, thank you for allowing us to be here today, and thank you, everyone, for showing up. For 18 months, everybody showed up when we had another project like this that was too close for comfort.

So Commissioners and staff, thank you for the opportunity to speak here today. My name is Roy Stockton. I serve on the Vacaville City Council, and I've spent approximately two decades working in law enforcement here in Solano County.

I want to begin by making something very clear. I am not opposed to battery energy storage. I am opposed to putting large-scale lithium-ion battery facilities in locations where consequences of a catastrophic failure could unnecessarily put residents and first responders at risk.

There is a difference between opposing technology and demanding that we locate that technology responsibly. And when it comes to the proposed Corby Project, I believe we are getting this wrong. I have a perspective on this issue that goes beyond my role as an elected official.

I previously served as a member of the Solano County Hazardous Materials Response Team, and I have

personally responded to lithium-ion battery fires. I have seen what happens. I have seen officers injured. I have seen residents forced to shelter in place. And I understand the difficult decisions first responders have to make when you have a hazardous materials incident involving fire, potentially toxic gases, changing winds, and a nearby population that may need to be protected or evacuated.

So when I read an assessment that acknowledges the Vacaville Fire Department will be among those expected to respond to an emergency at this facility, I don't read that simply as a sentence in an environmental document. I think about the firefighters who will actually be standing there. I think about the police officers and the sheriff's deputies who may be asked to evacuate neighborhoods. And I think about the families living nearby who will be waiting for us to protect them.

If this project creates a specialized risk, then where is the funding for the specialized equipment, training? Where is the funding for staffing, monitoring, and response capabilities necessary to address that risk? Who pays when protective equipment becomes contaminated and has to be replaced? And why would we approve the project before complete evacuation and emergency response plans have been developed in coordination with agencies that will actually have to carry them out? Those questions should be

answered before approval, not after it.

The same principle applies to the environmental analysis. A 300-megawatt battery storage facility is not a laboratory test. It is a massive industrial energy facility. If plume modeling is based on limited or unit-level testing rather than adequately demonstrating what could occur during a significant event involving a full-scale installation, then we have not answered the most important question yet: What happens to the people living nearby if the worst-case scenario actually occurs?

When public health is involved, we think we know isn't good enough. Before government places this type of facility near residents, the burden should be on the project to demonstrate that it can be done safely, not on residents to prove afterward that it wasn't.

Perhaps the most frustrating part of this entire discussion is that we don't have to choose between energy reliability and public safety. There are alternatives. Solano County went through a public process and adopted standards governing where battery storage facilities should be located. Those standards exist for a reason. Yet through the state's Opt-In process, the California Energy Commission has the authority to override local land use and decisions and ordinances. That may be legally permissible, but that doesn't automatically make it good public policy.

Local government is closest to the people who will live with the consequences of these decisions. Solano County residents participated in the process. Their elected representatives listened to them and established standards intended to protect their communities. The state should not dismiss that work simply because it has the legal authority to do so.

More importantly, the Commission has alternatives available to it. Lambie Industrial Park has been identified as an alternative location. An established industrial area can provide greater separation from sensitive receptors while still allowing energy infrastructure to serve the grid. If one location reduces the potential risk to residents and first responders, then that should carry enormous weight.

We should not elevate comparatively minor concerns such as the visual impacts associated with a longer transmission connection above the health and safety of human beings. Public safety is not a visual impact. And the people who may someday be asked to evacuate their homes are not simply sensitive receptors. They are our neighbors.

This is exactly the principle I have consistently advocated for in Vacaville. Major projects may provide benefits, but those benefits never relieve the government

of its responsibility to carefully evaluate their impacts on residents, neighborhoods, and emergency response resources. Leadership means asking difficult questions before something goes wrong. So I'm asking the Commission to slow this process down and answer those questions.

Complete the emergency and evacuation planning before approval. Bring the CHP, Solano County Sheriff's Office, Vacaville Fire Department, and other responding agencies fully into that process. Demonstrate that the plume modeling public health analysis adequately reflects the safety and safety of our residents of the facility being proposed. Identify who will pay for the additional equipment, training, staffing, contamination, and response costs this facility could impose on local agencies. And give meaningful consideration to relocating this project to an industrial location that creates less risk to the public.

California can meet its energy goals without unnecessarily putting Solano family -- Solano County families at risk. We can have energy storage, we can have grid reliability, and we can protect our residents and first responders. Those goals are not mutually exclusive. We simply have to be smart enough and responsible enough to put these facilities in the right locations.

I urge the Commission not to approve the Corby

project at its current proposed location. Thank you.

MS. BONITZ: Thank you for your comments, Councilman Stockton.

Next, we have Chairman Ernest Van Sant of the Dixon Fire Protection District.

CHAIRMAN VAN SANT: Thank you, Commissioner and members. Good evening. And I will try to be as concise as I can because I want to respect all the other people in the audience who want to come up here and testify, and your time as well. But I'm going to try to hit all the points that I think it's important that you go back on the draft and correct and/or add to and/or make corrections as necessary. So bear with me as I go through. I'll try to be as concise as possible.

Pursuant to CEQA, the Dixon Fire Protection District submits this letter in opposition to the Corby Battery Energy Storage System project as currently proposed. And I want to clarify that, the same as others have said, we're not anti-battery, we just don't believe it's being proposed correctly in the correct location.

The District is an independent fire protection district established under section 13800 of the California Health and Safety Code and is responsible for fire protection and prevention, rescue services, emergency medical services and hazardous emergency response. I'll

stop there for a minute and add my own comment.

I would not want to be anybody from the first responders that's looking at a color-coded graph and say who should vacate their area. I would not go with that. If I had relatives or anyone else in any of those sensitive receptors, I think I would make my calls a lot different than a color coded document.

The District's opposition is based primarily on the significant public safety and environmental risk created by the selected project location as discussed in the Draft EIR. The Draft EIR does not adequately analyze or compare the consequences of a thermal runaway event which remains a foreseeable and serious risk for this type of facility. Such an event could create severe risk for residents, first responders, motorists, hospital patients and the broader public, while also causing initial and continuing environmental impacts that could persist long after the environmental event itself.

Although the Draft EIR generally acknowledges the challenges and dangers associated with a thermal runaway event near sensitive receptors, including residences, the freeway, popular areas, the hospital, it does not provide a meaningful analysis of the short- and long-term health impacts that could result from the release of highly toxic gases and heavy metals.

The Draft EIR does not adequately compare the number of people who would be exposed at the proposed site with a number who could be exposed at the Lambie Industrial alternative. I think that was mentioned by the speaker before me. It's not a comparison of 14 miles of cable. It's a comparison of what happens under that kind of an event which is lacking in the EIR again.

Potential acute and chronic health risks including respiratory, pulmonary, cancer-related and other medical impacts to first responders and members of the public should be evaluated by appropriate environmental health specialist, industrial hygienist or environmental impact professionals. Comparable air quality and health risk analysis is commonly prepared for transportation and construction projects. Their absence here is a serious deficiency, especially selection of one site over another directly affects the scope and severity of potential exposure.

The Draft EIR is also deficient because it does not include a meaningful analysis or comparison of local and regional evacuation -- evacuation needs, excuse me. Any evaluation of evacuation impacts must account for the concentration of sensitive receptors surrounding the proposed site and compare those impacts with the Lambie Industrial Park alternative. Without this analysis, the

Draft EIR fails to provide decision makers and the public with the information necessary to understand the practical emergency response implications of the selected location.

The board recognizes that this project is complex and relies on evolving technologies and many of the most serious risks may occur under emergency or unanticipated conditions. However, recent incidents in other jurisdictions demonstrate these risks are real and must be thoroughly evaluated before project approval and site selection. Facilities that depend heavily on technology and internet connected systems may also be vulnerable to criminal activity or cyber-related threats that is already occurring in this county.

For these reasons, the District requests that the CEC as lead agency address the deficiencies in the Draft EIR, correct the project's flaws, select Lambie Industrial Park as a more appropriate location, protect the local resources and public health, and fully comply with CEQA.

Thank you.

MS. BONITZ: Thank you, Chairman Van Sant.

We are done with comments in the room, so we will now -- we will now check Zoom and phone. If you represent a government entity, including a California Native American tribe, and you're on Zoom, click on the raised-hand feature. It looks like an open palm at the bottom of your

screen. If you're joining us by phone, please press star nine to raise your hand.

Seeing none, the Energy Commission now welcomes public comment at this time. We will start with commenters joining us in-person and then transition to our online and phone attendees. If you're joining us at the in-person location, again, please fill out and turn in a blue card now at the Public Advisor's table at the back of the room.

We will start with Robert Taxigel (phonetic), followed by Cara Martinson. Robert, if you could please approach the podium, spell your name for the record? You are invited to also share your affiliation and position on the project, if any, and then you may begin. We're asking for comments to be two minutes or less. There will be a timer on the screen.

COMMISSIONER GALLARDO: All right, everybody, and I'll remind you, we do want to ensure that everyone has time to speak who wants to, whether you're in the room or online. And I did not say anything about the clapping earlier. The elected officials didn't have a timer on and they know how to handle those things, but there will be a timer on now, so I want to make sure everyone has their two minutes. I know it's not a long time, so that's why I asked if we just refrain from any clapping or booing or anything like that noise in between just to make sure we

can hear everybody, okay?

Is our speaker here who was announced earlier?

MS. BONITZ: Robert Taxigel?

COMMISSIONER GALLARDO: All right, we'll go to the next one and give him a chance later.

Next is Cara Martinson, followed by Anthony Torres.

MS. MARTINSON: Good evening, Commissioner and staff. My name is Cara Martinson. I'm here tonight to present a different perspective. I represent the California Energy Storage Alliance, and American Clean Power. We are the trade associations that represent the industry and those folks that are developing this technology.

Battery storage is an essential part of the grid. There are thousands, as you know, megawatts that are currently operating across California. I believe there's over 300 BESS facilities that are safely operating today, but much more is needed. Projects like Corby help provide a reliable and efficient grid that help keep our lights on. It helps avoid blackouts when there are cases of extreme heat. And it provides renewable energy to the grid to help us transition from those dirty fossil fuels that are impacting our communities over to a clean and sustainable and reliable grid.

But we need more projects like this. There are many, as I mentioned, across California, but I believe the governor's office estimates that we need 52 gigawatts of storage and we're not even halfway there. So we need more project sites. We would love to work with communities, but we do appreciate the CEC's Opt-In process.

I do want to mention that safety is critical to the industry. We wouldn't have projects operating. We wouldn't be able to invest in California if it wasn't. And we work very closely with the Office of the State Fire Marshal, the local fire officials, as well as you, to ensure that these facilities are operated safely.

At the end of the day, a reliable grid is an efficient grid, which translates to affordable power for residents. And for those reasons, we urge you to support the Corby Project.

Thank you.

MS. BONITZ: Thank you.

Next is Anthony Torres, followed by Mabrey Scott. Okay, not seeing Anthony Torres, Mabrey Scott, followed by Martin Vindiola.

MS. SCOTT: Hello, I'm Mabrey Byrne Scott, M-A-B-R-E-Y B-Y-R-N-E-S S-C-O-T-T, and I grow crops on prime agriculture land on Byrnes Road. My family's been doing so for 150 years.

I'm asking you to take a closer look at the Corby Battery Energy Storage System project before you decide that its impact on agriculture is less than significant. This project would permanently convert a combined total of more than 60 acres of prime agriculture and open space into an industrial use. This is not a small change in agriculture or to the community around us.

I'm concerned that the proposed farmland mitigation is too vague. Assessment says replacement farmland should be protected somewhere else, but it does not clearly say what type of quality of soil should be. And there is a big difference between Brentwood and clay soil.

This is not about being against energy, which many people have mentioned. It is about making sure that the process is fair, complete and protective, not only of people, but of the farmland. The Commission should require a stronger, more transparent agricultural analysis before you move ahead.

I want to point out relocating the project to the Lambie Industrial Park would also not only take the problem of the agricultural land out of production, but it's already there, an existing area for industrial-scale energy projects that would better protect the farmland while still allowing the clean energy goals for this project to move

ahead.

Thank you.

MS. BONITZ: Thank you.

Next is Martin Vindiola, followed by Michael Geller.

MR. VINDIOLA: Thank you. Good evening, Commissioners and staff. My name is Martin Vindiola, M-A-R-T-I-N, last name Vindiola, V-I-N-D-I-O-L-A. I'm here on behalf of the California State Association of Electrical Workers, the California State Pipe Trades Council, and the Western States Council of Sheet Metal Workers in support of the Corby Energy Storage Project.

California desperately needs projects like Corby to strengthen grid reliability, integrate renewable energy, and meet our growing energy needs across California. Just as importantly, projects like this create opportunities for skilled tradespeople to build California's clean energy infrastructure. Electrical workers, pipe trades workers, sheet metal workers and other skilled construction professionals are ready to build this project safely, responsibly and with the highest standards of quality and craftsmanship.

Since AB 205 was enacted in 2022, three projects have come online. AB 205 has given California a pathway to permit and deploy renewable energy and storage projects

quickly without cutting corners on environmental review. And that same process is what lets projects like Corby move forward while also delivering real benefits to workers and communities. Corby represents the kind of investment California should be encouraging, strengthening our electrical grid while creating good paying middle-class career jobs for working Californians.

We urge the Commission to approve the Corby Project and continue building the clean energy infrastructure California needs.

Thank you.

MS. BONITZ: Next is Michael Geller, followed by Danny Bernardini.

MR. GELLER: Hey, I'm Mike Geller, and my wife and I own the Catherine Kilkenny House. As such, we will be the most -- one of the most affected by your decision. I'm opposed to the project at this location and I'm going to tell you why.

First of all, the area is zoned A-40, exclusive agriculture, and it's considered prime ag land. Solano County has always protected that land and it's important that we continue to do so.

Second, we're all on wells out there. And if there was a thermal runaway event, we run the risk of contamination.

The project will destroy the rural character of our neighborhood and our property values. Like most Californians, we look at our homes -- (clears throat) excuse me -- as the largest single investment that we own. And who is going to buy a house that's built next to a battery energy storage facility? Nobody.

The other thing I'd like to say to my friends in the IBEW is this project will be union regardless of where it's built. It's built right into the staff documents. The skilled and trained workforce stuff is in there. So we're really talking about where to site the thing, not whether it's going to create union jobs or not. It's going to do that one way or the other.

So I thank you for your time.

MS. BONITZ: Thank you.

Next is Danny Bernardini, followed by Thomas Norris.

MR. BERNARDINI: Thank you, Danny Bernardini, D-A-N-N-Y B-E-R-N-A-R-D-I-N-I. I'm representing the Napa-Solano Building and Construction Trade Council. We represent over 20,000 working men and women in Napa Solano County in union construction.

I appreciate that you all noted the jobs that it it'll do and it'll create and the money it'll bring the economy. Unfortunately, our elected officials who tell us

that behind the scenes didn't point out that, and so I think it's an important point.

And to the gentlemen before me, just because it's skilled and trained doesn't mean it's all union. There are some non-union folks that do have skilled and trained. What Cupertino Electric did was signed a project labor agreement with us, which means it's going to be all union. So I commend Cupertino Electric for doing so, and NextEra as well.

And, you know, I kind of knew what I was walking into tonight because I'm from here, I was born and raised here. I know what this area is about. They complain about roads and they turn down three different transportation taxes. They complain about brownouts and they complain about PG&E and they tell Marin Clean Energy to go away. They want affordable housing, they just don't want it near them. And many of the folks that will complain about this project will drive Teslas and stand in line at the crowded areas where folks need to charge their cars.

COMMISSIONER GALLARDO: All right, I need to be able to hear, so please no noise while people are speaking.

MR. BERNARDINI: Our grid is suffering. We've had -- and I hoped our -- I know that our elected officials know this, but we've had many companies want to come to Solano County and they were told the grid cannot support

what you want it to do. Everybody talks about needing this. It's a state mandate, just like affordable housing was a state mandate. Cities are not hitting it. What's going to happen when we don't hit our electrical goals? What's going to happen when you can't turn your lights on? What's going to happen when you have brownouts for days, not hours?

And people chuckle, people laugh. We said the same thing about refineries and they're leaving. And I know the people that came to those meetings drove cars with fuel in them to complain about that refinery and it's gone. Those jobs are gone and there are other refineries that are leaving. And this is the alternative to those refineries that everyone said we could not have anymore.

We need to improve our grid and thank you for considering this and please approve the project.

MS. BONITZ: Thank you.

Next is Thomas Norris, followed by Colleen Britton. Please approach the podium, spell your name for the record.

COMMISSIONER GALLARDO: All right, let's all be civil please. In the back, let's be civil. We are here to talk and share comments. All right, we would like to hear from everyone no matter what you have to say. And so we need to be respectful of each other, please.

MS. BONITZ: Next speaker is Thomas Norris, followed by Colleen Britton.

COMMISSIONER GALLARDO: Thomas Norris? Okay, we'll go to the next one and we'll give Thomas a chance later.

MS. BONITZ: Colleen Britton, followed by Robin Jaeckel.

MS. BRITTON: My name is Colleen Britton. I'm in opposition of the proposed location for the Corby Project.

During a 2023 fire at the NextEra-owned energy storage center in Suffolk, New York, 2.2 million gallons were discharged over 30 hours. The site didn't have an adequate runoff containment basin. Three years later, toxic chemicals associated with lithium-ion battery materials were detected in public drinking water wells at levels 400 times the limit. The wells were closed, a lawsuit filed against the operators and local and state authorities are now calling for the center's closure.

Vacaville and Dixon residents get our drinking water from wells. Farmers get their water from exposed canals. Without mandated multi-decade environmental remediation bonds a bankruptcy or restructuring of NextEra, Inc. would leave all the catastrophic impacts from a similar fire directly on the shoulders of local government, water authorities and taxpayers. Our community cannot

afford this huge liability risk. It's unacceptable.

My question for the CEC is simple: Why not seriously reconsider the alternative Lambie Industrial site for the Corby Project? It would eliminate the risk to the local residents, to prime ag land and groundwater. There's no opposition to that project site. It's already zoned for it. It would accomplish the same stated goals. It would improve grid reliability. It would also be a feather in the cap of the CEC for finding an equitable resolution to the Corby Project conflict with local support. It's a win-win for everyone.

Thank you.

MS. BONITZ: Thank you.

Next is Robin Jaeckel, followed by Joel Barillo.

MS. JAECKEL: I'm Robin Jaeckel, J-A-E-C-K-E-L.

MS. BONITZ: If you could stand closer to the --

MS. JAECKEL: Yeah.

MS. BONITZ: Thank you.

MS. JAECKEL: I am concerned about the possibility of any lithium battery storage facility being considered for this area. We have property in this area because it's safe, clean and protected ag land, protected by the Solano County ordinance and Measure T. Common sense should tell anyone that approving something like this near people, homes, agriculture, I-80, and our Kaiser Trauma

Hospital is a bad idea.

The Fifth Amendment contains the takings clause that allows the government to take private property for public use if compensated. This project represents the uncompensated regulatory taking of our property values. Your own staff assessment states it will cause a significant and unavoidable impact to visual resources. It also states that no person shall be deprived of life, liberty or property without due process of law. If approved, the CEC would be taking and gifting all of our property value to the Corby company. The state should not sacrifice federal constitutional rights for corporate convenience.

It would be irresponsible to authorize BESS to build here when Solano County has approved an ordinance to only allow the BESS facilities to be built in industrial areas. Why aren't you considering the Lambie Industrial Park already approved by you as an acceptable site?

Deny the Corby Project.

MS. BONITZ: Thank you.

Next, we have Joel Barrilleaux, followed by Michael Jefferson.

MR. BARRILLEAUX: Good evening. My name is Joel Barrilleaux, B-A-R-R-I-L-L-E-A-U-X.

Commissioners, I oppose this project and its

current location. During review of the Staff Assessment, one pattern appeared frequently. Important details are deferred to future plans, engineering submissions, agency coordination and review of compliance manager, all deferred till later. Some of that's normal. Nobody expects everything to be done at one time. But there's a fundamental difference between implementing a decision later and making that decision later.

If an unresolved question affects whether residents are safe, whether emergency response is adequate, whether water is available, or whether an environmental impact can actually be controlled, that question belongs before you now. Your certification is a major decision. The public deserves to know what project is actually being approved and what the consequences will be before that decision is made. And there is no reason to stretch uncertain mitigation around an unsuitable site when an industrial alternative exists.

Do not -- don't approve the location first and solve the difficult questions afterwards. Please reject Corby at this site and direct battery development toward an appropriate industrial location.

And by the way, there's probably 10,000 people living within a two-mile radius of where you want to put this thing. How do they get evacuated? How many days is

Interstate 80 closed when a fire happens?

MS. BONITZ: Thank you.

Next is Michael Jefferson, followed by Sarah Dunn.

MR. JEFFERSON: Good evening. I'm Michael Jefferson. I'm actually an outsider. I'm from Suisun City, but I stand with opposition to Corby because we share the same philosophy where we are opposed to any outside entity coming in and defining our futures for us.

So the thing is -- so the thing is that even though the state is mandating that we have specific needs, what is at the heart of the American soul? It is the primacy of the consent and the will of the governed. This is what has defined America and will for centuries. And this is where the primacy of the people take precedence.

And that's also the greatest point here is precedence. What precedence does this set? This allows corporate entities to come in and define the future for hundreds of thousands of people. This takes power away from citizens to be able to object. This takes away the ability for, like I said, the governed to consent whether or not they would get to define their future.

And so this is why I'm here today in Vacaville as resident of Suisun, to show solidarity to the people here in Vacaville to oppose this project, because the time and

place is just all wrong. Unfortunately, you guys chose a specific spot. I believe there's a reason for it because it gave you corporate ease. It was simple and easy to come right here, but unfortunately it's not the right spot. There are different alternative locations and there's different areas where this could be best.

As previous speakers have said in more eloquent means, because I just come here ad-libbing, the thing is that this is like putting a propane tank in the pantry. This is putting something very volatile right next to our bread basket. It is just not somewhere safe nor good to place it and I wholly object it.

And I believe you guys should listen to the will of the people. And we can have an amicable middle ground where there are purposes and needs for these things, but in other locations. And I wholeheartedly hope you support and listen to the will of the people.

Thank you.

MS. BONITZ: Thank you.

Next is Sarah Dunn, followed by Maricela Campos.

MS. DUNN: Hi, I'm Sarah Dunn, S-A-R-A-H D-U-N-N.

Members of the Commission, my name is Sarah and I am speaking on behalf of Keep Vacaville Safe. We are asking you to reject this EIR. Appendix LU, Deposition of Metals During a BESS Fire, has a major math error. The

report appears to move the decimal point the wrong way when converting grams to milligrams. And that simple conversion mistake understates a serious contamination level of a thousand. To put that in plain terms, a contamination level that should read 182 milligrams per kilogram was reported as 0.18 milligrams per kilogram. The claim that the fallout would be well below background levels is incorrect. The actual concentration is 6 to 12 times higher than natural background levels and exceeds EPA residential soil screening levels. And this is protected farmland, okay?

Agricultural standards are even more protective because lithium can build up in soil and crops and making the farmland risk even worse than the report admits. This is a substantial environmental impact. Corrected math shows toxic fallout would spread heavy metals across the surrounding prime farmland and degrade agricultural land. Those contaminants could enter the SID canals that are on the property, putting downstream water supplies and federally required SID deliveries at risk. This error has impacts on essentially all aspects of the EIR and they all need to be readdressed.

This unacceptable risk to prime ag land and district water is entirely avoidable. The CEC should direct the applicant to relocate this facility to the

Lambie Industrial Park, an existing industrial site suited for BESS away from active farmland and open irrigation canals. Please revise the Draft EIR and certify Lambie Industrial Park as the environmental superior site before any approval moves forward.

Thank you.

MS. BONITZ: Next is Maricela Campos, followed by Eric Romingquet.

MS. CAMPOS: Hi. I'm here in opposition of the Corby Project. Maricela Campos, M-A-R-I-C-E-L-A C-A-M-P-O-S. Can you hear me?

I am asking the Commission to protect our water sources before this project is approved. In 2023, a fire occurred at the NextEra battery site in East Hampton, New York. Three years later, a lawsuit was filed after chemicals were found -- (clears throat) excuse me -- were found in nearby drinking water wells. That lawsuit is pending, but the warning is clear. Battery fires carry toxic contaminations into soil, groundwater, and pollutants often move underground to show up years later. This is especially urgent at Corby because working farms, SID canals, residential wells and city wells around the site.

Before certifying this project, we need the Commission to answer these three critical questions. One, testing. Will you require baseline soil and groundwater

testing before operations start, plus immediate and multi-year testing after any fire to catch delayed contamination? Two, notification. What is the exact protocol to immediately notify nearby farmers, well owners, city water managers, and SID if contaminants are detected? Three, liability. What financial assurances will guarantee the project owner, not local taxpayers or property owners, pay for all the testing, cleanup, and replacement water?

The Commission must not accept a plan that assumes the water is safe after a single post-fire test. Please require a strict long-term water protections, and thank you.

MS. BONITZ: Thank you.

Next is Eric Romingquet, followed by Dee Cole.

MR. ROMINGQUET: Good evening, CEC. My name is Eric Romingquet, E-R-I-C-R-O-M-I-N-G-Q-U-E-T. And I'm speaking on behalf of not having Corby BESS here at this location.

First, the Staff Assessment hazardous material and water quality findings are premature. It acknowledges firefighting water and toxics deposition can reach soil, groundwater, and farmland that defers containment design, testing, and cleanup standards to a future plan. Under *Vineyard Area Citizens v. City of Rancho Cordova*, mitigation must be binding and enforceable before approval.

Why isn't the CEQA law being followed?

Second, this is the wrong site. Corby will be sitting on active farmland surrounded by domestic wells and a mile and a quarter from the Kaiser Permanente Vacaville, Solanos only a Level II Trauma Center. The county's board of supervisors has identified Lambie Industrial, already zoned industrial with the grid interconnection in place, as a suitable alternative and demanded the ER analyze it. The Commission hasn't. Why hasn't a location the county itself calls suitable seriously analyzed as an alternative?

Third, there is no real evacuation plan. The Staff Assessment's fire modeling stops at 0.38 miles. Kaiser sits 1.25 miles away. A comparable battery fire at California Flats triggered a two-mile evacuation order. A radius reaching Solano County Community College, the Father's House School, and Lonza whose 330,000 liter bioreactor is one of the largest in the world. Yet none of these -- excuse me -- none of these aside from Kaiser appear anywhere in your 1400 plus page report.

So my question is: If the people meant to be protected aren't even in the document, is public safety actually this Commission's priority? If a comparable BESS fire required a two-mile evacuation, why was the dispersant modeling never ran past 0.38 of a mile?

We all know, CEC, you have the right to make this

decision, but you have a unique opportunity to do right by both the citizens of Vacaville and the Corby owners by requiring a full Environmental Impact Report and improving this project at the Lambie facility instead.

Thank you.

MS. BONITZ: Next is Dee Cole, followed by Carina Brassfield. Please approach the podium, spell your name and share any affiliation.

MS. COLE: My name is Dee Cole, that's spelled D-E-E C-O-L-E. Good evening, Commissioners. My name is Dee Cole. I'm a homeowner and a member of this community.

My family home is directly across the street from the proposed Corby Project. This is not simply an abstract project on a map. My home is directly across the street. And I ask you as the decision makers to consider the families who have to live with the consequences of the decision long after this, tonight's meeting, is over.

This is a rural agriculture community. It is where families live, where people have invested their savings, raised their children and built their lives. Approving this project at this location would fundamentally change the character of our community and the way we feel about the place we call home.

My greatest concern is safety. When there is a fire or other emergency, how will my family be notified?

Who's responsible for evacuating our family and our livestock? What happens to our home, our well, our irrigation water and our property if there is an offsite impact? And who determines when it's safe for us to return, if ever?

I'm also concerned about the long-term impact on our quality of life. What level of noise will our families have to tolerate, not only during construction, but for years from the cooling systems and other equipment? We should not have to sacrifice the peace and quiet of our rural community because an industrial facility was placed next to our homes.

We have worked hard to build equity in our home. What protections or compensations will be available to the homeowners who bear the burden of decline in property value?

These are not hypothetical concerns for me. They are questions I may have to face of my own home. I understand that California needs energy storage, but supporting this technology does not mean that every location is appropriate. I ask you look beyond simply asking, can this project be built here? Of course it can. And ask the more important question, is this the right place to build it?

I respectfully ask you protect our families, our

agriculture land, and our community by rejecting this location and requiring the project to be built at Lambie Industrial Park, where an industrial facility belongs.

Put yourself in my shoes. Imagine that your home was directly across the street. Would you be comfortable with this being your family's reality? Please do the right thing for our community. Build it at Lambie.

Thank you very much for listening.

MS. BONITZ: Thank you.

Next is Carina Brassfield, followed by Don Lippony (phonetic).

MS. BRASSFIELD: Hello, Commission and staff. My name is Carina Brassfield, C-A-R-I-N-A B-R-A-S-S-F-I-E-L-D. I oppose Corby at this location as my sister lives directly across the street.

There is another reason to think beyond the applicant standing before you today. Energy projects can be bought and sold. The company that develops Corby may not be the company that owns it 10, 20 or 30 years from now. Corporate structures can change, operators can change, investors can change. But one thing cannot change. The neighboring community cannot pick up their homes and move them somewhere else every time the ownership changes. The people living near Corby will remain beside the batteries, the transmission facilities and the consequences

of sitting decisions, regardless of whose name actually appears on the ownership documents.

This is why the decision you make now is so important. Please do not base the decades-long land use decisions solely on confidence in today's applicant or today's technology. Ask whether this is the right place for this type of industrial facility, regardless of who owns it in the future. We have an industrial alternative at Lambie. Put the long-term industrial use in the long-term industrial location. Please reject Corby's -- please reject Corby at this site.

Thank you.

MS. BONITZ: Next is Don Lippony, followed by Chris Heise.

MR. LIPPONY: Yeah, I'm from Suisun, also, and I came because I'm concerned.

You know, it was quite a while back when they were testing the mega batteries at the Elkhorn Power Plant by Moss Landing. Several batteries were overheated and they were charging them and causing them to melt down. Then later on, quite a while later, just recently, I guess, they -- I heard about the battery that plant burned down, or the storage area, whatever it is, and they caught fire. And there was, later on, there was a group that had assessed the damages and they said it was 50,000 pounds of

toxic metals that went into the wildlife marsh. And that was in that area. And also, you know about the people and the chemicals, how they affect people.

If the people testing the -- building the batteries can't get the act together, how do you expect them basically to trust them when they can't build or store the batteries correctly? I understand you guys want to make it go somewhere else, so I say it's a really a bad idea.

Have you ever heard of BLM land? Maybe you should put some, like a railroad track, and put some of that crap up somewhere else that it's not around people, farms, and things like that nature.

Thank you.

MS. BONITZ: We have Chris Heise followed by Andrew Russo. Please approach the podium, spell your name, and state any affiliation.

MS. HEISE: Hi, my name is Chris Heise, C-H-R-I-S H-E-I-S-E. Hi.

I oppose the Corby Project and ask that you listen to the concerns of the community. The EIR report does not realistically address the issues. It basically states that the project may be an eyesore. It does not address any of the safety concerns.

When a thermal runaway happens, and it will

happen, where is all the water going to come from to help mitigate the fire? Large amounts of water are used just with a car fire. How much water will this require and where will that water come from? How will that impact the local water supply and costs? California has been considered to be in a state of emergency for many years with regard to drought and water supply. If they drew a well, will it still be infringing on water access from the City of Vacaville and the county residences?

Then how will they contain the contaminated water? If it's not contained, how will the water supply be protected for our community?

Also the ground soil contamination. The fires release an array of deadly toxins, including carbon monoxide, hydrogen cyanide, and hydrogen fluoride. How will these toxins be contained and their effects on the population be mitigated? Whose responsibility will it be?

When I-80 and 505 are shut down, where will the traffic be diverted? What impact will this have on the hospitals and first responders?

Who's going to compensate everyone that has a loss, whether it be financial or medical?

There are reasons for the ordinances put in place by both Solano County and the City of Vacaville. Lithium-ion BESS facilities should be in isolated locations, away

from the people and farmlands. The Corby Project should not be allowed with its current proposals. The Lambie site would be more appropriate.

Thank you.

MS. BONITZ: Thank you.

Next is Andrew Russo, followed by Linda Geller.

MR. RUSSO: Russo, R-U-S-S-O, a resident of Suisun.

You know, I just -- you know, it's like putting lipstick on a pig here. I just don't understand this. Solano County now is a dumping ground for every harebrained project you guys come up with. First, it's California Forever, a city the size of Oakland. Then it's building a shipyard out in the middle of an ecologically-sensitive area. And now it's this crap. You want an area where you can build a lithium-ion batteries? Put it on the moon.

This is a flawed and dangerous technology. It has destroyed communities in South America. It has destroyed community in other areas where they've done the evaporation ponds, where you have hydrogen fluoride gases coming out. This is crazy.

Do you know that only five percent of these batteries can be recycled? Unlike most car batteries where most can, these can't. They put it in landfills. In the landfills in the Northwest, they've had over 100 fires from

these buried batteries. This is a dangerous technology.

And the type of analysis you've gone and done is just abysmal. It's sloppy.

And let me say another thing. You guys want to vote on this project, come back here and vote in front of the people. We're tired of this fast-track crap while getting around environmental concerns. You know, you want to do it, come and face us, the people and the residents that it affects, okay? How many of you sitting at the table will be affected by this? None of you.

MS. BONITZ: Next is Linda Geller, followed by Lew Defong [sic].

MS. GELLER: Okay. I don't think anyone here is anti-clean energy as Mr. Bernardini alleged. I live next to this proposed project.

COMMISSIONER GALLARDO: Excuse me, I'm sorry. Can you state your name and --

MS. GELLER: Oh, I'm sorry. Linda Geller, L-I-N-D-A G-E-L-L-E-R.

You will find after reading the already submitted comments and those that will be submitted from our community that we find the Draft EIR to be significantly flawed and, what that last gentleman said, abysmal. It is. You guys really should be ashamed of yourselves.

The EIR did not meaningfully analyze the Solano

County recommended alternative site, Lambie Industrial Park. And I think it's almost unanimous here. And it was actually last November that we all felt that that was the appropriate siting for many, many, many reasons. The noted economic benefits to our community can still be obtained using that recommended site.

In addition, SID still has not granted the easement for the gen-tie crossing. And although this was acknowledged in the EIR, the implication was not discussed.

As already stated, much of the analysis and the required plans are deferred in the EIR. Have no idea why. Maybe it's because y'all don't live around here. I urge you to appropriately and meaningfully analyze Lambie Industrial Park as the appropriate alternative -- alternate -- alternate -- sorry, I can't speak -- setting in this project.

Thank you.

MS. BONITZ: Thank you.

Next is Lew Derfew [sic], followed by Karen Troina [sic].

MR. DERFUSS: I got to move this back so I don't get into your private space.

MS. BONITZ: Please state and spell your name for the record and share any affiliation.

MR. DERFUSS: Yes, it's Louis Derfuss, L-E-W-I-S

D-E-R-F-U-S-S. And I am a resident in the affected area, not close by as some of my other colleagues. And I am with Keep Vacaville Safe. And that's a grassroots commission that was formed because of our concerns about lithium technology battery in our communities.

You know, I'll cut to the chase. You got two alternatives here that meet the requirements of providing the energy storage. One, go with a safer technology, not lithium batteries. There's other technologies out there. Lithium technology, I predict, will be obsolete probably within five years because of all the dangers associated with it. Turn on the news and you hear about somebody's laptop caught fire on an airplane. It's not -- it happens often. It's a dangerous technology, period.

The other alternative is located in Lambie Park. We have identified alternatives to Corby and they flatly just ignored us. You know, it's all about the dollars. You know, it might cost them a couple more bucks to grade some land out or run some transmission lines.

And on the transmission lines, the Lambie site meets that requirement. You got the windmills right close by. There's a tie-in there. They don't have to run 14 miles of transmission lines to the best of my knowledge. They can tie in through the windmills that are already excited there.

Wow, out of time, almost.

So, you know, I question your staff as experts because your analysis was all flawed. And every one -- almost every one of these categories is incorrect. So you really need to go back and do it again. We're not against BESS technology. We're against lithium-ion, period.

So, you know, make the right decisions. Corby is only the first in line for many, many that are proposing energy battery storage in our city and our community.

It was mentioned, you don't have an easement from SID. Dixon Fire Department, you said they were onboard. The gentleman came up here and just shot a big arrow through that hole. So I strongly recommend you disapprove this project. Failure to do so, I will start a grassroots effort to abolish the CEC.

MS. BONITZ: If you can wrap up your comments? Thank you.

MR. DERFUSS: I will start a grassroots effort to abolish the CEC.

MS. BONITZ: Next is Karen Travenia, followed by Alison Harris. Please spell -- state and spell your name for the record and share any affiliation.

MS. TRAVENIA: Good evening. My name is Karen Trevina, K-A-R-E-N T-R-A-V-E-N-I-A.

I have been in Vacaville since August 8th, 1965.

I was raised on Locke Road. We grew -- that's my way of San Francisco, so I'm a little older than that, but we grew what we ate in clean soil, well water.

I'm a retired Navy veteran, 23 years serving -- service to this country. I'm a very proud Navy veteran. Thank you for the support. I'm asking this Commission, please, instead of just looking at your overtime, please take note of what you are saying, okay, because a lot of people here do not have any idea of what they put out tonight.

I was here during the Vacaville Black Thursday, 1965. That was a fire that took eight hours to get home to the country from Markham Elementary School. I would hate to imagine what chemicals would do in a fire.

Okay, tonight, this session started with the Pledge of Allegiance. And in there is a word that says "indivisible, one nation, indivisible," okay? I see state against local, local against residents, and the investor against us all, okay?

No. We have to consider future generations, possible birth defects, learning disabilities, contamination, the happiness of the people that live out there now. I do not live in the rural Vacaville. I do live in Vacaville, but their happiness, that you don't just come in and run over these people.

And so I'm urging you to consider your consciousness, your integrity, and the consideration of other people.

Thank you.

MS. BONITZ: Thank you.

Next is Alison Harris, followed by Charlene Schmid. Please state and spell your name for the record and share any affiliation.

MS. HARRIS: Good evening. My name is Alison Harris, A-L-I-S-O-N H-A-R-R-I-S. I'm a local Vacaville resident and a realtor, and a member of Keep Vacaville Safe, and I care about our community.

I want to start with something very important. This is not about being against renewable energy. And it's not about being against battery energy storage. It's about where we put it and how much we concentrate into one area. And who bears the risk when something goes wrong? Which you've heard from multiple people.

The proposed Corby Project is not a small battery facility. And we have five more projects who want to go into the same location. So the decision you make about this one moves forward with those other ones. You really need to think about that. It's about right now, this is just one. It's a 300-megawatt, 1200-megawatt-hour battery energy storage system proposed on 40 acres with an

additional 40 acres that they want.

I don't actually understand where they're getting the energy from. I believe that they're buying it off the grid when it's slow and there's not as much use when we're sleeping, when you guys tell us to use our energy. And then they're going to sell it back to you, back to San Francisco at high demand. It's kind of like money laundering, but energy laundering in my mind.

Corby isn't the only project, like I said, that's proposed for that area. And at what point do we stop looking at each BESS application as an individual product and start looking at the cumulative impact of turning this area into a major battery energy storage corridor? These projects are being drawn here because the PG&E Substation is conveniently located across Interstate 80. But convenient for the developer does not mean automatically appropriate for our community.

We have homes here. We have agricultural land. And we have Interstate 80 carrying thousands of people through this area every day. And we have a community that has repeatedly said, if these facilities are necessary, put them where this type of industrial use belongs, or use the alternative batteries that are safer for our community. There are alternatives, such as the Lambie Industrial Park, that's already zoned properly and away from schools,

hospitals and the 80 Corridor. We're asking you to choose a safer and more appropriate location and safer batteries if you're using this location.

Vacaville has already spent years studying BESS facilities and creating local safety standards. Solano County has already --

MS. BONITZ: If you could please wrap up your comments?

MS. HARRIS: -- certainly, has already talked about those. And as a realtor, I spend my career talking to people about what makes community a place where they want to live, raise their families, invest and retire. And you're talking about jeopardizing that retirement and people coming to invest their money here in our county. And what would you do if you lived here? What would you want next door to your house?

Thank you.

MS. BONITZ: Thank you.

Next is Charlene Schmid, followed by Chris Whitaker. Please state and spell your name for the record and share any affiliation.

MS. SCHMID: Thank you. I am Charlene Schmid, C-H-A-R-L-E-N-E S-C-H-M-I-D. And I represent my family, the families that live along Meridian Road, my livestock, and I represent a seasonal receptor, I think is what you call it,

a sensitive receptor. Sorry, it's seasonal too. And I also pay to have access to the Kilkenny Irrigational Canal. And I do want to point out that that SID water is seasonal. It is not year round. Nobody else has pointed that out yet today.

So onto my speaking points. I want to be clear that I support safe battery storage and as part of our future. Why would you override the local ag preservation? That really hurts. I would support this project at the Lambie Industrial Park. The key word is industrial because it's away from sensitive water sources and sensitive receptors, such as my residence, my farm, my well. All of those things are dependent on the safety that we strive to have. In this issue, I can't and my family -- yeah.

Anyhow, living within two miles of this proposed site, I want to know what the plan is when that accident happens that results in a fire with contaminated seeping water into our seven-to-ten-foot-deep water table. With the CEC -- or the CEC should require the emergency plan to be in place before the emergency, or actually before the approval. What physical systems prevent contaminated fire water, off-gassing, or any contaminants from reaching the unlined stormwater basins and infiltrating the groundwater?

My family, my livelihood, depend on our Solano land remaining as ag land. And the Lambie Industrial Park

is the only option in this EIR.

And one other short comment, I heard you refer to this project location of the City of Vacaville as Business Park zoned. It is not. It is Ag Land zoned and that's my next project. It will remain at ag land. It is not yet business park land.

MS. BONITZ: Thank you.

Next is Chris Whitaker, followed by Noelle DeMartini. Please state and spell your name for the record and share any affiliation.

MR. WHITAKER: Hi, my name is Chris Whitaker. I was here last year with my aviation experience. It's Charlie Hotel, Romeo, India, Sierra, Whiskey, Hotel, India, Tango, Alpha, Kilo, Echo, Romeo. So Commissioners, thank you for allowing this to happen tonight.

In potentially losing an existing infinite economic benefit, how is the cumulative opportunity cost of losing irreplaceable prime ag land calculated? This land is only vacant because Corby does not farm.

Also, how is the cumulative impact of precedent measured? Approving this will only encourage many others to follow suit on ag land. Appendix A lists 156 other projects but it does not clearly explain how those projects were considered together with Corby.

The clearest example is the Vaca-Dixon Battery

Project which is only 700 yards away from Corby. When two battery storage projects are that close together, they should be studied together. I am not opposed to BESS but I do not agree with the high risk proposed location for this project. The Lambie Industrial Park location is a viable and safer option.

I respectfully ask the Commission to require a clear cumulative impact analysis before making final findings. That should include a direct review of Corby and the nearby Vaca-Dixon, as well as other nearby projects together, a clear explanation of groundwater use and shared emergency response capacity. If 156 projects are part of the cumulative setting the record should clearly show what their combined effects actually are.

Lastly, lithium-ion batteries are becoming obsolete and other safer non-thermal runaway battery types are available. So why is Corby investing in outdated and unsafe battery types?

Thank you.

MS. BONITZ: Thank you.

Next is Noelle DeMartini, followed by Amber Cargo-Reed. Please state and spell your name and share any affiliation.

MS. DEMARTINI: Hello. My name is Noelle DeMartini, N-O-E-L-L-E D-E-M-A-R-T-I-N-I. Good evening.

My name is Noelle and I'm a lifelong resident here in Vacaville and Dixon. I'm here tonight because I believe we can support energy development without sacrificing our farmland, rural communities and public safety.

When you compare the proposed Corby site with the Lambie Industrial Park, the choice is common sense. Lambie is already designated for industrial development. Moving this project there would still allow it to accomplish its purpose, storing energy, supporting grid reliability and connecting to the electrical system without placing a massive industrial battery facility on ag land.

Lambie respects our local land use planning and the intent of Measure T; keep industrial development in an appropriate industrial area and protect our ag lands. It also provides greater separation from rural homes and sensitive water infrastructure. That matters when we're talking about emergency response, potential fire, smoke, hazardous materials and evacuation.

At Lambie, we preserve productive farmland and our rural landscape. We avoid introducing 24-hour cooling system noise, security lighting, battery enclosures and high voltage equipment into agriculture -- ag community. And Lambie already has industrial and electrical infrastructure, that the proposed Corby site would require additional high-voltage infrastructure, including a roughly

1.1-mile 230-kilovolt transmission connection crossing private property and Interstate 80.

So my question is simple. If this project can accomplish its objective in an established industrial area, why should Vacaville's ag land, rural residents and first responders be asked to carry the additional risk?

And I want to leave you with one very important reminder. The Vacaville Firefighters Association has publicly opposed this Corby Project. These are the men and women who would be called to respond if something goes wrong. Their concerns deserve serious weight.

We are not saying no to responsible energy development. We are saying put industrial development where industrial development belongs. Choose Lambie, protect our farmland, protect our community, and listen to the people who would have to answer the call when an emergency happens.

Thank you.

MS. BONITZ: Thank you.

Next is Amber Cargo-Reed, followed by Brett Riley. Please state and spell your name and share any affiliation.

MS. CARGO-REED: Hello. My name is Amber Cargo-Reed and I speak on my own opinion. And it's C-A-R-G-O hyphen R-E-E-D.

Good evening, Commissioner and CEC staff. My name is Amber Cargo-Reed and I am a Vacaville native. I've lived here my whole life. And my main concern is simple. What is the project cost to the homeowners who live nearby? The CEC has discussed the project's economic benefits such as jobs and tax revenue but I have not seen a clear analysis of the possible financial losses to nearby homeowners. Where does the Staff Assessment on the Draft EIR calculate the possible loss in home values, homeowners insurance or home equity?

Our homes are often our biggest financial assets. Living next to a large battery storage facility, substation and high voltage equipment may affect how buyers, appraisers and insurance companies view our homes. Will nearby homeowners face lower property values? Could insurance premiums increase or could homeowners lose or have difficulty in getting insurance?

What happens if construction vibration damages nearby homes? Who will pay if a project related fire, smoke or other incident damages to the private property? Who is going to be responsible? The EIR report did not do an analysis, or at least that I could find.

These questions need facts and expert studies, not assumptions that the impacts will be insignificant. I also ask the CEC to consider the Lambie Industrial Park as

an alternative location. And I know you have heard everyone explain why this is a more ideal location because it's zoned for the industrial. Everything that the Corby is needing, it's there. But if you put this megawatt battery lithium facility next to homes and neighbors and near hospital near our municipal wells, then there is a high risk. And we cannot look the other way and go, well, let's build it and then find out.

So I'm asking that you please consider to move it to the Lambie Industrial Park as an alternative location. And if those impacts cannot be adequately addressed about this proposed location, I ask the CEC to move the project to a more appropriate industrial site. And again, there's multiple alternatives and there's cleaner energy. In fact, this lithium --

MS. BONITZ: Please wrap up your comment.

MS. CARGO-REED: -- battery facility is thermal runaway. There's cleaner energy out there and we know that and there's safer technology.

Thank you. Thank you for listening.

MS. BONITZ: Thank you.

Next is Brett Riley, followed by Darlene Connor. Please state and spell your name and share any affiliation.

MR. RILEY: Hi, good evening. My name is Brett Riley, B-R-E-T-T R-I-L-E-Y. I am a Vacaville resident, a

retired army veteran, and a retired law enforcement first responder with extensive hazmat training. That is why I cannot sit silent to potential deadly facility being built in the proposed Solano County location.

Knowing the potential evacuations, why would anyone consider building in a location that is close to agricultural and nearby populated areas such as Vacaville, near a Kaiser Trauma Center Hospital, or the nearby interstate, which is part of the Dwight D. Eisenhower National System of Interstate and Defense Highways?

Why should we as residents be concerned with thermal runaway? For those unaware, thermal runaway is a self-sustaining chain reaction causing rapid overheating, fires and explosions. This risk is exacerbated by the high energy density of modern cells that can exceed over 1,800 degrees Fahrenheit during a thermal runaway incident.

As the Corby BESS facility, you are proposing a 300-megawatt storage facility. If you break that down, a single storage cell typically has a capacity of 7.4 watt hours. So if the math is correct, you're looking at building a facility that contains over 40.5 million cells.

Most everyone in this room has an internet device. So I challenge everyone to watch a single lithium storage cell under thermal runaway on an internet site such as YouTube. Then ask yourself, how safe do you feel with

40.5 million of them nearby?

Also knowing that thermal runaway causes a storage cell to heat at approximately 300 degrees Fahrenheit per minute, how safe can I feel with the three closest Fire Stations, 65, 72 and 73, not being close enough to respond before temperatures could reach over 1800 degrees? That does not even begin to talk about how long it would take to extinguish. Consider it takes hours to days for containment of an average 75 kilowatt electric vehicle, then multiply it by 4,000 to reach the size of the Corby facility.

This evening I have heard the studies and proposed plans for a building of a so-called safe site. I must ask, do you think that the residents of Moss Landing heard the same information? We don't need another Moss Landing incident in Solano County. As you're aware, the Moss Landing site --

MS. BONITZ: Could you please wrap up?

MR. RILEY: -- also contained similar size -- you need me to wrap up? Well, obviously you don't want to hear about the Moss Landing, as I said. So we'll just wrap it up with, I would like to consider the Moss Landing still as unknown as to how it was caused. So you're wanting to build a facility only a year and a half later of similar size, not acceptable.

MS. BONITZ: Next is Darlene Connor, followed by Ralph Mullenbrook.

MS. CONNER: Thank you. My name is Darlene Connor, D-A-R-L-E-N-E C-O-N-N-E-R. I just wanted to say, I do not oppose the Corby Project, but I do oppose the Corby at this location.

Much of this proceeding necessarily involves technical language, megawatts, dispersion models, noise levels, groundwater analysis, transmission engineering and conditions of certification, which is all above my head. I'm here as a grandmother and a mother, and my daughter's property is directly across from this site. People live around this project. They drive the roads. They work this land. They sleep here at night, peacefully now, but with this going in, would you sleep peacefully?

When something goes wrong, they simply cannot close a report and go home somewhere else. They are home. They will deal with the problems that will arise with this project. We have witnessed this with Moss Landing. The benefits of this battery project would be distributed across the electrical grid, but many of its burdens would be concentrated on one small rural community. The imbalance matters when there is another choice.

We're not asking you to abandon battery storage. We're asking you to put this in an industrial facility in

an industrial location. Lambie has already been approved to do that. In my heart, I can understand why this isn't just a simple solution. We don't need it by our families.

We have our get togethers at our daughter's house. She has plenty of parking out there and it's just where we are. And I cannot imagine living with this being there. The people living beside the Corby should not have to absorb the unnecessary risks simply because this particular parcel was available to the developer.

Please, in your -- open your hearts and minds and your consciences and please place this in the industrial location or approve a better type of battery.

Thank you.

MS. BONITZ: Thank you.

Next is Ralph Muehlenbruch, followed by Christiane Nolting. Please state and spell your name for the record and share any affiliation.

MR. MUEHLENBRUCH: Good evening. My name is Ralph, R-A-L-P-H, Muehlenbruch, M-U-E-H-L-E-N-B-R-U-C-H. Good evening, Commissioners.

I'm going to cut right to the chase. Please deny certification of the Corby BESS Draft EIR and deny approval of the NextEra Energy's proposed project.

First, the Corby EIR does not adequately address the very risks that should be at the center of this

Commission's decision, public safety and environmental impacts from battery fires and thermal runaway. It concludes that these risks can be mitigated to less than significant levels, yet those conclusions are not supported by convincing verified evidence.

In fact, it actually dismisses the findings of a report of researchers from San Jose State University's Moss Landing Marine Laboratory that concluded a thermal runaway at a similar BESS facility at Moss Landing had significant environmental impacts, including heavy metal contamination up to three miles from the facility. The proposed Corby system presents the same fundamental thermal runaway hazard.

The EIR does not adequately account for the potential scale, duration, and environmental footprint of a major fire involving these battery enclosures. Placing this facility near neighborhoods, prime ag land, I-80, and Kaiser Medical Center makes no sense and creates risks this community should not be asked to accept based on unsupported assurances.

Finally, it is also troubling that NextEra is using the state's Opt-In process to circumvent decisions made by the City of Vacaville and Solano County and by Solano County voters themselves through Measure T, made to protect our ag land and our residents. These decisions

should not be treated as obstacles to be circumvented. Instead, these decisions support energy development using safer battery technologies and in appropriate locations such as Lambie Industrial Park.

Commissioners, please respect our local democratically-made decisions. Reject this flawed EIR and project and do not allow the Opt-In process to substitute corporate convenience for the informed decisions of this community.

Thank you.

MS. BONITZ: Thank you.

Next is Christiane Noelting, followed by Richard Maddux. Please state and spell your name and share any affiliation.

MS. NOELTING: I'm Christiane Noelting, C-H-R-I-S-T-I-A-N-E N-O-E-L-T-I-N-G. I live about a mile as the crow flies away from this facility that's supposed to be planned. And I have lived here since 1999 and I have a lot of livestock, very expensive horses that I breed.

I also teach the community kids from Vacaville that are coming daily on the facility. And if we have a problem there, how am I going to get the kids out of there? How am I going to get my horses out of my facility? I have a four-horse trailer, no big deal, but I won't be able to get 30 horses out in a time where this big plume will come

towards us and we all can't breathe.

So the same as with the water, of course, I have my own well, which might be impacted by this whole building. And I have SID water. So if I get poisonous SID water over my pastures, my horses will suffer.

So I have quite a bit of difficulty to really -- and I'm very opposed to this facility being built there. So please take my consideration in account.

Thank you.

MS. BONITZ: Thank you.

Next is Richard Maddux, followed by Gaul Culley. Please state and spell your name and share any affiliation.

MR. MADDUX: Richard Maddux, R-I-C-H-A-R-D M-A-D-D-U-X. I'm a retired building official, retired fire marshal, retired building inspector, retired fire inspector, and retired hazmat responder. I am the, most likely, the most highly awarded environmental manager in the state of California, three Governor's Environmental Achievement Awards from different governors, flown back to Washington, D.C., received the Environmental Achievement Award of the Year from the Department of the Interior, also from the National Park Service, and Region 9 EPA.

Simple, your EIR is flawed, basically. Hydrology, stormwater suppression and management suppression waters, it's just inadequate.

Thank you.

MS. BONITZ: Thank you.

Next is Gaul Culley, followed by Savannah Haas. Please state and spell your name for the record and share any affiliation.

MS. CULLEY: Commissioners, my name is Gaul Culley, spelled G-A-U-L C-U-L-L-E-Y. I'm the president of the Pleasants Valley Agriculture Association. I'm a local realtor and land specialist. And I'm also a homeowner in the rural area here in Solano County.

I was going to read something, but I've spent since 4:30 today looking at the time wanting to speak to you, not just on my behalf, but on many people's behalf that can't be here today. And I'm overwhelmed at the amount of people before me and after me. There are so many things I want to say, but I'm just going to name the main points because you've heard them.

I-80 is a major transportation, not only to our state capital, but also from the Canadian border all the way down to Mexico. It is in such close proximity, this core base center, it could affect transportation, our major transportation route.

Number two, our Class 1 ag soil is unlike any other ag soil in the United States. It's in the top 5 percent of the world, you guys. It's a four-season ag

soil. This is not just some prime ag soil, it's very, very important.

The water, the SID channel literally feeds all of our farmland, the Class 1 ag soil that not only feeds our local area, 37 countries, 37 countries it feeds here.

Number four, in my land use experience, when you change or you entitle a different zoning from ag zoning, it sets a precedent. It is a case study for additional things to happen. And so that consideration has been protected by not only Measure T, but by the county and the city. And in addition, there are industrial areas that this is appropriately placed.

I hope that you consider what I've said on behalf of myself and others in my community, as well as the ones that have spoken before me and after.

Thank you.

MS. BONITZ: Thank you.

Next is Savannah Haas, followed by Tim Gisi. Please state and spell your name for the record and share any affiliation.

MS. HAAS: Hello, commission. My name is Savannah Hawes, S-A-V-A-N-N-A-H H-A-A-S. I'm a resident of Dixon and an environmental -- and I work for an environmental research and consulting firm as an ecosystem scientist with a PhD in soils and biogeochemistry and

experience in hydrology.

The proposed Corby Project location is within the Solano groundwater sub-basin. It overlies the Putah Fan Aquifer, which is a shallow aquifer that would be vulnerable to chemical contamination. The cities of Vacaville and Dixon rely on this aquifer's groundwater, including ranchers, farmers, and local landowners.

In 2025, the gross value of Solano County agricultural production was $476 million, according to the 2025 Crop and Livestock Report for the county. Agriculture is at the heart of our community and Measure T was voted on by our residents to protect this industry, which is vital to our area economically and culturally and to the country as a whole for food production. The Corby Project is a direct risk to all of this.

In addition to the prime farmland, the proposed Corby Project location is two miles from the Kaiser Hospital and less than three miles from Lonza, which is one of the largest pharmaceutical manufacturing facilities in the world. At the proposed Vacaville location, winds blow from southwest towards Dixon with an average wind speed of 10 miles per hour, and many days it is greater than this. So if there were to be a facility failure such as fire or thermal runaway, fumes would reach my town in under one hour.

Furthermore, there's a proposed project for Dixon residential expansion south towards Vacaville, which would more than double the population of Dixon.

There are an average of five lithium-ion battery incidents in the U.S. per year. That is not an insignificant level of risk, which is why I've spoken up today.

Please consider the following questions. Why is the Corby Project targeting this location considering whose power grid will be supported? Will the evacuation and mitigation response plans, which are incomplete at the moment, be sufficient? Have wildlife, California's critical water supply, and people's livelihoods been fully taken into account?

At the top of this meeting, it was mentioned that you thought about whether or not you would live near this proposed facility. I urge you to rethink about this from the perspective of a disadvantaged community member with limited resources to respond if there were an incident. Would your answer remain the same?

I am for sustainable energy, but a project like this without CEQA when there are better options is sidestepping a major check for sustainability.

Thank you.

MS. BONITZ: Next is Tim Gisi, followed by Derek

Johnson. Please stay and spell your name for the record and share any affiliation.

MR. GISI: Good evening. My name is Tim Giese. It's T-I-M G-I-S-I. Good evening, Commissioners.

I'm a resident of Solano County. And as the crow flies, I live about three miles from where this proposed site is. And I have a ranch there, livestock, animals. My family lives there. Everything that I've ever made and invested is all in that property. And so I'm urging you guys to consider placing this thing somewhere else in the industrial zones that it's meant to be in. And the energy -- your staff's assessment that's been released in our community still kind of frustrated that this report still doesn't address the major hazards and you've heard them all so far.

The EIR confers this 300 megawatt industrial facility would sit on 40 acres of ag land and just 250 feet from Vacaville's border. Now that's near rural homes, Interstate 80, hospitals, schools, places where our families and live and kids go to school.

And before you do any vote, I just would urge you to consider a couple of things here.

Revisit the Lambie Park site. There's already a switch station there. There's already transmission lines there that can be tied into. You don't have to run 14

miles of transmission lines back to Vacaville just to tie into this substation up here. I don't know what's so special about this place and why these energy companies keep wanting to tie in up here. And maybe that's something that could be answered.

Second thing would be to acquire an installation-level plume model. Because like I said, as the crow flies, I only live a couple of miles from where this site would be. And if stuff gets up in the air, it's going to come over to my property. It's going to get in my well water. It's going to get in my SID water that I use to irrigate my pastures for my animals. And that's the water my family drinks. And so the EIR model doesn't really give you a realistic world case thermal runaway scenario. And so we need better data.

And these concerns should not be minimized to fit the developer's preferred location, but public safety and responsible land use should come first.

Thank you.

MS. BONITZ: Thank you.

Next is Derek Johnson, followed by Kevin Whitaker. Please state and spell your name and share any affiliation.

MR. JOHNSON: Yes. Derek Johnson, D-E-R-E-K J-O-H-N-S-O-N. I'm a resident of Vacaville. Good evening,

Commissioners.

The Staff Assessment dismisses Lambie with a level of analysis that is frankly indefensible. It's not just incomplete, it's deeply flawed and in places factually wrong. Some examples.

The staff's rejection of Lambie is built almost entirely on gen-tie length. CEQA does not allow an alternative to be eliminated based on a single unexamined factor. But staff did not analyze alternative alignments, did not evaluate existing utility corridors, did not consider undergrounding, did not explore phased construction and did not ask PG&E nor Cal ISO whether a different interconnection configuration is feasible. These are basic requirements, yet they were simply not done.

Secondly, staff repeatedly states Lambie's impacts would be similar in severity to Corby. If impacts are similar, CEQA does not permit eliminating the alternative, especially when Lambie avoids a significant and unavoidable farmland conversion. That alone legally requires deeper analysis and that's been ignored.

Third, staff openly admits the major impact areas at Lambie are, quote unquote, "Unknown. Cultural resources, unknown. Biological resources, unknown. Underground utilities, unknown." Unknown is not a justification for elimination, it is a mandate for further

study.

Fourth and most troubling, the Staff Assessment misrepresents Lambie's geography claiming it is, quote, "rolling hills requiring more grading." I've been out there. Lambie is flat industrial land. This is not a minor oversight. It is evidence that staff either did not conduct an onsite visit or relied entirely on the applicant's narrative. If staff cannot accurately describe the topography of a 1,400 acre industrial zone, how can the public trust any of the conclusions drawn about it?

These are not small errors. These are structural failures that undermine the credibility of the entire analysis. And if the Commission accepts the Lambie evaluation as is, it will signal to the public that the Commission is willing to approve a project even when the CEQA analysis contains glaring omissions, factual inaccuracies and unexamined assumptions.

I urge this Commission to require a full, accurate and unbiased evaluation of the Lambie industrial park. The public deserves an alternatives analysis based on actual investigation, not assumptions, and certainly not a repetition of the applicant's claims about the location.

Thank you.

MS. BONITZ: Thank you.

Next is Kevin Whitaker, followed by Amber Mineni

(phonetic). Please state and spell your name for the record and share any affiliation. Kevin Whittaker? Okay. Amber, followed by Jason Roberts. Okay. Jason Roberts, followed by Tyler Sasabuchi. Please state and spell your name for the record and share any affiliation.

MR. ROBERTS: Yeah, Jason Roberts, J-A-S-O-N R-O-B-E-R-T-S. And I don't envy sitting in front of late-night BESS stuff anymore. So I'll try to skip over what everybody else touched on.

I'm going to go straight to Sections 5.7 and 5.10. What I'm looking at is emergency management response, emergency preparedness. And in there it says it would not impair or interfere with the County Emergency Operations Plan, the Multi-Jurisdictional Hazard Mitigation Plan, County Wildfire Protection Plan, City of Vacaville's Emergency Operations Plan, and the City of Dixon's Emergency Operations Plan. You can't interfere with a plan that does not exist yet, so -- and none of those plans addresses BESS at all. And as a emergency manager for another county, that's a bit troublesome. So when that -- in regards to EIR, they're essentially -- that section is entirely missing because you can't interfere, like I said, with something that doesn't exist.

And with that, the county, and both Vacaville and Dixon's plans, are required to be updated by the state in

June of 2027. So giving the county and the city's opportune time to assess and -- whether they have the proper equipment, training and exercise response to this type of incident would be crucial in actually looking at an appropriate completed EIR.

So what I'm really asking for the Commission is postpone the final decision on this until the cities and counties have had the appropriate time to assess if that would interfere with it. Because as somebody who's sat on a board, city council and different advisory commissions, if you prove something that's not necessarily accurate, you're assuming the risk and liability for something that's not there that should have been there or if they develop a plan and it now conflicts and interferes with the plan where you have to bring back the EIR and reassess it before development can take place.

As others have mentioned, yeah, alternative site. And as a reminder to the Commission, two years ago, you guys approved a $10-million grant to SMUD to develop ion flow batteries in Sacramento. So the alternative and precedent for alternative energies is there.

Thank you.

MS. BONITZ: Thank you.

Next is Tyler Sasabuchi, followed by Rosie Stabile. Please state and spell your name for the record

and share any affiliation.

MR. SASABUCHI: Howdy folks. Name is Tyler, T-Y-L-E-R, last name, S-A-S-A-B-U-C-H-I. If any of you know my grandmother, I'm sorry.

All right, so I don't know if this is a good idea or not because this is all well above my pay grade, but I just want to throw out some information that I thought was interesting that's missing from both sides of the argument because I'm just a debate nerd.

So first off, I want to talk about specifically this Lamba or whatever alternate site. Quick Googling, I noticed that this site maybe isn't in consideration for those that are suggesting as an alternative because it does have a substation, but not one big enough to handle the power and flow of these batteries requiring that substation be upgraded estimated $30 million to $60 million, and then redeveloping the transmission lines around that area, which we're talking a lot about ag land, pollution, construction, stuff like that. Rio Vista is also ag land. It's right next to the slough. That's a huge water pollution issue. That's a huge arable land pollution issue, just as far as that consideration goes.

Outside of that, talking about risk specifically, there's been a lot of back and forth. We're talking about lithium-ion specifically. There are different kinds of

lithium-ion batteries. The proposed ones in this project can still catch on fire. You know, there's still batteries. But they're a slightly safer and less likely to catch on fire version. So if that concerns anybody, there's that.

And lastly, most interestingly, what I've found is that talking about all these alternate kinds of batteries that are safer, most of the issues from facilities like this, like BESS facilities, are not the batteries in the source systems themselves, but the systems that maintain those batteries and the operation thereof. Meaning any other kind of battery we put in here is going to have the same problem because it's not the battery that's catching on fire.

Moss Landing specifically, they changed their fire suppression system to only trigger at 135 degrees, which is really fun because lithium-ion batteries, their kind, catch on fire about 113, so well above that. So it's not so much the battery's a problem as in the oversight of the system is a problem.

Do with all of this information what you will. I live down the street, but not like right next to it, so I'm never going to own a house, so I don't have to worry about property values. That's your guys' issue, sorry. But I just think that having this full-fledged picture is really

important.

MS. BONITZ: Thank you.

Next is Rosie Stabile, followed by Maria Alemany. Please state and spell your name for the record and share any affiliation.

MS. STABILE: My name is Rosie Stabile, R-O-S-I-E S-T-A-B-I-L-E.

California has a ban on plastic bags because they pollute our oceans and release toxins, a ban on assault rifles because they kill people, a ban on certain pesticides because they cause cancer. Many cities, including Vacaville, have a ban on fireworks because of fire. And now we have a ban on 70 percent of the tires being used today for the purpose of improving air quality.

What I don't understand is why the CEC is even considering the use of lithium-ion batteries at this magnitude, knowing that they violate all of the above bans and pose all of the above threats. The people are required to comply with all of the bans and regulations in place. Why aren't energy companies being held to the same standard?

No matter what the reports say, it doesn't change the fact that these batteries are going to catch fire. And the fact that inhaling nickel, cobalt and manganese cause lung disease, respiratory failure, cancer, liver and kidney

damage and failure, which will result in death.

These batteries are not safe and dislocation is too close to our homes, our schools and our hospitals. We can achieve energy storage by using non-flammable batteries. There are two different types that are currently being used as we speak. And also, we can eliminate the threat to our communities by placing this site at Lambie, which is further away from our communities.

Please deny Corby's application with regard to lithium-ion batteries and the location. No one should be allowed to play God. The lives and health and welfare of 103,000 human beings lies in the hands of five. Please don't let corporate greed and providing energy to San Francisco outweigh the lives of 103,000 people.

Thank you.

MS. BONITZ: Thank you.

Next is Maria Alemany, followed by Karen Bell. Please state and spell your name and share any affiliation.

MS. ALEMANY: Hello. My name is Maria Alemany. M-A-R-I-A A-L-E-M-A-N-Y.

When the meeting first started, I was on Zoom and I was driving from work over here. And I heard the Executive Director say that a decision had already been made. And I felt like, was that a slip of the tongue? Why did he just say that? So then I came immediately over

here. The Zoom audio fell out. And so I was like, hmm, wonder what that was about.

So if in fact you guys have made up your mind already, I don't know who to ask this question to, but the question I have is, what type of insurance coverage does the developer have to carry? So when something does go wrong, how are we going to pay for it? And who pays for it? And will this developer, whether it's the same developer now or down the road, will they be allowed to file bankruptcy? And if they do, then who pays for it? As you've heard from our county commissioners, you've heard from our city leaders, and they've all said that there is going to be serious financial impact to us. Who's going to pay for that?

So the other thing that I didn't know what would happen if you guys go forward with building this thing is who's going to oversee it? What regulatory body sees this? Who oversees the actual building of it? Who oversees the maintenance of it? Who oversees when something goes wrong? And who do they report to? Do they report directly to the governor who oversees your agency?

And then just one more last thought. I have 21 seconds. One more last thought. This November, we get to elect a new governor, and hopefully it'll be Steve Hilton. And when Steve Hilton is elected and he oversees the CEC

Commission, will there be changes in what he believes as serious regulation on energy, renewable energy? So although -- I'm just wondering, is there any way we can postpone this until after the election?

Thank you.

MS. BONITZ: Thank you. Now, Karen Bell, followed by David Schwartzel. Please state and spell your name and share any affiliation.

MS. BELL: Greetings. My name is Karen Bell, K-A-R-E-N B-E-L-L. I'm here to speak a little bit about the flawed staff assessment, especially when it concerns wildlife. And I'm asking the Commission to slow down and make sure the wildlife information for this project is complete before approving the biological findings.

My main concern is simple. The project area may look like farmland, but that doesn't mean that wildlife isn't using it. The record already shows important wildlife activity nearby.

The staff also admits that the burrowing owl surveys didn't fully follow the recommended survey methods. Why? Why is that? Some surveys were spaced further apart than recommended, and one survey was done outside of the recommended time period. Why is that?

There are also concerns about other species. Staff acknowledges two active Swainson's hawk nests within

half a mile from the project area. The project claims they would remove or change land that the hawks may use for hunting, but the assessment does not clearly show that replacement habitat would work. Why is that?

Staff also acknowledges that a full survey wasn't done for the Crotch's bumblebee, my favorite. Why is that?

These concerns are about making sure the Commission has complete and reliable information before deciding the impacts to wildlife are less than significant. Before approval, I ask the Commission to require any needed follow-up surveys, a clearer explanation of the wildlife impacts, and proof that the proposed protections will actually protect the species that use this area. A better area, of course, is Lambie. Think about that.

Thank you.

MS. BONITZ: Thank you.

Next is David Schwartzel, followed by Alicia Minyen.

MR. SCHWARTZEL: Good evening, everyone. I guess I'll start this off.

MS. BONITZ: I apologize. If you could state and spell your name?

MR. SCHWARTZEL: Yeah. Sorry. My name is David Schwartzel, D-A-V-I-D S-C-H-W-A-R-T-Z-E-L.

Okay, my background, I'm a professional engineer,

retired. I've worked in water, wastewater, high-technology development for 40 years. I'm looking at the engineering done on this and it's pathetic.

We came in here, this is a déjà vu for me. We're here 18 months ago talking about another plant right across the street. Went through the same process. No information, no technical information. Oh, it's a battery plant.

You know, the thing is here, we're smart people. We're also common sense people. We don't mind development, but, you know, basically this seems like the developer has hijacked the process. You allow a developer with their personal interest to come in. They basically bypass the will of the people, go into an Opt-In process, and it seems like we're getting railroaded.

So my problem with this is that the level of engineering done, we had a consultant come on there and talk about air quality. He says -- he doesn't give specifics. He doesn't tell you what the radius is. He gives you a little drawing.

And I'm looking at this and I'm going, there's no analysis done here. I'm looking for facts. I'm looking for technical information. That's what we work on. I'm looking for -- he said, usually there's a single module failure. No one talking -- no one here is talking about a

single module failure. We're talking about massive failure, Moss Landing type. Where's the radius of that? You look at a hospital that's located a mile and a half away. How are you going to evacuate all those people? You know, none of the concepts that really matter to us as a community are involved in this analysis as it would appear.

I am asking -- I'm not even sure that Lambie is an appropriate location. If this is the level of engineering oversight and analysis, it's pretty pathetic, so --

MS. BONITZ: Thank you.

Just real fast, Michelle Jones is here, if she can raise her hand? Oh, thank you.

Alicia Minyen, followed by Georgia Javaris (phonetic). Please state and spell your name for the record and share your affiliation.

MS. MINYEN: Hi. Good evening, Commissioners. My name's Alicia Minyen, A-L-I-C-I-A, M, like Mary, -I-N, like Nancy, -Y-E-N.

I'm here to ask you to reject the EIR, reject the Corby Project, and place the project at the Lambie industrial site.

With regard to the EIR, it's wholly insufficient, flawed. And I want to remind you of the term, garbage in, garbage out. So when you insert unrealistic assumptions,

you get an outcome that is not reality. This is the situation we have. I'd like to give you one example.

The EIR, with regard to the discussion of cumulative impacts, it does not study the cumulative impacts of the planned other large-scale lithium-ion projects in that area. So it might have mentioned the Vacca-Dixon Project.

However, through public records request from Marin Clean Energy, known as MCE, they have -- they're one of the community choice aggregators that has contracted with NextEra for the Corby Project. I retained a record from them. There is several lithium-ion battery projects planned for this immediate area. It's literally a cluster that will share the same point of interconnection. The names of them are Nut Tree 15, Nut Tree 20, Menard Energy Storage VARA, Menard Energy Storage VARB, Menard Energy Storage VRC.

You should know that on June 15th, 2022, there is an email from NextEra to MCE staff dated, yeah, so it's June 15th, 2022. I want you to pay attention to the date. This is two weeks before the passage of AB 205 that stripped our voice away, stripped the local authority away from determining where these get placed. It states,

> "We have a couple of energy storage projects in advanced stages of development currently available to

you, MCE. One of them is Corby," again, "advanced stages of development. During the meeting" -- so it sounds like it's a done deal.

This has been predetermined. The state and somebody has green-lighted this project years ago. We have no -- we can't rely on the state and the studies that have been done because you have the incentive to manipulate the assumptions to get the outcome you need to approve it.

MS. BONITZ: Would you please wrap up your comment?

MS. MINYEN: Okay. MCE stated during a meeting that NextEra said, "The red flags have been removed."

COMMISSIONER GALLARDO: You can submit those to the docket. We do want to give everybody else a chance --

MS. MINYEN: Okay.

COMMISSIONER GALLARDO: -- because we don't want to --

MS. MINYEN: Okay, but I think it's important to this, to the public that the --

COMMISSIONER GALLARDO: Absolutely. You could share that in the docket. We just want to make sure that everybody else gets a chance to speak. We still have a number of speakers and we will get --

MS. MINYEN: I --

COMMISSIONER GALLARDO: -- kicked out at 10:00.

MS. MINYEN: We are being -- okay, I have -- I'm asking for ten seconds.

MCE staff informed their board to approve the Corby Project because the red flags have been removed, the pre-environmental work was finished, and this was in the mature stage of development. This is false. The studies have been done and I'm very concerned that there is no integrity in this and that, basically, the whole situation has been rigged. I want an investigation.

Thank you.

MS. BONITZ: Next is Georgia Javaris, followed by Michelle Jones. Please state and spell your name and share any affiliation. Georgia? Okay, Michelle Jones, followed by Jenny Leilani Callison.

MS. JONES: Hello. Can you hear me? It's good to be here. We all have our roles to play. My name is Michelle Jones, M-I-C-H-E-L-L-E J-O-N-E-S. I've basically grown up in Vacaville, went to high school here. My father's U.S. military chief master sergeant, served in Vietnam 24 years in the military.

I am affiliated with mother earth. I walk with my people, which are the Blackfoot people, which are the Choctaw people, which are the African-rooted people that came to Turtle Island, which are English, Irish and Welsh people. Those are my people. And what I feel standing

here, I'm just in town taking care of my dad. I travel all over the world because I'm the founder and the CEO of the Clean Site Project. I go all over this world cleaning sites. Grassroots movements are rising up. We people are no longer so interested in money over our peace. We want our peace and our communities to be safe. This era is phasing out.

What's phasing in is that we use our integrity and our love and our hearts and our connection to mother earth. So I asked mother earth, (speaking a Native American language). Do you give us permission to build here? The winged ones, the creepy crawlies, all of the animals have a voice, not only us, not only our commissions.

So my spirits tell me that lithium batteries are on the way out. This is too dangerous for the people and the land and the spirits of the land. They tell me water, water, water, water, water, water must run free, that we are the people. We all are the people and we're all here to vote and we all have a voice.

We're not here to make people poor. We're here to make people rich. These people with their properties, this would make them poor. That is not just.

We need to make it real. We're ending now. But the one thing I wanted to see up here is this map, this

map. I wanted to see that up there. And I wanted to see this AEGL superimposed over the map, that we can see where the houses are and where this plant is to keep -- to see it real. You see what I mean? Actual. To feel that and to know what we see so we can understand. Please do that next time.

I appreciate you. I appreciate your time and everyone here. Let's care for the earth. Thank you. Thanks.

MS. BONITZ: Thank you.

Next is Jenny Leilani Callison, followed by Tony Maddux. Please state and spell your name for the record and share your affiliation.

MS. CALLISON: Hi. my name is Jenny, J-E-N-N-Y, Leilani, L-E-I-L-A-N-I, Callison, C-A-L-L-I-S-O-N. This is my son, Max. My daughter's over there.

I am a resident of Dixon. I grew up in Winters right down the road. My dad, Dave Callison, is a Vacaville High School graduate. I'm an Army veteran, Solano Community College alum, and I have a bachelor's and a master's from Sac State. I worked for the state legislature for 14 years, most recently as chief consultant for the Senate Military and Veterans Affairs Committee. I'm also a candidate for California State Assembly District 11.

I am here today to lock arms with many other concerned residents of Solano County to ask you to reconsider the staff recommendation for the Corby Battery Energy Storage System Project. Aware of many battery storage disasters, the City of Vacaville and the County of Solano both passed local ordinances and resolutions against this outdated and dangerous technology. This should be enough.

AB 205 and SB 254, passed by the legislature, expanded the California Energy Commission's authority to bypass local laws and regulations, and that's why you're all here. The current assembly member for this district voted yes on both of these measures, despite strong local opposition and residents urging her to vote no. And given the honor to represent this district, I will show up for the people who live here over any special interests.

I ask that you respect the local residents, families, farmers, and elected officials of Solano County and reject the proposed Corby BESS Project and consider the alternatives.

Thank you very much for all the work you put into the analysis and have a wonderful evening.

MS. BONITZ: Thank you.

Next is Tony Maddux, followed by Lindzi Mendez. Tony Maddux? Lindzi Mendez, followed by Laura Yee

(phonetic). Please state and spell your name and share any affiliation.

MS. MENDEZ: Hello, my name's Lindzi Mendez, L-I-N-D-Z-I, Mendez, M-E-N-D-E-Z.

And I'm going to be honest that if it wasn't for Sarah Dunn sending all those little messages saying, come, come, I probably wouldn't have come. I am not a person who comes to these types of meetings, but I am a Vacaville resident. I have been a resident of Vacaville for 50-plus years. Went to Elm School, went to Will C. Wood when it was a junior high. Okay, so that ages me. I left, went to Vallejo, came back to Vacaville, went into the military, came back to Vacaville because this is my home.

I'm not the brightest person in the room, but one of the things that hit me is safety, okay? I'm all about safety. I have a brother who is a fire chief. I have -- not in Solano County, but he is a fire chief. I have a nephew who is a fireman over in Richmond. And they talk about these battery fires for, you know, these ion batteries and how much effort it takes to put them out. And so I get concerned. Do we have the resources?

I'm all about safety. I realized that there's no formal Kaiser Permanente representative here. Okay, that's because it's corporate and they're not going to do it, but they're going to let the patients speak up. They're going

to let the employees. Well, guess what? Thirty-seven years with Kaiser Permanente, so as the voice of the patient, as a member of the -- as a former employee, I'm the voice. I'm saying, a mile down the road is Kaiser. We can't evacuate those patients. We can't. You know, you can say, well, close the windows, do this, the back, reverse this. Okay, that's not going to work.

If there's an earthquake, if there's another major fire because we now have fire season, what are our first responders going to focus on, this lithium battery place or putting out the fires? I don't know. Do we have the resources? You can't say we'll make up a plan. No, the plan has to be in place. So I don't care if you go to the left or to the right, but you have to do it first with all the proper things in place.

So that's my two minutes. That's my spiel. Thank you.

MS. BONITZ: Thank you.

Next is Laura Yee, followed by Emily Arana (phonetic). Laura? Okay. Emily Arana, followed by Thanh Vuong. Emily? Okay. Thanh Vuong, followed by Elsia Garcia. Please state and spell your name and share any affiliation.

MR. VUONG: Good evening, Commissioners and staff. My name is Thanh Vuong, T-H-A-N-H V-U-O-N-G.

I live in the proposed evac zone. I ask you to reject the Draft EIR and oppose the project at the current site.

Adding to the Draft EIR issues identified, did the Draft EIR look at the impact of goods and people movement related to the Union Pacific Railroad lines the tracks have to close due to fire? The railroad lines are approximately the same distance as Kaiser but in the opposite direction.

As Commissioners, you have enormous pressure to approve the project as is to comply with state goals. Through the process, the community has provided you with reasons to vote no and locate the project at the other site. I just wanted to provide a friendly reminder that as decision makers, if you wanted to vote no for this site, the community did their homework and gave you actionable and defensible facts to do so and do so with confidence and authority. You would have the support of the county, cities and community.

So I ask you to consider everything that has been presented and please vote no to the Draft EIR and the current site.

Thank you.

MS. BONITZ: Thank you.

Next is Elsia Garcia, followed by Manuel Garcia.

Elsia? Okay. Manuel Garcia, followed by Priyanka Mohanty. Manuel? Okay. Priyanka Mohanty, followed by Kelly Howard. Please state and spell your name and share any affiliation.

MS. MOHANTY: Hi everyone. My name is Priyanka Mohanty. That's P-R-I-Y-A-N-K-A M-O-H-A-N-T-Y. I speak to you as a battery scientist and as somebody who works in this industry at the intersection of good union jobs and economic benefits for communities.

I just want to say first, I recognize people's concerns today about toxicity, fire, soil and water. I think this is a great process to ensure that we're creating safe investments. But I'm also standing here to say that I support this project for a couple of different reasons. And I know that might not be popular with folks here today.

People here know we have the highest energy bills in the country. We need to transition from fossil fuels for energy security. And I hear people here say that they're not opposed to renewable energy and battery storage, but also they feel the need to address safety. So let's talk about the science and the fact that science actually changes how we apply technology.

So Moss Landing Fire has come up multiple times tonight. I just want to note for the record that was a nickel manganese cobalt facility with older architecture that has been plagued by fires for decades. It's not

because of batteries, but it is fundamentally about the infrastructure that was used to make that investment. This project is fundamentally different. We're talking about lithium perophosphate (phonetic), which has been proven to have a much lower risk of thermal runaway and is actually quite new. It's actively tested. It's being deployed.

While I support this project, I encourage NextEra Energy to think about how to listen to people's feedback here today and provide more clarity on the direct community benefits that they plan to provide. I hear concerns that are completely addressable in the bounds of this project. Commitments around fire safety, making sure that there's resources for cleanup and funding first response. And so I call on NextEra Energy to actually provide those resources directly while, at the same time, supporting this project.

Thank you.

MS. BONITZ: Thank you.

And next is Kelly Howard, followed by Simone Martin. Please state and spell your name and share any affiliation.

MS. HOWARD: Hi. My name is Kelly Howard, K-E-L-L-Y H-O-W-A-R-D. And I'm speaking for myself and my family.

I'm a fifth generation farmer on Fox Road, which places me 2.5 miles from the site proposed. Five

generations of my family have lived and worked this land. My children are the sixth, and I'm here in opposition of the site proposed for this project.

Before I begin, I would like to address the mayor's comment earlier. He said something along the lines of, "Through your optics, it looks as if there's one residence nearby." As someone who has thoroughly been through that specific area, I can confirm there are more than several residences nearby.

And with your alternative site, you conveyed that the impacts are the same. It actually says that on your slide, and I beg to differ. Your alternative analysis needs to compare the actual number and proximity of sensitive receptors -- I'm sorry, of families surrounded by the proposed Corby site versus those surrounded by the Lambie site. If safety is truly at the forefront, then show this community that comparison. How many residences are with one mile, two miles, and three miles of each site?

From your own filings, Corby is being preferred because it's a 1.1-mile gen-tie and it's easier and cheaper for the applicant rather than a 14 mile gen-tie, to which others have said there may be alternatives for. If safety is truly at the forefront, like you guys have stated multiple times, then convenience to the developer should not outweigh the distance from families, loyal families,

farming families, agricultural families. Your inconvenience does not justify, excuse me, you placing hundreds of thousands of Dixon and Vacaville residents at risk.

You told us that safety and reliability are at the forefront that there is no substantial risk by your own words, but your own presentation tells a much more complicated story. You told us that BESS fires usually involve one container. Usually is not always. And even one would be devastating for our home. You told us that containerization helps minimize propagation of a fallout. Minimize does not mean eliminate. You have made risk estimates. They are not guarantees and you cannot make guarantees.

MS. BONITZ: IF you can please wrap up?

MS. HOWARD: I will finish with this. It's not a question of who will pay the price of a fallout. I know who will. And it's not a price that anybody can bring any amount of money to soothe. It's my children, it's my grandchildren, it's my home. We will not quit. This is our life. Corby is not welcome here.

MS. BONITZ: Thank you.

Next is Simone Martin. Please state and spell your name and share any affiliation.

MS. MARTIN: My name is Simone Martin,

S-I-M-O-N-E M-A-R-T-I-N. And it's just me.

I'm here because I grew up in Marin County and I moved here to Vacaville 30 years ago. So I was a little bit disturbed to hear about the Marin County issue because I feel like is that kind of the attitude of Marin County thinking Vacaville is a throwaway community? Are we just, you know, somebody that we can put something in that's dangerous that they wouldn't keep in their own backyard?

So I'm just concerned about our democratic process. I mean, what's going to happen after tonight? Is anything going to be listened to? Is anything going to be listened to in our -- is this just a make-believe kind of a commission? I'm just asking. And I don't know, are you going to answer that tonight? That's it. Are you, or are we going to -- is this -- is this a real-real thing that you will go back to and actually look at and think about what all these people said, or are we just throwaways?

COMMISSIONER GALLARDO: We're listening to all the comment. That's why we're still here and taking it all in. Thank you.

MS. MARTIN: And are you actually going to really discuss this and really look into all this --

COMMISSIONER GALLARDO: We're --

MS. MARTIN: -- (indiscernible)?

COMMISSIONER GALLARDO: -- we're listening to all

the comment and taking it all in. So, yes, staff will review and process.

MS. MARTIN: Okay. And will there be an actual -- if there's not enough time on your timeline, will you make extra time to really do those reports?

COMMISSIONER GALLARDO: I'm just responding to your process question. So I want to make sure you have enough public comment.

MS. MARTIN: No, I'm done.

COMMISSIONER GALLARDO: Okay.

MS. MARTIN: So I just want to hear your answer.

COMMISSIONER GALLARDO: We're not doing Q&A right now. So if you are finished, then we'll --

MS. MARTIN: Okay.

COMMISSIONER GALLARDO: -- save that time for other folks, yeah. Thank you.

MS. BONITZ: Thank you. And these cards are for people who we called and did not come to the podium. So we'll just do one more of the call. Roberto Vogel? Anthony Torres? Thomas Norris? Kevin Whitaker? Amber Maneni (phonetic)? Georgia Javaris? Tony Maddux? Laura Yee? Emily Arana? Alcia Garcia? And Manuel Garcia?

Seeing no other comments in-person, we will now transition to our Zoom attendees.

Joshua Anello, you can state and spell your name

and share any affiliation.

MR. ANELLO: Hello, are you able to hear me?

MS. BONITZ: Yes, we are.

MR. ANELLO: Okay. Yeah, this is Joshua Anello, local realtor and military veteran here at Travis since '97. We were told this project must show a real benefit to our community to be approved. What we've been offered is a one-time $500,000 donation as a promise of sales and a promise of sales and tax use. Remember, 6 percent of California's 7-1/4 percent base sales tax goes to the state. The host community keeps the remaining 1-1⁄4. So the 500,000 is evidence there isn't enough value in this project for the community.

As a realtor, I know this move. A seller throws in a free refrigerator to create a distraction and the illusion of benefit over the buyer who already has doubts about signing. The free fridge does not hide or fix the crack in the foundation.

In perspective, if this facility was only powering the grid during an outage, it would last approximately four hours. It does not keep our homes, wells, irrigation pumps, or businesses running. We've sat through more than an hour of consultants explaining how a failure would not be that bad. We haven't heard a solid two minutes of real enforceable long-term benefits for the

people who will live and farm next to it.

We don't need a theory. We have a case study, the Moss Landing Facility, equal in size, and offer the same magic spell of safety measures, maps, emergency plans, consultants, exactly like tonight. All batteries burn. It burned for days. 1,200 residents evacuated. Residents told to stay inside, close windows, turn off ventilation, even after the evacuation was lifted. $400 million were lost -- was lost. Another $110 million to haul off tens of thousands of batteries, hazardous waste. It was not economically feasible to restore that facility, exhibiting no realistic value to the utility. Like was said tonight --

MS. BONITZ: If you can please wrap up.

MR. ANELLO: Yep. Yah, like what was said tonight, as the homeowner's insurance goes up or gets canceled, this becomes more like another equal to a flood zone where, you know, fees are imposed on homeowners and degrading home values. So this is a hard no and pass.

Thank you.

MS. BONITZ: Thank you. And just a quick reminder for those online, if you can raise your hand, or press star nine to raise your hand if you're on the telephone and you have a comment. Thank you.

Next is Neil Serr, followed by Rozeli Montes

Lopez. Neil, if you can please unmute and state your name and share your affiliation.

MR. SERR: First name, Neil, last name, Seer, S-E-R-R, Solano County resident, registered voter.

My question to the California Energy Commission is straightforward. If a measure approved by approximately 70 percent of voters together with duly adopted city and county ordinances says that certain uses should not occur in particular locations, how does the State of California justify overriding those decisions? Are the voters of Solano County residents meaningful if a state agency can untimely disregard the outcome of local elections and local land use regulations?

This is not simply a disagreement over particular energy technology. It is a fundamental question about representative government, local control, property rights, and whether communities have any meaningful authority over what happens in their own neighborhoods. If the state can simply take over the permitting decisions when local regulations prove to be more restrictive, what practical authority remains with the voters, cities, and the counties?

Thank you for your time.

MS. BONITZ: Thank you.

Next is Rozeli Montes Lopez, followed by

Vacaville resident, S.H. Rozeli, we are unmuting -- if you could please unmute, excuse me, and please state and spell your name and share your affiliation.

MS. LOPEZ: My name is Rozeli Montes Lopez, R-O-Z-E-L-I M-O-N-T-E-S L-O-P-E-Z. I am a Vacaville resident and I work as a hazardous material inspector with a fire district. And I want to voice my opposition to the project based on a couple of different things.

The public has already voted on a BESS ordinance to locate the best areas for a battery energy storage system to be placed, and that would be away from residential zones and main highways, such as Highway 80. We have also a measure that protects farmland and this proposed project will circumvent the vote of the people by going through an Opt-In option. And to me, that just takes away the voice of the voters and the residents of the community.

It also will be getting in the way of further development. So although the proposed project mentions certain gains from taxes, and also from donations and creating jobs, this puts a halt in the planned development of our community in that area.

Not only does it do that, but it also poses a great risk to our first responders. And as a hazardous material inspector, I cannot support something that has not

been proven to be safe, especially when it is located on protected farmland, near future homes, and also near some of our residents in the area.

Thank you for your time.

MS. BONITZ: Thank you.

And next is Vacaville resident, S.H. You could please unmute and state and spell your name and share any affiliation.

MS. HOVING: Hello. My name is Sarah Hoving, S-A-R-A-H H-O-V-I-N-G, stating for opposition.

One clarification question was that a slide stated it was lithium iron, but the applicant representative mentioned lithium-ion. As I understand it, both of those have thermal runaway anyway, but just for clarification purposes.

Also wondering about the lifespan of this and the decommissioning. Who's responsible and paying for site cleanup and recycling or tearing down, whatever needs to be done to the site? There's already safer technology available and an industrial site, which would kind of peel off two of the opposition points to this project.

For evacuations, there was an accident on I-80 this week where a car had flipped and on the -- it was a Facebook post about it. And people were complaining that it took hours to get clear and get home. So if there was a

fire, that sort of evacuation would be troublesome and people's livelihoods.

Evacuating from livestock and from within the hills is much different than just evacuating residencies. Also the care for livestock, because my grandpa used to tell jokes on the radio and the farmers would say that the cows produced more milk. They are affected by noise and noise carries in the winds that we have here and can affect meat quality, and also milk production.

Moss Landing residents were responsible for their own PPE cleanup and told not to eat out of their gardens. So what does that mean for Solano when Solano feeds Solano? Solano feeds the nation and we have agriculture land here that everybody relies on.

So thank you. I didn't get all the points, but I tried. Thank you.

MS. BONITZ: Thank you.

And next, we have Bob's Auto Wrecker. If you can unmute and state and spell your name for the record and share any affiliation? Thank you.

MR. HOWARD: Can you hear me?

MS. BONITZ: Yes, we can hear you.

MR. HOWARD: Sorry, I couldn't sign in under my actual name. It just signed me under my phone Bluetooth name. Anyhow, my name is Chris, C-H-R-I-S, last name

Howard, H-O-W-A-R-D. Just speaking for myself and my family.

And the only real thing I have to say to be honest with you is, what is the dollar amount that you place on the life of a family? Because that's all it really comes down to. Y'all are trying to make a dollar. I understand. I'm a blue collar man. I make a dollar every day. But what is the dollar amount that you are willing to place on the life of the families in this area if and when you have that runaway? Because there is no control on it once it happens. There ain't a goddamn thing you can do. And I'm sorry to curse, but nothing you can do to save it.

And that's all I have to say. Thank you.

MS. BONITZ: Thank you.

Seeing no other raised hands on Zoom, we will now read into the record written public comment. I apologize. We just have one last raised hand right now.

Kayla, if you can unmute, state and spell your name for the record and share any affiliation. Kayla, we cannot hear you if you're speaking. If you can please unmute. Kayla, we still cannot hear you, so we will come back to you.

We will now read into the record written public comment.

MS. MURIMI: Dorothy Murimi from the Office of the Public Advisor, Energy Equity, and Tribal Affairs. Apologies if I misstate anyone's name.

First commenter, Sandra Caldwell, spelled S-A-N-D-R-A, Caldwell, C-A-L-D-W-E-L-L.

MS. BONITZ: Dorothy, can you --

MS. MURIMI: Move closer?

MS. BONITZ: Thank you.

MS. MURIMI: Thank you. A member of the public. Position is neutral. Her comment is,

"During the presentation, I did not hear a mention of how much noise the project would make once in operation. Please share information about this aspect of the project, including the impacts to wildfire and people. Thank you.

Next commenter, Martin C. Welch. Position: Opposed. Member of the public. Affiliation: Property owners; across street is family.

"Commissioners, my name is Martin Welch, and I oppose Corby at this location. Noise isn't experienced as a number on a table. It is experienced by the person sitting on a porch, working outside, sleeping with a window open, or living beside equipment that operates day after day. Corby is proposed in a rural setting where the existing sound environment is fundamentally

different from an industrial area.

"Battery facilities contain inverters, transformers, cooling systems, and other equipment that generate mechanical and electrical noise. And Appendix A identifies another proposed BESS only about 0.14 miles away, so nearby residents could experience the combined sound of two industrial energy facilities in what is presently a rural environment.

"Again, why create this conflict? Lambie is industrial. Industrial noise belongs in an industrial setting where surrounding land uses and expectations are compatible with it. The question should not merely be whether Corby can satisfy a numerical noise limit. The question is why this industrial noise should be introduced here at all when a better location exists, please reject Corby at this site."

Next commenter, Paul Tronell, P-A-U-L T-R-O-N-E-L-L. Member of the public. Position: Opposed.

"How many of you CEC folks live in Solano, Vacaville? If this project provides carbon" apologies, "credits to the City of San Francisco, why not build it there? The city has a huge amount of commercial space that it could utilize for this project.

"There must be a better, safer location in California to build this project where it poses far less risk to

humans, livestock, and agriculture. Instead of considering the financial gain from this project, consider the people who will be harmed when this facility has a major malfunction. Moss Landing, we will not forget."

Next commenter, Douglas Connor. Position: Opposed. Member of the public. Noise analysis.

"I am speaking today because the proposed Corby Project raises serious noise concerns for nearby residents. This first concern is that noise analysis does not use the right standards. Solano County already has clear noise limits in its General Plan and County Code. These rules are meant to protect homes and neighborhoods, but the Staff Assessment treats construction noise as temporary and less important, even though construction could last more than a year and include very loud work such as pile driving. If the project goes over adopted county noise limits, the public deserves for that impact to be called significant.

"The second concern is that the proposed projection -- protections are not enough. A complaint process does not prevent noise. It only asks residents to report the problem after they're already living with it. Real protection should be clear,

measurable, and enforceable before harm occurs. The analysis also does not fully address low frequency noise, which can travel farther and be especially disruptive in quiet rural areas.

"For these reasons, I ask the Commission not to approve the project as currently proposed. This is an industrial project that would create industrial noise. It should not be placed next to rural homes. A facility like this belongs in an industrial park or another location designed for industrial use. Rural residents should not have to bear unnecessary noise impacts when better locations are available.

"Thank you for considering these comments and for protecting the quality of life of nearby residents."

Next commenter, Norma Hernandez. Position: Opposed.

"Commissioners, my name is Norma and I oppose Corby at this location. The Corby site is open agricultural country. There are very few buildings or other urban obstructions to interrupt the wild.

"Southwest winds predominate, but that is not the only pattern. Warm, dry northerly winds occur during some spring-summer hot spells and easterly winds occasionally occur during spring. That matters because air doesn't recognize a property line.

Construction dust can leave the site. Smoke can leave the site. And appendix D demonstrates that gases released during a battery malfunction can leave the site. Depending upon the wind, different homes and properties can be downwind.

"We cannot tell the wind which direction to blow when something goes wrong, but the Commission can decide how close an industrial battery facility should be to people's homes. An industrial location provides a fundamentally different relationship between the facility and surrounding land uses. Distance is one of the most simplest forms of protection and good sighting provides it before an emergency ever occurs.

"Please reject Corby at this location and direct this development towards an appropriate industrial site."

Next commenter, Anna Tomasello (phonetic). Position: Opposed.

"Commissioners, my name is Anna and I oppose the Corby at this location. This project could remain here for decades. Eventually the batteries will reach the end of their useful life. Equipment will have to be removed. The property will have to be restored. And if contamination has occurred, somebody will have to pay for cleanup.

"We have already raised concerns about financial

assurance because a future closure cost estimate is not the same thing as having money secured to pay that cost. Ownership can change, companies can fail, corporate structures can change, but the site remains here, and so do the neighbors.

"This is another reason sighting matters. When the Commission approves a major industrial facility in a rural agricultural community, it places that community at risk, not only during operation, but at the end of the project's life. Lambie is an industrial location intended for industrial uses. Why impose this long-term industrial liability on agricultural land in a rural neighborhood when an industrial alternative exists?

"The safest financial obligation is one we do not unnecessarily impose on this community in the first place. Please reject Corby at this location."

Next commenter, Jaime Doolan, J-A-I-M-E, Doolan, D-O-O-L-A-N. Position: Opposed. Member of the public.

"As Gavin Newsom would say, 'Open your eyes.' In Vacaville, we have been working -- we have been working this proposed project for a couple of years to protect our farmland and the future of our community. Our city has worked together to create guidelines for those projects.

"Listen to the people. Stop these tech bros in San Francisco and Silicon Valley in supporting and creating these freedom cities to take over and ruin our land for future people."

Commenter D. Gauo Rosete, apologies if I misstated the name, D G-A-U-O Rosete, R-O-S-E-T-E. Position: Opposed. Member of the public.

"Honestly, I plan to organize fellow citizen homeowners to request lowering of our current property taxes due to the less desirable location solely because of a mega facility of previously-known scale being right up -- being right up under our noses. I do not trust the obvious money grubbers who have -- who are building this to make money and it's under the guise of protecting environment.

"I don't value the greed of AI and ever escalating energy consumption. This is in a phrase, grab and greed. The richest among us are the -- are willing to screw up everyone's security, safety and lives.

"Wouldn't a nuclear power plant be more safe for all life in the area? France has made great use of nuclear. Why are you moving forward with what has been noted as destructive to the -- apologies, I can't read -- sea, land and air and water? I don't wish to live in an area, a geo area in which known carcinogens

might be released into our air, land and water. "Where is all the necessary water going to come from? Why is Vacaville ever a sustainable site as the gigantic plant will require massive amounts of water and energy and A/C?

"Who or what LLC do we make our legal complaints to in the event of another environmental disaster such as happened less than one year ago, Moss Landing in California. Vistra? Who pays for, one, the cleanup of our land and water, two, fire department required, three, the making whole of losses of property values? Our 26-year paid-down home has a pre-BESS value. It will have less desirability on the RE market," resale market, possibly, "post-BESS.

Basically, Vistra equals developers have not yet made good on people's losses. So if and when the claimants are ever made good, who will also be responsible for all the negative health impacts, not only workers, but also the general residential public? Would about a billion dollars energy fund be prudent to show good faith that there will be responsible and equitable resolution to all claims of affected citizens who will or may be exposed to known dangers."

And that concludes comments.

MS. BONITZ: Thank you. We're going to do one

last call for comments or people who have not made a comment, but are interested in doing so. So we will start with Zoom. Kayla Barty (phonetic), I see you raised hand. If you can unmute and please state and spell your name and state any affiliation. Kayla, we cannot hear you if you're speaking. Kayla, if you can unmute? It looks like you're unmuted, but we don't hear you. We still don't hear you, Kayla.

We will go to in-person. Is there's anyone in-person who would like to make a final comment before we wrap up tonight?

MR. DERFUSS: Lew Derfuss of Vacaville.

You know, I hope you all do the right -- make the right decision. You know, you've heard a lot of testimony.

MS. BONITZ: We've already heard --

MR. DERFUSS: Yeah, I know.

MS. BONITZ: You've already made public comments, so --

MR. DERFUSS: These are final comments.

MS. BONITZ: Final public comment for any -- sorry, the final call for anyone --

MR. DERFUSS: So --

MS. BONITZ: -- who has not spoken.

MR. DERFUSS: -- you know, some of you look real young. And if you approve this, I hope you have a good

retirement plan.

COMMISSIONER GALLARDO: Okay, so if anyone -- this is last chance for anyone who has not spoken. Again, we said earlier, we wanted to make sure we listen to everybody. So if there is anyone else who has not spoken, you can come up to the microphone. Okay, if there's no more hands raised on Zoom, then we'll move forward.

MS. BONITZ: We, sorry, we just received an email. And so that will be read into the record. Kim Todd.

MS. TODD: Great, can you hear me?

MS. BONITZ: Yes, we can hear you.

MS. TODD: Great. This is Kim with the CEC, and I'll be reading an email from Ruthie Brock. She is representing Californians for Safe Energy Storage.

"As a representative from the Californians for Safe Energy Storage, CSES, we represent communities opposing inappropriately cited battery energy storage projects in communities up and down our state. If the CEC was to approve the Corby BESS in the proposed location, they are ignoring the voice of the Solano County voters through Measure T.

"Visual impacts for the construction and existence of a longer transmission gen-tie line should never be weighted equally to or greater than public safety and

the protection of prime ag land. The Lambie Park alternative is more than feasible and is actually superior to the proposed site in that it puts this facility where it belongs in an existing industrial zoned area and substantially further from sensitive receptors.

"The Lambie Park alternative has also received substantial public support proving the residents of Vacaville are not opposed to battery energy storage systems. Instead, they are opposed to the unsafe and inappropriate siting of such projects.

"It's easy to view this project approval merely through an analytical lens and perhaps forget the human element that should be considered here. The only people speaking tonight in support of the Corby stand to gain from this project. The predominant comments are in opposition to the Corby's location, more so than the project itself.

"Please do not ignore the safety concerns of the Vacaville and Dixon residents or refuse to acknowledge the voices behind the passage of Measure T. Do not overlook the socioeconomic impacts to property owners in proximity of this project. By approving the Corby in the Lambie Industrial Park alternative, you would still provide the same skilled union jobs, same tax

revenue, same community benefits and still allow the Corby Project to profit through their practice of energy arbitrage.

"The most -- most importantly, you will still succeed in supporting California's clean energy goals and know that this Corby energy project will be going forward in the Lambie Park location with the support of the community, the City of Vacaville and Solano County. It's a win for all.

"Thank you, Ruthie Brock."

MS. BONITZ: Thank you, Kim, and thank you all for your comments today on the Staff Assessment.

Written comments can be submitted to the project docket until 5:00 p.m. on September 14th, 2026. We will respond to all comments raising significant environmental issues and make edits to the analysis, if necessary, in the updated staff assessment, which will be filed by October 19th, 2026, along with the Executive Director's recommendation. The CEC is planning to consider the Corby BESS Project's Opt-In application at a business meeting to be scheduled for November 18th, 2026.

Next slide, please.

I would now like to invite Commissioner Gallardo to make closing comments.

COMMISSIONER GALLARDO: Again, thank you to

everyone who joined and participated. We really appreciate it, whether it was in the room or on Zoom. And as was said earlier, no vote was taken today. No decision has been made. That will be November 18th during the business meeting when the entire commission will take consideration of this and vote.

All of the comments today are being taken very seriously by staff. They will be considered, reviewed and the Staff Assessment will be updated as needed. So thank you again for providing us with your insight, your questions as well, your comments, and we'll adjourn the meeting now.

(The meeting adjourned at 9:18 p.m.)

CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of October, 2026.



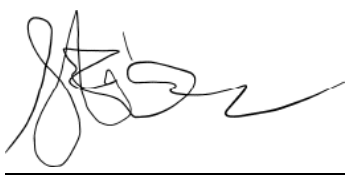
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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



October 19, 2026

SHANE STRANAHAN, CERT**4021