

DOCKETED	
Docket Number:	24-OPT-02
Project Title:	Compass Energy Storage Project
TN #:	256466
Document Title:	City of Laguna Niguel Initial Comments
Description:	N/A
Filer:	Kelly Lotz
Organization:	City of Laguna Niguel
Submitter Role:	Public Agency
Submission Date:	5/17/2024 4:54:25 PM
Docketed Date:	5/17/2024



CITY of LAGUNA NIGUEL

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OFFICE OF THE
CITY MANAGER
Tamara S. Letourneau

May 17, 2024

Via Email and Docket 24-OPT-02

Renee Longman
Project Manager
California Energy Commission
715 P Street
Sacramento, CA 95814
STEPsiting@energy.ca.gov

Re: Comments of the City of Laguna Niguel re Commission Notice
Requirements under Public Resources Code § 25519(k)

Dear Ms. Longman:

I am writing the California Energy Commission as the chief administrative officer for the City of Laguna Niguel and providing the City's initial comments on the Compass Battery Energy Storage project. The City has a significant interest in the project and is providing these comments as a key stakeholder with interest and information on the project.

With a population of approximately 65,000 people, the City is one of California's first master planned communities known for its residential development, parks and open space. The City is adjacent to the City of San Juan Capistrano. In fact, two large residential developments within our City directly overlook the property where the project is proposed to be located. The subject property is currently designated in San Juan Capistrano zoning as planned community (to be determined) and does not have a comprehensive development plan. The property consists of open space and church uses and is used by the Saddleback Church Rancho Capistrano largely for retreats and pastoral and missionary training. There are no other utility or other similar uses on the property or allowed by San Juan Capistrano zoning. In addition, portions of the City to the west are designated as a very high fire severity zone. Although this zone is not immediately adjacent to the property, fire has been extensively studied by the City, as has the region, and is a significant risk to the City, the developed area around the project, and southern Orange County.

The Commission received the project application from Compass Energy Storage LLC on April 11, 2024. Despite the City's proximity to and interest and information in the project, it did not receive notice of the application from the Commission. In reviewing the docket, notice was provided to state responsible agencies only. In accordance with Public Resources Code section 25519(k), the Commission is required to transmit copy of the project application to government agencies not specifically mentioned in the Warren-Alquist Act but which have information or interest in the proposed site and related facilities, and shall invite the comments and recommendations of the agency and any relevant laws or ordinances. As the City immediately adjacent to the property with the described interests, the Commission failed to provide that notice. Furthermore, it does not appear that the Commission has provided notice to other agencies with information and interest, including, but not limited to, other adjacent cities, water districts and the Orange County Fire Authority.

Prior review of Commission thermal certification proceedings shows that the Commission has provided robust notice to local agencies of prior applications and advising them of their review and comment rights as interested agencies. This issue has been actively raised in the Commission's first opt-in proceeding but appears to not have been resolved.

Based on the City's interests and information in the project, the City intends to vigorously participate in the Commission's opt-in certification proceeding for the project, and joins in the current and future comments of San Juan Capistrano. We encourage the Commission to notify the Orange County local agencies with interest in the project and work with our City on obtaining information.

Sincerely,

A handwritten signature in blue ink that reads "Tamara S. Letourneau". The signature is written in a cursive, flowing style.

Tamara S. Letourneau
Laguna Niguel City Manager