

DOCKETED

Docket Number:	24-OPT-02
Project Title:	Compass Energy Storage Project
TN #:	259466
Document Title:	Everett Tabor Comments - The CEC was negligent in not investigating the Compass application
Description:	N/A
Filer:	System
Organization:	Everett Tabor
Submitter Role:	Public
Submission Date:	10/6/2024 10:28:20 PM
Docketed Date:	10/7/2024

*Comment Received From: Everett Tabor
Submitted On: 10/6/2024
Docket Number: 24-OPT-02*

The CEC was negligent in not investigating the Compass application

"Further explained in this letter, the applicant misrepresented the city's zoning designation as well as omitting certain facts in their application to the California Energy Commission. (Illegal application was still run through C.E.C). "

The California Energy Commission should carefully and fully consider a fast denial of this project. Compass should also face charge if it is found they knowingly 'misrepresented ' the SJC zoning designation.

Additional submitted attachment is included below.

California Energy Commission Docket Number: 24-OPT-02

Project Title: Compass Energy Storage Project

RE: Opposition to Proposed Compass Energy Storage Project (24-OPT-02) Email: **Energy commission E-Comment Webpage @**

[Efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=24-OPT-02](https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=24-OPT-02)

Dear California Energy Commissioners,

As a concerned homeowner in Colinas de Capistrano, located in Laguna Niguel, on the boarder of Rancho Capistrano, I am writing to express my strong opposition to the battery energy storage system. The proposed (BESS) facility is to be in San Juan Capistrano, Orange County, California. The project applicant, Compass Energy Storage LLC, has proposed to construct, own, and operate an approximately 250-megawatt BESS facility on a 13-acre project site along the northern portion of the City of San Juan Capistrano, adjacent to Camino Capistrano and Interstate-5 to the east. It is also immediately adjacent to the eastern border of Laguna Niguel.

The project site, which is less than 1,500 feet from residential neighborhoods, is confined within an area that is designated as a general open space hillside surrounded by native plants and significant vegetation, brush, and two recreational nature trails. Besides the fire dangers and ecological hazards to the surrounding areas, the proximity to residential areas heightens the potential risks to the community.

In a letter dated May 10,2024 to the California Energy Commission, the city of SJC clearly points out the project was denied by the city due to land use inconsistency. Further explained in this letter, the applicant misrepresented the city's zoning designation as well as omitting certain facts in their application to the California Energy Commission. (Illegal application was still run through C.E.C). Therefore, the City of SJC City Council adopted an Interim Ordinance on May 7,2024 to extend the City's prohibition on a new commercial BESS within the city. This ordinance was posted in the Office of the City Clerk in the County of Orange on May 8, 2024. Urgency Ordinance No. 1119 was provided to the California Energy Commission as Attachment 1 with the letter dated May 10,2024. The actions by the City Council for the City of SJC taken against this project certainly represent my opposition as a local resident.

In addition to the reasons the City initially denied the Project, the City, myself and most residents in San Juan Capistrano and Laguna Niguel, have other numerous concerns with the Project. The proposed location of Compass Energy Storage's project site poses significant and immediate wildfire risks. The BESS facility would be composed of lithium- iron phosphate batteries, which can be incredibly dangerous if they overheat, causing the battery to catch fire. Lithium battery fires burn hotter and faster than other fires and cannot be easily extinguished. Lithium batteries can reignite twenty-one (21) days after extinguishing the fire, presenting a long-lasting and persistent threat. Should the lithium batteries overheat and catch fire, the proposed project site's natural vegetation, steep

terrain and surrounding landscape pose a significant and immediate fire threat.

In the past ten years, there have been twenty-three (23) wildfires within a five-mile radius of the proposed project site. Given the nature of lithium battery fires, firefighters are forced to take a containment approach. Should a fire break not provide containment, all nearby homes and businesses would be in immediate fire danger. The imminent fire risk posed by the BESS facility threatens residents' safety and further exacerbates the state's homeowner's insurance crisis, making it even more difficult for residents to obtain adequate homeowner's insurance policies. Placement of this facility within the city limits and close to residential neighborhoods will only compound the already dire situation on obtaining homeowner's insurance in the State of California. In addition to the heightened risk of wildfires, the proposed BESS project site presents significant environmental and public health risks. Lithium batteries emit toxic gases within seconds of igniting, leading to air pollution and public health risks. Any fire, regardless of size, generates a significant risk for our first responders' health should this project be approved. Should first responders quickly extinguish a lithium battery fire, they would be exposed to hazardous toxic gases, which can cause severe debilitating health impacts. If the fire is not readily extinguished, the toxic gases emitted would generate a significant public health risk for the surrounding communities. Any water or fire extinguishing compounds used to combat the fire will become easily contaminated with heavy metals and absorbed into the region's soil, adversely impacting the local ecosystem and population. The project's proximity to the Oso and Arroyo Creek waterbed further exacerbates potential water quality issues, contaminating the San Juan Creek Watershed, which flows to the Pacific Ocean just miles away.

I strongly urge the California Energy Commission to carefully and fully consider these adverse fire, economic, environmental, and public safety risks as they evaluate Compass Energy Storage's proposed project. The health and safety of California residents SHOULD always take precedence over any potential benefits proposed by this project. I respectfully request and urge that the California Energy Commission reject this project application and unequivocally prioritize public safety and community quality of life.

Everett Tabor P.E., P.Gp., C.E.G., P.G.

29212 Mira Vista, Laguna Niguel, CA 92677

10/06/2024

A handwritten signature in black ink that reads "Everett Tabor". The signature is written in a cursive, flowing style.