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Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Seaflower Battery Energy Storage System Project (Proposed Project) (SCH No.: 2026090844)

South Coast Air Quality Management District (South Coast AQMD) Staff appreciate the opportunity to review the above-mentioned document. The City of Menifee is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD Staff have provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

Summary of Proposed Project Information in the Draft IS/MND

Based on the Draft IS/MND, the Proposed Project consists of constructing and operating a utility-scale battery energy storage system with a capacity of 400 megawatt-hours using lithium iron phosphate or similar battery technology interconnected to the Southern California Edison Valley Substation, with battery modules, power conversion equipment, storage racks, individual containers, relay and communications systems, a security fence, and a permanent parking area on a 3.84-acre site. Additionally, the Proposed Project would include one diesel-powered emergency backup generator rated at 150 horsepower (hp) to provide backup power during utility outages. For purposes of this analysis, the emergency generator is assumed to operate for up to 50 hours per year, consistent with applicable regulatory limits.[1] Based on a review of aerial photographs, South Coast AQMD Staff found that the nearest sensitive receptor (e.g., residential development) is located approximately 165 feet of the Project site.[2] Construction of the Proposed Project is anticipated to last between 12 to 18 months. The Proposed Project is at 28720 Matthews Road in Menifee.[3]

South Coast AQMD Comments

South Coast AQMD Air Permits and Role as a Responsible Agency

If implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, etc., air

[1] IS/MND. Page 84.
[2] .*Ibid* Page 46.
[3] *Ibid*. Page 7.

permits from South Coast AQMD will be required. The Final MND should include a discussion about the potentially applicable South Coast AQMD rules that may be applicable to the Proposed Project. Those rules may include, for example, Rule 201 – Permit to Construct,[4] Rule 203 – Permit to Operate,[5] Rule 401 – Visible Emissions,[6] Rule 402 – Nuisance,[7] Rule 403 – Fugitive Dust,[8] Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,[9] Rule 1113 – Architectural Coatings,[10] Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil,[11] Rule 1179 – Publicly Owned Treatment Works Operations,[12] Regulation XIII – New Source Review,[13] Rule 1401 – New Source Review of Toxic Air Contaminants,[14] Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants,[15] Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,[16] etc. It is important to note if air permits from South Coast AQMD are required, the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD.

CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project. In its role as CEQA Responsible Agency, the South Coast AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits. South Coast AQMD is concerned that the project description and analysis in its current form in the IS/MND is inadequate to be relied upon for this purpose.

For these reasons, the final CEQA document should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting Staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at https://www.aqmd.gov/home/permits.

[4] South Coast AQMD, Rule 201 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf
[5] South Coast AQMD, Rule 203 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf
[6] South Coast AQMD, Rule 401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-401.pdf
[7] South Coast AQMD, Rule 402 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf
[8] South Coast AQMD, Rule 403 is available at: https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403
[9] South Coast AQMD, Rule 1110.2 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf
[10] South Coast AQMD, Rule 1113 is available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf
[11] South Coast AQMD, Rule 1166 isa vailable at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf
[12] South Coast AQMD, Rule 1179 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1179.pdf
[13] South Coast AQMD, Regulation XIII is available at: https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii
[14] South Coast AQMD, Rule 1401 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf
[15] South Coast AQMD, Rule 1466 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf
[16] South Coast AQMD, Rule 1470 is available at: https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf

Conclusion

The Lead Agency is recommended to revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the conclusions reached. If the requested information and analysis are not included in the final CEQA document, either the Final MND or other type of CEQA document, the Lead Agency should provide reasons for not doing so. Pursuant to California Public Resources Code Section 21092.5(b) and CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the IS/MND for adoption together with any comments received during the public review process and notify each public agency when any public hearings are scheduled. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided. In addition, if the Lead Agency decides to adopt the Final MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

South Coast AQMD staff are available to work with the Lead Agency to ensure that impacts to air quality, GHG emissions, and health risk from the Proposed Project are accurately evaluated and mitigated to the greatest extent possible. Please contact Sahar Ghadimi, Ph.D., Air Quality Specialist, at sghadimi@aqmd.gov or me at SWang1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
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