COUNTY of VENTURA

RESOURCE MANAGEMENT AGENCY
DAVE WARD
Planning Director

SUSAN CURTIS
Assistant Planning Director

September 26, 2023

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Receive and File Planning Division Assessment Pursuant to General Plan Policy EV-4.4 and Programs COS-O and HAZ-O to Identify Suitable Lands and Priority Areas for the Development of Renewable Energy Generation and Storage Projects (PL23-0075); Seek Board Direction on Whether to Initiate General Plan and/or County Zoning Ordinance Amendments to Implement These Programs and Policy; All Supervisorial Districts.

A. RECOMMENDED ACTIONS:

a. **CERTIFY** that your Board has reviewed and considered this Board letter and all exhibits hereto, and has considered all other materials and public comments received;

b. **RECEIVE AND FILE** the County of Ventura Renewable Energy Project Siting Assessment (Exhibit 1).

c. **PROVIDE DIRECTION** to Planning staff on whether to initiate amendments to the Ventura County General Plan and/or county zoning ordinances to implement General Plan Policy EV-4.4 and Programs COS-O and HAZ-O.

d. **SPECIFY** that the Clerk of the Board is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the administrative record of proceedings upon which the foregoing decisions are based.

FISCAL IMPACTS/MANDATES:

Mandated:	No
Source of Funding:	General Fund
Funding Match Required:	None
Impact on Other Departments:	None

Summary of Revenues and Costs:	**FY 2023-24**	**FY 2024-25**
Revenues:	$0	$0
Costs:		
Direct	$33,180	$0
Indirect-Agency/Dept.	$ -	$ -
Indirect-County CAP	$ -	$ -
Total Costs	$33,180	$0
Net Costs:	$33,180	$0
Recovered Indirect Costs:	$ -	$ -

The County of Ventura Renewable Energy Project Siting Assessment (the Assessment) in Exhibit 1 was completed with existing Planning Division staff and funds for technical consultants that are allocated within the prior FY 2022-23 and existing FY 2023-24 Planning Division budgets. The cost of the Assessment was approximately $50,000. The hours and staff time required to implement your Board's direction that results from this hearing is difficult to estimate and could range from zero hours if no subsequent action is required, or approximately 300 to 800 hundred hours to develop a General Plan amendment and/or zoning ordinance amendment(s). The staff time would be included in the Planning Division's FY 2023-2024 adopted budget; however, to conduct the required environmental review Staff would likely seek consultant services and may necessitate a mid-year budget adjustment for the Planning Division. Staff time would also be used to complete post-adoption tasks such as codification of any ordinance amendments, training Planning Division staff, and updating permit applications, websites, and County databases. Also depending on the direction provided by your Board, the level of work may entail a schedule that extends beyond FY 2023-24 into FY 2024-25.

FY 2023-24 Budget Projection for Planning – Division 2910				
	Adopted Budget	Adjusted Budget	Projected Actual	Estimated Savings/Deficit
Appropriations	$ 10,415,656	$ 10,956,696	$ 10,956,696	$ -
Revenue	$ 4,371,381	$ 4,371,381	$ 4,371,381	$ -
Net Cost	$ 6,044,275	$ 6,585,315	$ 6,585,315	$ -

Lastly, if your Board endorses concurrent processing of energy development permit entitlements while Planning staff processes the legislative amendments, there would be additional costs associated with case processing and environmental review. While the case processing costs would be borne by the applicant, Planning staff would need to create funding agreements to have the applicants pay a proportional share of the environmental document, see Section G below on Concurrent Permit Processing for more information.

B. EXECUTIVE SUMMARY

On September 15, 2020, the Ventura County Board of Supervisors adopted the 2040 General Plan and certified the project's Environmental Impact Report and related documents. The adopted 2040 General Plan became effective on October 15, 2020 and is currently in the implementation stage. In support of General Plan Programs COS-O, Assessment of Land Near Electrical Transmission and Distribution Lines, HAZ-O, Solar Concentration Restriction, and Policy EV-4.4, Renewable Energy Facilities, the Ventura County Resource Management Agency and Ascent Environmental, Inc (Ascent) prepared the Assessment in Exhibit 1 that identifies undeveloped and underutilized sites within the unincorporated areas of the southern half of Ventura County that are suitable for grid-scale renewable energy projects consisting of ground-mounted solar arrays, wind turbines, and battery energy storage projects.

The Assessment includes a review of multiple siting criteria established by County staff and Ascent with input from private energy developers, Southern California Edison (SCE), the Local Agency Formation Commission (LAFCo) and Naval Base Ventura County (NBVC). The siting criteria were used to create a series of maps and acreage estimates identifying those areas most and least suitable for potential development locations for each renewable energy type.

Based on this Board letter and the Assessment, Planning staff seeks direction on whether to proceed with legislative amendments for renewable energy projects. Section F below describes some legislative amendment options along with the timing and policy implications of each option. In addition to the legislative amendment options in Section F, your Board should also consider the following factors when providing direction:

- Exhibit 1, Section 1.2.2 summarizes the State's renewable energy procurement goals, including for California's load-serving entities to procure 60 percent of their retail electricity sales from eligible renewable sources by 2030, and 100 percent of their retail electricity sales from eligible renewable or zero-carbon resources by 2045;
- There have recently been multiple developer inquiries for grid-scale renewable energy development projects in the unincorporated county; and
- A Planning Director Determination (Case No. PL22-0081, on appeal) in response to a request to find that battery energy storage is equivalent to the public utility/service facility use category in the Ventra County Non-Coastal Zoning Ordinance (NCZO) was upheld by the Planning Commission in January 2023 as described in Section D below and the appeal to your Board has been stayed by request from the applicant.

C. DISCUSSION

Project Background and Regulatory Context

Work on this project began in February 2023, and as noted above, the intent is to fulfill directives identified in General Plan Programs COS-O, HAZ-O and Policy EV-4.4 and identify sites within the unincorporated area that are suitable for grid-scale renewable energy projects consisting of solar arrays, wind turbines, and battery energy storage projects (Table 1). Specifically, the Conservation and Open Space (COS) Element of the General Plan, Program COS-O, states that the County shall study and identify suitable lands near electrical transmission and distribution lines for renewable energy generation and battery storage sites.

Table 1: Energy Program Guiding General Plan Programs and Policy

Policy or Program	Description
COS-O	***Assessment of Land Near Electrical Transmission and Distribution Lines*** The County shall conduct a study and prepare a publicly available assessment of suitable undeveloped lands near electrical transmission and distribution lines that serve as priority areas for the development of utility-scale solar energy generation and storage projects. If suitable locations are identified, the County shall establish a new zone, if necessary, called a Renewable Energy Priority Zone, for these sites in the County's Coastal and Non-Coastal Zoning Ordinances.
EV-4.4	***Renewable Energy Facilities*** The County shall identify appropriate locations to allow for development of renewable energy generation and storage facilities and encourage the development of innovative approaches to renewable energy deployment, including solar power, wind power, wave energy, distributed power systems and micro-grids, and other appropriate renewable sources and storage and distribution systems.
HAZ-O	***Solar Concentration Restriction*** The County shall modify the NCZO and CZO, if necessary, to prohibit the placement and use of facilities that use solar concentration for generation of commercial power that could generate glare and potential to disable pilots and impact flight or test operations at Naval Base Ventura County.

While Program COS-O and HAZ-O seek to focus the development of renewable energy projects near transmission lines and carefully consider the siting of solar facilities near the Naval Base, Policy EV-4.4 broadly encourages the development of renewable energy facilities.

Furthermore, in the event suitable sites are identified, Program COS-O includes direction to establish a new zone, if necessary, called a Renewable Energy Priority Zone in the County's Coastal and Non-Coastal Zoning Ordinances.

The Assessment and analysis in this Board letter are intended to be the first step in addressing the confluence of these various General Plan directives. Depending on the guidance from your Board, additional policy analysis and coordination may be needed

with representatives from the renewable energy industry, NBVC, LAFCo, the Ventura County Save Open-Space and Agricultural Resources (SOAR) organization, SCE, the California Coastal Commission, the Agricultural Commissioner, and Agricultural Policy Advisory Committee (APAC), among others.

Types of Renewable Energy Projects

The Assessment focused on three grid-scale renewable energy projects consisting of solar arrays, wind turbines, and battery energy storage projects. These uses are further described below.

Solar Array: There are two main types of solar power generation: solar photovoltaic (PV) systems and concentrating solar thermal power systems (Figure 1). Only solar PV systems were reviewed for this Assessment because there have been no developer inquiries for concentrated thermal power and they could potentially cause significant aesthetic impacts. Solar PV systems convert the sunlight's photons into electrons. These electrons then flow out of the panels as electricity, and into an inverter and other electrical devices to be either stored in batteries or to be released onto the energy grid.

Figure 1: Types of Solar Arrays - PV (Left), Solar Tower Concentrator (Center), and Solar Line Concentrator (Right)

Wind Turbines: There are two main types of wind power generation: horizontal axis and vertical axis (Figure 2). Only the horizontal axis type was reviewed as it is the most common and produces the most electricity of the two types. This type uses a turbine that has airplane propeller-like blades. Wind turns the blades, which spin the turbine, generating an electrical charge, which is then turned into electricity. However, wind energy requires certain average sustained wind speeds to ensure operational viability.

Figure 2: Types of wind turbines - Horizontal Axis (left), Vertical Axis (center and right)



Energy Storage: There are several different types of energy storage: batteries (further divided into at least eight types), pumped hydropower (Figure 3), thermal, compressed air, and flywheels. Only lithium-ion batteries were reviewed for this Assessment, as they are the most common. This type of energy storage takes excess power from the grid and stores it within battery cells, which can then be released on demand during power shortages, dusk and evening hours, or during disasters.

Figure 3: Types of Energy Storage - Lithium Ion Battery (left), Compressed Air (center), and pumped hydropower (right)



A number of additional technical terms are used throughout this Board Letter; please refer to Exhibit 2 for a list of definitions from the California Independent System Operator.

Scale of Use

The Assessment reviewed renewable energy generation and storage intended for the larger electrical grid, in which energy is transferred directly into/from the transmission or distribution lines for consumption by public and private uses. The General Plan policies discussed above and the Assessment do not address smaller, ancillary facilities that are meant as backup systems or are scaled to serve one site. Examples of ancillary renewable energy generation and storage are the four-acre, one megawatt solar array for the Todd Road Jail Facility[1] and the 60-kilowatt (0.06 megawatt) battery energy storage for County Fire Stations 42 and 43[2]. The main purpose of these ancillary facilities is to either 1) offset power needs for the facility by directly providing renewable energy, which

---

1 The Planning Director approved Permit Adjustment, PL 12-0109, on October 1, 2012, which modified the original underlying permit, CUP-4735-2.

2 The Board of Supervisors approved two energy service agreements with Swell Services, Inc. on February 28, 2023, Board Resolution No. 23-025, to provide Battery Energy Storage Systems to the two fire stations.

in turn requires less energy demand from the grid, and 2) provide a backup source of power for a given amount of time (typically four hours) during utility shut offs or emergencies. Ancillary facilities do not supply the electrical grid with energy and are primarily meant to serve on-site principal uses.

D. REGULATORY SETTING

There are many applicable energy-related actions and regulations at the federal, state, and local level. The most pertinent regulations are described below and additional information is included in the Assessment in Exhibit 1.

National Greenhouse Gas Reduction Goals

In January 2021, the Biden Administration created the first-ever National Climate Task Force to reduce greenhouse gas (GHG) emissions to at least 50 percent below 2005 levels by 2030 and achieve a net-zero emissions economy by 2050. The Administration also committed to achieving a net-zero carbon emissions energy grid by 2035. Additional information about federal legislation that supports these goals can be found in Exhibit 1, Section 1.2.1.

State Greenhouse Gas Reduction and Renewable Energy Goals

In 2016, Senate Bill 32 established a goal of 40 percent reduction in GHG emissions below 1990 levels by 2030, and in 2022 Assembly Bill 1279 set a goal for net-zero GHG emissions by 2040. To meet the State's GHG emissions reduction goals, the Legislature passed several laws aimed at increasing renewable electricity generation and accelerating the transition to a clean energy grid. A more detailed review of the State's supporting legislation can be found in Exhibit 1; however, the most pertinent bill, Assembly Bill 205, is reviewed in detail below and in Exhibit 4 as it has the potential to impact local land use authority regarding the development, storage, and manufacturing of renewable energy facilities.

Assembly Bill 205: In June 2022, Governor Newsom signed Assembly Bill 205[3], which removed a local jurisdiction's ability to comprehensively control where to locate non-fossil-fueled powerplants, energy storage facilities, and facilities that manufacture, produce, or assemble specialized products, components, or systems of non-fossil-fueled powerplants and energy storage facilities.

Assembly Bill 205 established a new certification process for state qualified projects through the California Energy Commission (CEC) in which applicants must prove they qualify as a project, provide an overall net positive economic benefit to the local jurisdiction, and enter into one or more legally binding and enforceable agreements with, or that benefit, a coalition of one or more community-based organizations (Exhibit 4). The bill specifies that CEC issuance of the certification is in lieu of any permit, certificate, or similar document required by a state, local, or regional agency. An applicant may submit a qualifying project proposal directly to the CEC for certification and completion of review

[3] AB 205 Text: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB205

according to the California Environmental Quality Act (CEQA). The local government having land use jurisdiction in the areas of the proposed project site would be allowed to review and submit comments on the CEC project application but would not have permitting authority. During the preparation of this Board letter, Planning staff were not aware of any pending applications for projects within the county that were before the CEC.

General Plan and Zoning Ordinances

There are several local land use regulations and ordinances that were analyzed as part of this Assessment, which will also be important as your Board considers options for facilitating the development of future energy production and storage projects.

General Plan Policies and Programs: As discussed above in Section C, Background, in addition to General Plan Programs COS-O and HAZ-O and Policy EV-4.4, the General Plan contains various programs and policies that make up the County's Climate Action Plan and 11 other policies and programs that directly support the need for renewable energy facilities and the Assessment (see Exhibit 1, Table 2).

The Assessment includes lands designated as Open Space and Agricultural under the General Plan. Renewable energy facility developers, specifically battery energy storage operators, have expressed interest in developing on Agricultural-designated land. The General Plan includes policies that support the "green economy" with development of renewable energy and battery energy storage, and electrification of agricultural equipment and irrigation pumps (see Table 2). However, the General Plan also includes policies that support the preservation of open space and agricultural lands (see Table 3). Additionally, General Plan policies are reviewed in Exhibit 1, Tables 3 and 4.

Table 2: General Plan Programs and Policies supporting renewable energy and energy storage.

Policy or Program	Description
EV-4.2	***Green Economy*** *The County shall support the development of industries and businesses that promote and enhance environmental sustainability, greenhouse gas reductions, decarbonization, climate change adaptation, resiliency, and renewable energy generation, storage, and transmission, including solar power, wind power, wave energy and other appropriate renewable sources. The County shall promote the efforts of existing businesses that meet green business criteria; job training in green building techniques and regenerative farming; and strive to build green technologies into and decarbonize existing government buildings and facilities.*
EV-5 Goal	*To promote a strong local economy by improving critical infrastructure, including water, transportation, broadband, and renewable energy.*
LU-11.9	***Alternative Energy and Alternative Fuel Production*** *The County shall allow the production of alternative energy and alternative fuels on land within the Industrial designation to reduce the reliance on petroleum-based fuel and greenhouse gas emissions.*

COS-8.10	***Battery Energy Storage Systems*** *The County shall encourage battery energy storage systems as an option for optimizing the management of electricity generated by renewable resources.*
AG-I	***Fossil Fuel-Powered Equipment Replacement*** The County shall coordinate with the Air Pollution Control District and electric utilities to develop a program to establish a countywide fossil fuel-powered equipment conversion target, track progress on conversions to renewable energy sourced electric powered systems and provide technical assistance to users considering replacement of pumps.
AG-J	***Alternate Fuel Funding for Agricultural Operations*** The County shall coordinate with the Air Pollution Control District to develop a program to identify funding sources or develop financial or regulatory incentives to encourage the switch to electric or alternatively fueled agricultural equipment, when feasible.
AG-5.2	***Electric- or Renewable-Powered Agricultural Equipment*** The County shall encourage and support the transition to electric- or renewable-powered or lower emission agricultural equipment in place of fossil fuel-powered equipment, when feasible.
AG-5.3	***Electric- or Renewable-Powered Irrigation Pumps*** The County shall encourage farmers to convert fossil fuel-powered irrigation pumps to systems powered by electric or renewable energy sources, such as solar-power, and encourage electric utilities to eliminate or reduce stand-by charges.

While there are many supportive policies and programs for renewable energy projects, there are other General Plan policies and programs that may be limiting and challenging for these projects (Table 3), such as the following policies preserving open space and agricultural lands.

Table 3: General Plan Policies and Programs for open space and agricultural land protection.

Policy or Program	Description
COS-9.1	***Open Space Preservation*** The County shall preserve natural open space resources through: • the concentration of development in Urban Areas and Existing Communities; • use of cluster or compact development techniques in discretionary development adjacent to natural open space resources; • maintaining large lot sizes in agricultural areas, rural and open space areas; • discouraging conversion of lands currently used for agricultural production or grazing; • limiting development in areas constrained by natural hazards; and • encouraging agricultural and ranching interests to maintain natural habitat in open space areas where the terrain or soil is not conducive to agricultural production or grazing.

AG-1	To preserve and protect agricultural lands as a nonrenewable resource to assure the continued availability of such lands to produce food, fiber, and ornamentals.
AG-1.1	***Agricultural Land Protection and Preservation*** The County shall continue to protect and preserve agricultural land by directing growth away from productive agricultural lands into cities, unincorporated urban areas, or existing communities and by supporting the acquisition or voluntary dedication of agriculture conservation easements.
AG-1.2	***Agricultural Land Use Designation*** The County shall ensure that discretionary development located on land designated as Agricultural on the General Plan Land Use Diagram and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory is planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.
AG-1.8	***Avoid Development on Agricultural Land*** The County shall ensure that discretionary development located on land identified as Important Farmland on the State's Important Farmland Inventory shall be conditioned to avoid direct loss of Important Farmland as much as feasibly possible.
LU-8.2	***Land Uses Appropriate for the Agricultural Land Use Designation*** The County shall ensure that land designated as Agricultural is used for the production of food, fiber, and ornamentals; animal husbandry and care; uses accessory to agriculture; and limited temporary or public uses which are consistent with agricultural or agriculturally related uses.
LU-9.7	***Natural Resource Areas Appropriate for the Open Space Land Use Designation*** *The County shall designate areas set aside for managed production of resources as Open Space, including, but not limited to, forest lands, rangeland, agricultural lands not otherwise designated Agricultural; areas required for the recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.*

The preservation policies in Table 3 are particularly relevant in the context of siting battery energy storage projects, as they are not currently an allowed use outside the Industrial Park (M1), Limited Industrial (M2) and General Industrial (M3) of the NCZO and the Coastal Open Space (COS) and Costal Industrial (CM) zones of the CZO. Policy LU-11.9 in Table 2 also directs renewable energy projects to be located in land with Industrial designations.

Other policies and programs in Table 2 above, such as EV-4.2, COS-8.10, and AG-I could be interpreted to support a regional “Green Economy” with renewable energy projects geographically distributed throughout the county and spread across different zones. Relying primarily on the industrial zoning the County has for battery energy storage limits the potential geographic distribution of these “Green Economy” projects. The Assessment results, which are further described in Section E below, identified there are only 50 acres

of "Optimal[4]" M2 and M3 Industrial zones, but there are 1,572-acres of Optimal lands in the County suitable, primarily split between the Open Space zone (approximately 1,178 acres), Agricultural Exclusive zone (approximately 306 acres) and (approximately 50 acres).

Non-Coastal Zoning Ordinance: The NZCO currently allows for "energy production from renewable resources" in the Open Space (OS), Agricultural Exclusive (AE), and Rural Agricultural (RA), zones with a Conditional Use Permit (CUP) approved by the Planning Commission. Such use is also allowed in the Limited Industrial (M2) and General Industrial (M3) zones with a CUP approved by the Planning Director. Notably, this land use category (i.e., "energy production from renewable resources") does not include energy storage, but rather is limited to facilities that are designed and intended to produce electricity. The definition from Article 2 is shown below:

> ***Energy Production from Renewable Sources:*** *Any facility or installation such as a windmill, hydroelectric unit or solar collecting or concentrating array, which is designed and intended to produce energy from natural forces such as wind, water, sunlight or geothermal heat, or from biomass, for off-site use.*

This definition and use category was approved by the Board of Supervisors in 1985 as part of a larger ordinance amendment (Ordinance No. 3730[5]). This ordinance was also reviewed by the APAC prior to the Board's final adoption and APAC took no formal action to oppose these land use changes and did not object to inclusion of solar and wind renewable energy uses in the AE zone. Battery energy storage was a technology that did not exist in a commercially viable way and so it was not included at that time. There are no development standards for *Energy Production from Renewable Resources* in the NCZO and therefore only the base zoning standards for AE apply.

In November 2021, the Planning Director received a request for a use equivalency determination through the NCZO that a 40-acre, 1,000-megawatt battery energy storage project located within the AE zone and Agricultural land use designation is equivalent to a "public service/utility facility." In May 2022 after multiple discussions with the applicant and months of staff research, the Planning Director denied the use equivalency determination and found battery energy storage projects are not equivalent to the "public service/utility facilities" use category in NCZO Section 8105-4 because: 1) a battery energy storage facility is best classified under state law as an "energy storage system" and not as a "public utility"; 2) the County legislative history regarding the NCZO's use of the term "public service/utility facilities" suggests that such term would not include battery energy storage; 3) pursuant to General Plan Program COS-O, the County is in the process of studying and assessing suitable locations for battery energy storage and any equivalency determination would be premature, and could potentially contradict, the

---

[4] "Optimal" is a shorthand reference to the areas identified in the Assessment in Exhibit 1 that ranked within the top two possible score categories for each renewable energy resource type.

[5] Ordinance 3730: https://cobpublic.ventura.org/documents/Ordinances/County%20of%20Ventura/3730.pdf

results of those studies; and 4) the proposed equivalency determination could convert a significant amount of agricultural land to a non-agricultural use.[6]

The Staff Report for the February 16, 2023 appeal of the equivalency determination to the Planning Commission described that battery energy storage projects are currently allowed in the industrial (M1), (M2) and (M3) zones under the use category of "*warehousing and storage*" with a Planning Director approval of a Planned Development permit.[7] The staff report also described that Battery Energy Storage Projects can be permitted through the Assembly Bill 205 pathway described under State Regulations above and in Exhibit 4.

Coastal Zoning Ordinance: The CZO currently allows for an "Energy Facility" in the Coastal Open Space (COS) and Costal Industrial (CM) zones with a CUP approved by the Planning Commission. This definition and use category, unlike the NCZO, includes energy storage as part of the definition. While the definition does not expressly state that battery energy storage is included within this definition, it would be allowable under this definition which includes facilities for "storing" energy:

> ***Energy Facility:*** *Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other sources of energy.*

SOAR, Greenbelts, and Guidelines of Orderly Development

The following subsections describe provisions within SOAR, Greenbelts, and the Guidelines of Orderly Development (Guidelines) that may limit the development of renewable energy facilities, specifically battery energy storage, on open space and agricultural lands.

Save Open Space and Agricultural Resources (SOAR): The Ventura County SOAR Initiative, which is part of the General Plan, protects Open Space, Agricultural, and Rural designated land and generally requires a county-wide majority vote to redesignate any such lands to another land use (the exception is Agriculture can be redesignated to Open Space) or to change the goals or policies governing the use of these designated lands. All County General Plan amendments, zoning ordinance amendments, and land use entitlement approvals must be consistent with SOAR.

If your Board directs Planning staff to prepare legislative amendments to allow battery energy storage in the Open Space, Agricultural, and/or Rural General Plan land use

---

[6] The May 2022 use equivalency determination can be found here: https://ventura.primegov.com/portal/item?id=254058

[7] In 2020, the Planning Director approved a 100 MW battery energy storage facility (Saticoy Energy Storage Site/Beedy Street Project). This facility is located in the unincorporated El Rio community just outside of the City of Oxnard on a 10.82-acre project site within the M2 zone and Industrial designation of the El Rio/Del Norte Area Plan. This facility is not operational at the time of this writing as the applicant is still working with the Fire Department for final approval. The Planning Division has also reviewed a pre-application for a 100 MW facility within the M2 zoning designation and Industrial land use in the North Ventura Avenue Area Plan.

designation(s), in order to take effect, the project would require a SOAR ballot measure with majority countywide voter approval because this new battery storage land use would be inconsistent and more intensive than allowed under these existing land use designations as set forth in SOAR and the existing General Plan. Solar and wind renewable energy uses are already allowed within these designations pursuant to the General Plan and NCZO and would therefore would not require a SOAR vote.

The next County-wide elections are the Presidential Primaries (March 5, 2024) and the Presidential Election (November 5, 2024). Any potential General Plan/SOAR and ordinance amendments would need to be submitted, with a completed CEQA analysis, by February 2024 for the Presidential Election. Given this short timeframe, it is not feasible to prepare the amendments, conduct CEQA analysis, provide tribal notifications for General Plan amendments, and conduct Planning Commission and Board hearings, all prior to February 2024. Therefore, the SOAR amendments would be submitted for a public vote in 2025/2026, in the absence of an earlier special election if that option is available.

Under SOAR, the Board of Supervisors, following at least one public hearing for presentations by an applicant and the public and after compliance with CEQA, may place any amendment to land use designations of Agricultural, Open Space or Rural, or any provision, goal or policy as they specifically apply to such land use designations, on the ballot pursuant to the mechanisms provided by State law.[8]

Greenbelts: The County has entered into seven greenbelt agreements with a majority of the incorporated cities. Greenbelts support the County's commitment to the agricultural and open space conservation goals and policies contained in the General Plan. Land uses that are consistent with existing agricultural or open spaces zoning classifications are permitted within the greenbelts. Amendments to the General Plan/SOAR and the NCZO to allow energy storage in the agricultural and open space land use designation and zones, as approved by a vote of the people, may be considered consistent with the greenbelt agreements.

Guidelines for Orderly Development: The Guidelines have been adopted by the Board of Supervisors, all the City Councils within Ventura County, and LAFCo. They refine the development guidelines originally adopted in 1969 and maintain that urban development should be located within incorporated cities whenever or wherever practical.

LAFCo staff indicated that battery energy storage projects may be similar to the establishment of industrial uses that are considered urban development.[9] Depending on

---

[8] Section 2(I)(a) of SOAR states "Until December 31, 2050, the Agricultural, Open Space, and Rural land use designations, and the goals and policies as they specifically apply to those land use designations in Sections 1.6 and 3.2 Ventura County General Plan – GOALS, POLICIES, & PROGRAMS (10-20-15 edition) of this General Plan shall not be further amended unless such amendment is approved by vote of the people or by the Board of Supervisors pursuant to the procedures set forth herein".

[9] Guidelines of Orderly Development, Definitions. *Urban Development* – Development shall be considered urban if it meets any of the following criteria: 1) It would require the establishment of new community

your Board's direction, and the outcome of a potential SOAR vote, applicants for battery energy storage projects located outside of Existing Communities and urban areas would need to demonstrate compliance with these Guidelines.

Existing Local Projects

There are several existing grid scale renewable energy generation and storage projects in the unincorporated area; examples of these are contained in Exhibit 5.

Additionally, the Planning Division has already received seven inquiries about locating grid scale battery energy storage projects within the unincorporated county. Based on information provided thus far from some of these inquiries, the acreage estimate for three of the projects combined is approximately 300 acres. It should be noted that these inquiries are also dependent on whether a potential project makes it through the California Independent System Operator's (CAISO) Generators Interconnection Queue.[10] Based upon industry representative comments to staff, it appears the CAISO process includes rounds of review through studies to determine which projects are feasible to move forward. Prospective companies can submit their proposal to CAISO to be listed on the interconnection queue while they move through a local jurisdiction review process; the CAISO process can take two or more years to complete. There are pending proposals in the CAISO Queue for battery energy storage projects to be sited both in the unincorporated area and in the cities of Ventura County.

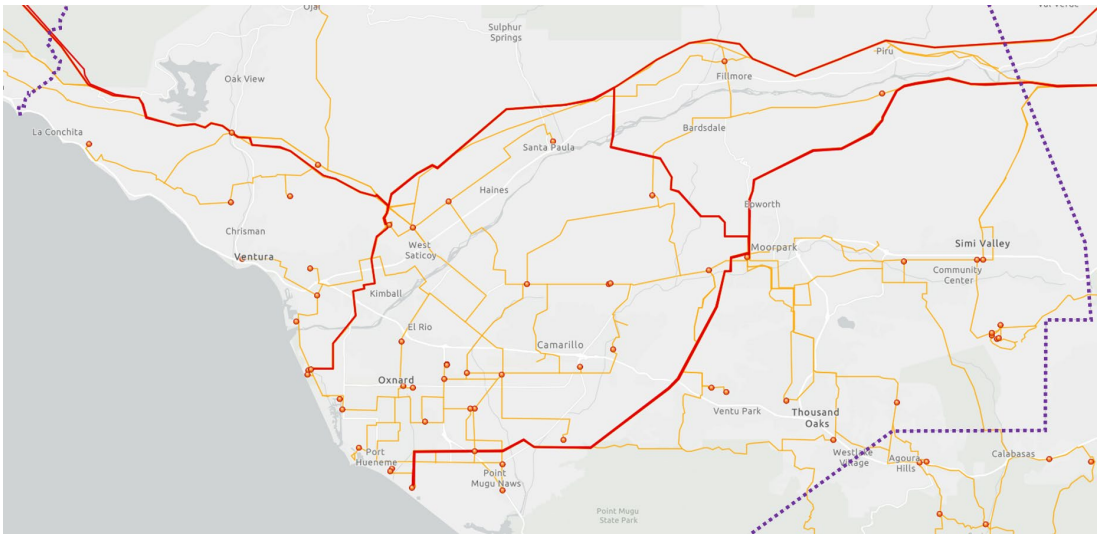
E. RENEWABLE ENERGY PROJECT SITING ASSESSMENT

Study Method: General Plan Program COS-O states that the County shall study and identify suitable lands near electrical transmission and distribution lines for renewable energy generation and storage sites. Given these parameters, the Assessment focuses on the southern half of the County since that is where the electrical transmission and distribution lines and substations are located (Figure 4, below). Most of the northern County is located within Los Padres National Forest which is under Federal control and outside of the County's land use jurisdiction.

sewer systems or the significant expansion of existing community sewer systems, 2) It would result in the creation of residential lots less than two (2) acres in area, or 3) It would result in the establishment of commercial or industrial uses which are neither agriculturally-related nor related to the production of mineral resources.

[10] CAISO reviews interconnection applications from energy providers wanting to connect to the grid to align interconnection processes with procurement activities. The generation interconnection planning process helps power generating projects interconnect to the power grid since 2008. For more information, also see caiso.com/planning.

Figure 4: Transmission (red lines) and Distribution (gold lines) Lines and Electrical Substations (red dots) of Southern Ventura County. Source: California Energy Commission.



The Assessment includes an evaluation of criteria related to the feasibility of siting grid-scale renewable energy projects consisting of ground-mounted solar arrays, wind turbines, and battery storage projects. The criteria were based on policy and zoning factors, potential environmental impacts, as well as hazards. If a given area was deemed unacceptable (e.g., land zoned for high-density urban residential uses), or located outside the County's jurisdiction (e.g., federal or state lands), or owned by a conservation agency (e.g. Santa Monica Mountains Conservancy, Ventura Land Trust), that area was removed from consideration. Additional criteria were used to further filter the remaining lands based on criteria that included, but were not limited to, distance from transmission and distribution lines and substations, steep slopes, floodplain locations, fire hazard severity zones, and biological resources.

Each criterion was prioritized as either "Preferred", "Acceptable", or "Acceptable but Discouraged". These criterion and prioritizations were applied to each of the three renewable energy project types described above. Below is a more detailed explanation of each prioritization and how they were assigned to areas within the County using Geographic Information Systems (GIS):

- *Preferred* includes supportive infrastructure and does not include the environmental, zoning, and land use constraints evaluated. Areas with Preferred criteria received a score of "1."
- *Acceptable* includes some infrastructure but is also subject to limited site development constraints. Areas with Acceptable criteria received a score of "0."
- *Acceptable but Discouraged* includes areas that allow development but substantial environmental, policy, or hazards constraints exist. Areas with Acceptable but Discouraged criteria received a score of "-1."

These criteria were then used to generate maps and estimate acreages for Optimal locations and acres associated with each energy type. It should be noted that while all efforts were made to ensure accuracy of the mapped information, any assessment over an area as broad as the southern half of the county requires assumptions and generalizations that may vary on a site-specific basis. Additionally, the Assessment does not take into account parcel configurations and property owner consent for the development of renewable energy projects.

Results by Project Type: The maps illustrating suitable sites for grid-scale renewable energy projects consisting of ground-mounted solar arrays, wind turbines, and battery energy storage projects are shown in Section 3 of the Assessment (Exhibit 1) and are included in map viewing application here: tinyurl.com/2nsft542. The map colors represent an aggregate score that is derived the analysis of GIS layers described in Appendix A of the Assessment in Exhibit 1. The ranges of the scores differ for the three types of renewable energy projects evaluated because some criteria were applied to one type of renewable energy project but not another. For example, battery energy storage projects received a score of -1 for areas outside of a water purveyor service area, whereas this criterion is not relevant for solar and wind.

The Assessment concludes with a summary of "Optimal" acres, which estimates the acres of renewable energy projects and megawatts (MW) of energy that could be derived from the top two possible scores for each energy project type. This summary of acreages is contained in Table 4 below.

a. Solar

Ground mounted solar facilities do not have as many limiting factors as the other two energy sources, as they can be placed on most types of terrain but also have the largest footprint at 7.9 acres per MW of electricity generated. The Assessment identified approximately 6,087 acres of Optimal land, which would cumulatively produce approximately 771 MW. The top three zoning classifications where Optimal land for this energy project type is located are within OS classification (approximately 3,624 acres), AE classification (approximately 1,627 acres) and M1, M2 and M3 classifications (approximately 428 acres). If the total solar MW was sustained for an hour of time, it would produce enough energy to power 578,250 homes[11]. While these Optimal sites are located across the county, the mapping results show larger concentrations of Optimal sites near the cities of Ojai, Moorpark, and Simi Valley. See Figure 1 and Table 5 of the Assessment in Exhibit 1 for the map and qualitative rankings for ground mounted solar. The map can

[11] According to the California ISO Definitions (Exhibit 2), a Megawatt constitutes enough electricity for 750 homes at once. This number fluctuates because electrical demand changes based on the season, time of day, and other factors. In order to calculate the amount of power consumed or produced by one megawatt for a period of time, multiply MW by the number of hours. Example: A 10 MW energy storage facility could release 10 megawatt hours (MWh), or enough to power 7,500 homes for one hour. If the same 10 MW storage facility was designed to release the same amount of energy over four hours, that would translate as 40 MWh facility which would be enough to power 7,500 homes for four hours.

also be viewed here: tinyurl.com/2nsft542 by clicking on the "layer list" icon on the bottom of the screen and selecting the "Solar Energy" box in the pop-up window.

b. Wind

Wind energy needs to be in areas that have fast enough wind speeds (i.e., greater than 8-meters per second/~18 miles per hour) to make a wind project economical. The only land in the county with adequate wind speeds is in the southeast corner of the county (between Highway 126 and Simi Valley). The Assessment identified approximately 19,944 acres of Optimal land, which would produce approximately 8,075 MW. The top three zoning classifications where Optimal land for this energy project type is located are within AE classification (approximately 11,957 acres), OS classification (approximately 7,923 acres) and M1, M2 and M3 classifications (approximately eight acres). If the total wind MW was sustained for an hour of time, it would produce enough energy to power 6,056,250 homes. See Figure 2 and Table 6 of the Assessment to see the map and qualitative rankings for wind energy. The map can also be viewed here: tinyurl.com/2nsft542 by clicking on the "layer list" icon on the bottom of the screen and selecting the "Wind Energy" box in the pop-up window.

c. Energy Storage

As previously stated, there are many different types of energy storage that could be used but the acreage and energy storage capabilities for the Assessment are based on lithium-ion batteries. The Assessment identified approximately 1,572 acres of Optimal land, which could store approximately 39,301 MW. The top three zoning classifications where Optimal land for this energy project type is located are within OS classification (approximately 1,178 acres), AE classification (approximately 306 acres) and M2 and M3 classifications (approximately 50 acres). If the total energy storage MW was sustained for an hour of time, it would release enough energy to power 29,475,750 homes[11]. While these Optimal sites are located across the unincorporated county, the mapping results show larger concentrations of Optimal sites near the cities of Ojai, Moorpark, Camarillo, and Simi Valley, with the highest concentration west of Moorpark. See Figure 3 and Table 7 of the Assessment to see the map and qualitative rankings for energy storage. The map can also be viewed here: tinyurl.com/2nsft542 by clicking on the "layer list" icon on the bottom of the screen and selecting the "Energy Storage" box in the pop-up window.

Results Summary: According to the Assessment's final summary table, also shown in Table 4 below, there are enough Potentially Developable acres to provide six percent of the state's total renewable energy target of 69.4 gigawatts of solar energy and 17 percent of the 12.6 gigawatts of wind energy by 2045. There are enough Optimal acres to provide 0.1 percent of the state's total renewable energy target of 69.4 gigawatts of solar energy and 6.4 percent of the 12.6 gigawatts of wind energy by 2045. However, it is unlikely for there to be this much demand for solar and wind in Ventura County due to less expensive land in other inland counties with higher wind speeds and more days with sun.

Battery energy storage is a key consideration since it is not currently allowed outside of the M1, M2, and M3 zones of the non-coastal zone and the COS and CM zones of the

coastal zone, and the Assessment is intended to inform potential zoning amendments. Additionally, while the Assessment found that there are 50 Optimal acres of industrial lands that could potentially meet the County's need, it was a broad study that did not include parcel-level details that may further limit the number of available Optimal acres including, but not limited to, property owner interest, property improvement values, parcel sizes and configurations, and access to and across other properties. Given these additional factors, identification of other land use and zoning designations would reduce limitations on grid scale battery energy storage development (e.g. the 1,178 acres of open space and/or the 306 acres of agricultural). The following information shows the anticipated prorated share for the County when comparing the County's population and average annual energy usage and the Clean Power Alliance[12] goal of 1,440 MW by 2035[13]:

- All 1,572 Optimal acres would store 39,300 MW, or enough to meet the Clean Power Alliance goal for Southern California 27 times.
- About three Optimal acres are needed to provide up to 79 MW, or enough to serve the 2021 County unincorporated population of 94,003.
- About 27 Optimal acres are needed to provide up to 705 MW, or enough to serve the countywide population of 839,784, which includes the cities.
- If the County decided to prioritize the 50 Optimal acres in the M2 and M3 designation it would potentially meet approximately 87 percent of the Clean Power Alliance's 2035 goal, and could be enough to serve both the unincorporated and incorporated populations.

By comparison, the three battery energy storage projects that have been discussed with the County, totaling more than 300 acres, would provide 7,500 MW, enough to serve ten times the county's population, including cities, and approximately 5 times the Clean Power Alliance 2035 goal.

---

[12] The Clean Power Alliance is made up of the following jurisdictions (Ventura County and its jurisdictions are underlined): Agoura Hills, Alhambra, Arcadia, Beverly Hills, Calabasas, Camarillo, Carson, Claremont, Culver City, Downey, Hawaiian Gardens, Hawthorne, unincorporated Los Angeles County, Malibu, Manhattan Beach, Moorpark, Ojai, Oxnard, Paramount, Redondo Beach, Rolling Hills Estates, Santa Monica, Sierra Madre, Simi Valley, South Pasadena, Temple City, Thousand Oaks, Ventura, unincorporated Ventura County, West Hollywood, Westlake Village and Whittier.

[13] The 2040 General Plan provided population projections for 2030 and 2040 but did not provide a projection for 2035.

Table 4: Summary of Potential Acreages and MW for Ventura County from the Assessment.

Technology	Total Potential Acres	Total Potential MW	Total Optimal Acres	Total Optimal MW	Acres per MW
Solar	324,752	41,107	6,087	771	7.90
Wind	52,635	21,310	19,944	8,075	2.47
Energy Storage	324,752	8,118,812	1,572	39,301	0.04

F. LEGISLATIVE OPTIONS

As described in Section D (above), solar and wind renewable energy uses are already allowed in both the unincorporated coastal and non-coastal zoning classifications of COS, CM, OS, AE, RA, M2, and M3. However, grid scale battery energy storage is currently allowed only in the M1, M2, and M3 zones of the NCZO and the COS and CM zones of the CZO. The existing policies that support battery energy storage projects do not provide specific guidance regarding the intended number of acres or amount of electricity to store and whether the County intends to meet local needs or provide for regional and statewide energy goals.

The Assessment required by Program COS-O and summarized in Section E above found that there are suitable lands for renewable energy projects, and that there are 1,572 acres of Optimal land for battery energy storage projects, mostly located within the Open Space General Plan land use designation. Recent inquiries from developers and their battery storage facility concepts indicate there are likely to be applications for about 300 acres of grid scale battery energy storage on Open Space and Agricultural designated land if the General Plan/SOAR and NCZO are amended to allow the introduction of the battery storage land use in these designations. Your Board could decide to include an acreage limit when initiating legislative direction to Planning Staff based on current or potential future battery energy storage demand[14] to serve the unincorporated area population, the county as a whole, a portion of the Clean Power Alliance region, or other proportions of statewide goals. Solar and wind projects would not be impacted by this as they are currently allowed within the AE, OS, and RA zones.

After completion of the qualitative Assessment in Exhibit 1, Planning staff drafted the options presented below for grid scale battery energy storage and then conducted policy analysis. Exhibit 6 describes supporting factors for battery energy storage in Agriculture, Open Space and Rural Lands Designations. Section D above describes limitations to allowing battery energy storage in these designations. The most substantial limitation is the County regulatory setting would require any rezone and/or other NCZO amendments

[14] Future energy demands through 2035 would be calculated based upon the energy demand projections from the CPA.

to allow battery energy storage on Open Space, Agricultural, and/or Rural designations to be authorized through a General Plan amendment and a majority vote of the people to be compliant with SOAR.

Policy Options

Staff identified three potential options for your Board to consider in light of the Assessment. In the event additional lands for battery energy storage projects are to be considered, your Board could direct staff to prepare amendments to allow such projects in non-coastal Open Space and Agricultural designated lands and submit those amendments for a public SOAR vote and associated General Plan amendment(s) (Options 1 and 2). Alternatively, your Board could continue to allow grid scale battery energy storage in the M1, M2, and M3 zones of the NCZO and the COS and CM zones of the CZO without any legislative action, although ordinance amendments could be proposed to add development standards for battery energy storage projects to better direct siting and operational requirements in the zones where they are currently allowed (Option 3).

Option 1: Overlay Zone. This option would require a public SOAR vote, and General Plan/SOAR amendment, to include the non-coastal Agricultural and Open Space land use designations for inclusion in a Renewable Energy Priority Overlay Zone. This potential Overlay Zone would be applied to the unincorporated county lands in the Non-Coastal zones potentially also including, but not limited to, the M1, M2, and M3 zones. The overlay zone would be based on a limited number of acres utilizing the Optimal category identified in the Assessment and would implement programs COS-O, HAZ-O, and EV-4.4. Additionally, the overlay zone would incorporate some or all of the "Additional Planning Tools" identified below.

Creation of the overlay zone and accompanying General Plan/SOAR amendment would require a public vote initiative to be placed on the ballot of either a general election or special election after 1) the overlay zone has been reviewed for compliance with the California Environmental Quality Act, and 2) your Board has held at least one public hearing in addition to a Planning Commission action for a recommendation to the Board. Therefore, the overlay zone would require time to draft, complete the SOAR measure vote, and results would rely on that outcome.

If Option 1 is preferred and the approach is to allow enough land to provide battery energy storage for the entire county including the cities, inclusion of about 50 acres of Agriculture and 100 acres of Open Space designated lands that ranked as Optimal in the Assessment should be included in the overlay. This option does not include a limit on the size of solar or wind uses, but would geographically restrict their location.

Option 2: Amend the Zoning Ordinances. This option would require a public SOAR vote and General Plan/SOAR amendment to include the Agricultural and Open Space land use designations for the allowance of battery energy storage uses in the NCZO. Both the NCZO and CZO would be amended to allow renewable energy facilities as described below:

a. Within the NCZO, a definition for "*Energy Storage from Renewable Resources"* would be added to include energy storage, which would be allowed as a new use

category in Article 5 in the Open Space (OS), Agricultural Exclusive (AE), Limited Industrial (M2) and General Industrial (M3) zones with a discretionary CUP (See illustrative examples of possible text amendment to the Open Space, Agriculture, and Residential use matrix Sections 8105-4 and 8105-5 except below); the definitions would clarify that energy storage is a sub-use of the Energy From Renewable Sources use and would not be allowed under the *warehousing and storage* use category. Development standards and use restrictions could also be included in 'Article 7 – Standards for Specific Uses'.

Table 5 below provides an example of what Article 5 of the NCZO Use Matrix amendments would look like, in legislative format.

Table 5: Example of Article 5 of the NCZO Use Matrix amendments, in legislative format.

Example of Potential Use Matrix Category Amendments (NCZO, Section 8105-4)											
	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
ENERGY ~~PRODUCTION~~ FROM RENEWABLE SOURCES *(3)*											
Energy Production	CUP	CUP	CUP								
Energy Storage	CUP	CUP									

Example of Potential Use Matrix Category Amendments (NCZO Section 8105-5)						
	CO	C1	CPD	M1	M2	M3
ENERGY ~~PRODUCTION~~ FROM RENEWABLE SOURCES *(3)*						
Energy Production					CUP	CUP
Energy Storage				CUP	CUP	CUP

b. Within the CZO, the definition of *"Energy Facilities"* would be amended to specifically identify renewable energy production and storage. Creation of development standards would also be included under 'Article 5, Section 8175-5 – Standards and Conditions for Uses'.

Amending both zoning ordinances would also include a limitation on the number of acres, and there would be some applicability to the Assessment's Optimal and/or Acceptable categories as well as implementing program HAZ-O, but not as much direct applicability as Option 1. While the zoning ordinance amendments would still be based upon the Assessment's results, further analysis would be needed to determine whether the Additional Planning Tools identified below would be included in the development standards.

If Option 2 is preferred and the approach is to allow enough land to provide battery energy storage for the entire county including the cities, inclusion of 150 acres of Open Space designated lands should be included in the NCZO amendments.

Option 3: No Action. This Option would not require a public SOAR vote. If your Board decides to take no action to direct Planning staff to conduct a rezone or zoning text amendment(s), the current regulations would continue to permit battery storage in the M1, M2, and M3 zones under the *Warehousing and Storage* use category of the NCZO, and the COS and CM zones under the *Energy Facilities* use category of the CZO. Additionally, applicants could also opt to use the state application and permitting process established under AB 205 to bypass local permitting requirements and receive CEC authorization. The latter would allow an applicant to predominantly avoid local regulatory restrictions and process the projects through state adopted requirements and standards.

As stated above, selecting Option 3 would limit battery energy storage to the M1, M2, and M3 zones of the NCZO, and the COS and CM zones of the CZO. Solar and wind energy projects would still be permitted under the *Energy Production From Renewable Sources* use category within the OS, AE, and RA zones in the NCZO, and under the *Energy Facilities* use category the COS and CM zones of the CZO. Option 3 would not provide any specific development standards or restrictions for these use categories beyond the base zoning regulations that are applicable today.

However, your Board may modify this option to also include, in addition to the below Additional Planning Tools, direction to create development standards for renewable energy uses and to potentially modify the Permitted Uses in Commercial and Industrial Zones use matrix (NCZO Section 8105-5) to reflect the changes shown in Option 2, Table 5 above. These modifications would not require a public SOAR vote as they would not be introducing any new uses beyond those already allowed on land designated Agricultural, Open Space, or Rural.

Additional Planning Tools:

Given the options described above, and to a greater extent with Option 1, your Board could direct Planning staff to present development standards for renewable energy projects, along with any proposed legislative amendment(s), based upon one or more of the following considerations:

1. *Sustainable Agriculture Conservation (SALC) Project*[15]*:* Lands within water table sub-basins that are the most "at risk" from climate change could be considered along with the Assessment for an overlay zone of where to allow renewable energy projects. In October 2022, the County in conjunction with the Conservation Biology Institute conducted a map-based agricultural risk assessment (MARS) that included a risk assessment based on identified current and future climate change stressors[16] in the region and provided recommendations to help prioritize the existing county agricultural lands based on the combination of those stressors. According to the

[15] SALC was a joint effort by the County of Ventura and the Conservation Biology Institute, and the results and recommendations were presented to the Board on May 23, 2023.

[16] Stressors are identified as less water availability, sea-level rise, saltwater intrusion into groundwater, exotic species infestation, crop diseases, and increased wildfire frequency and severity.

MARS, there are numerous stressors on agriculture from projected climate change impacts being particularly instrumental in less water availability, sea-level rise, saltwater intrusion into groundwater, exotic species infestation, crop disease, and increased wildfire frequency and severity. The MARS used this information and split the county into water table subbasins in order to better summarize the findings and identify geographic agricultural regions that face the greatest threats. It ultimately found that the Arroyo Santa Rosa Valley sub-basin was the most climate change stressed basin followed by the Piru, Fillmore, and Tierra Rejada sub-basins (Exhibit 3). The Las Posas Valley sub-basin was also determined to be stressed and it includes a high density of Optimal sites for battery energy storage identified in the Assessment in Exhibit 1.

2. *Naval Base Proximity Limitation:* The General Plan recognizes that the County is home to several significant military installations and operations areas, specifically NBVC (itself comprised of Point Mugu, Port Hueneme, and San Nicolas Island) and the Channel Islands Air National Guard Station. These facilities are not only critical to the nation's defense, but also provide significant economic benefits and land use challenges.

   To address this, the Land Use and Hazards and Safety Elements of the General Pan contain military compatibility requirements, Sections 2.8 and 7.8 respectively, that require the County ensure compatibility with the NBVC Joint Land Use Study and other military operations (i.e., flight paths for take-off and landing). Specifically, this Planning Tool would address compliance and consistency with the policies and programs listed in Table 6 below.

Table 6: General plan Military Compatibility Policies and Programs.

Policy or Program	Description
HAZ-O	***Solar Concentration Restriction*** The County shall modify the NCZO and CZO, if necessary, to prohibit the placement and use of facilities that use solar concentration for generation of commercial power that could generate glare and potential to disable pilots and impact flight or test operations at Naval Base Ventura County.
HAZ-8.3	***Military Compatibility and Renewable Energy Development*** The County shall require that new larger-scale commercial renewable energy development is consistent with Joint Land Use Study (JLUS) policies and regulations and that Naval Base Ventura County (NBVC) and the Department of Defense (DOD) Siting Clearinghouse are included in the development review process.
HAZ-8.5	***Light and Glare Control*** The County shall coordinate and consult with Naval Base Ventura County (NBVC) when reviewing applications for commercial alternative energy facilities (e.g., wind, solar, tidal) to ensure the systems do not impact flight or test operations.

LU-21.2	***Naval Base Ventura County (NVBC) Joint Land Use Study (JLUS)*** The County shall utilize the Naval Base Ventura County (NBVC) Joint Land Use Study (JLUS) and the strategies contained therein that list Ventura County as a "Responsible" entity to guide land use and resource management decisions and plan updates and the NBVC Air Installations Compatible Use Zones (AICUZ) study to guide land use limitation and standards in the airport safety and noise zones.

3. *CUPA Sites: Prioritize unincorporated* county lands that are within six miles of transmission and distribution lines and have been identified by the Certified Unified Program Agency (CUPA), or Hazardous Materials Program. This program provides regulatory oversight for six statewide environmental programs including: 1) Hazardous Materials Business Plan, 2) Hazardous Waste, 3) Tiered Permitting, 4) Underground Storage Tanks, 5) Aboveground Petroleum Storage, and 6) California Accidental Release Prevention Program I. Additionally, CUPA sites that were assigned a higher rank in the Assessment could be further prioritized in any Board direction. The reasoning for this is that even though these sites are zoned and designated for Open Space or Agriculture they are unlikely to be used for agricultural production, housing or many other types of development due to the potential for continued hazardous site conditions. One CUPA site was identified during inquiries from battery energy storage developers as an opportunity to adaptively reuse the CUPA site because battery energy storage operations are low occupancy, requiring only monthly maintenance visits.
4. *Interconnection Queue:* The California Independent System Operator (CAISO) manages the flow of electricity across the high-voltage lines, matches supply with demand, and maintains electrical frequency. CAISO is also responsible for procuring sufficient ancillary services and power to meet reliability requirements. As such, CAISO is tasked with reviewing any proposed connection, or interconnection, between generators (e.g., energy storage devices) and the transmission system. Based upon industry comments to staff, it appears the CAISO process includes rounds of review through studies to determine which projects are feasible to move forward. Prospective companies can submit their proposal to CAISO to be listed on the interconnection queue while they move through the study process which can take two or more years to complete. After reviewing the CAISO Interconnection Queue for current projects in Ventura County, the areas near Moorpark and in the Santa Rosa Valley had the highest number of prospective projects. While the queue (or future queue) will change, this does provide some feasibility towards actual battery energy storage projects becoming operational in the near term.

G. CONCURRENT PROCESSING

During the Board meetings in March and June 2023 to approve the Planning Division's Three-Year Work Plan Forecast, which included prioritizing COS-O and HAZ-O Programs for implementation, your Board asked the Planning Director if concurrent processing of an energy development project might be possible since several potential "battery storage"

energy project applicants have been discussing their concept projects since 2022 and monitoring the Planning Division's effort on the COS-O Program timing. The Board asked that concurrent processing be a future discussion item when the Planning Division returned to the Board in September 2023 to review the COS-O study and provide direction.

The Planning Division has processed both legislative amendments to County land use policy and/or zoning ordinance and a development permit entitlement reliant on those amendments as one package for technical analysis, environmental review, public engagement and the adoption process through the Planning Commission (for recommendation) and approval by your Board. While the Planning Commission or Planning Director would normally be the approving decision-maker for a discretionary permit entitlement, in these instances where the legislative actions must be adopted before an action can be granted on the development entitlement, the Board would be required for the permit entitlement final action.

Concurrent processing can be beneficial to the adoption of new land use regulations because it can provide County agencies involved in development review to consider best practices and apply new concept policies, ordinances and development standards to a real proposal on the ground with specifics that can provide refinement and adjustments to development or operational standards of a new use, such as being contemplated in COS-O Study. However, the challenge of concurrent processing is the overall effort from Planning Staff is more complex in analysis and overall requires more time to complete the adoption of the new land use regulation, particularly for environmental review. Under CEQA, conducting analysis of proposed land use regulations would be completed at the programmatic level whereas when a discretionary development project is analyzed, this becomes a site-specific review, and the entirety of the project is now expanded to conduct one comprehensive environmental review document for both.

If your Board endorses an approach through which energy development permit processing should be allowed in more areas than the M1, M2, and M3 zones, as set forth in the NCZO, and the COS and CM zones, as set forth in the CZO, the amendments described in Options 1 or 2 would first require approval through a SOAR vote. If your Board also directs staff to allow concurrent processing, the Planning Director would hold a scoping meeting with interested parties to identify timelines, engagement, potential financial contributions, and environmental review required to process a programmatic amendment and development applications. While Planning staff have received seven inquiries regarding possible battery storage projects, only two, Longroad Energy Holdings, LLC and Wellhead Electric Company, Inc., have been communicating with staff and tracking progress from the beginning of the COS-O program work effort, sharing their conceptual project details and components as well as their processing and status in the CAISO. In order to not constrain the implementation of your Board's direction of COS-O program, the Planning Director's recommendation is to limit concurrent processing to no more than two permit applications.

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code or Regulations, Division 6, Chapter 3, Section 15000 et seq.), the lead agency must determine if a project is subject to environmental review. The receipt and filing of the subject Assessment is not a project and therefore is not subject to CEQA. No final action is being taken by your Board at today's meeting on this item. Any direction staff receives from the Board regarding future legislative amendments or other projects will be subject to CEQA review.

I. COMMUNITY ENGAGEMENT AND PUBLIC NOTICE

During the development of the Assessment and geographic analysis of suitable lands, Planning staff conducted outreach and coordinated with stakeholders as described below:

Renewable Energy Interests

In preparation of this Board letter and the Assessment, Planning staff contacted six private energy developers to solicit input regarding potential criteria that the County should consider for identification of suitable lands. Staff requested that the developers provide recommendations regarding compatible and incompatible types of land uses, hazards, zoning designations, and proximity to existing energy infrastructure. Only two energy developers, Longroad Energy, Inc. and Wellhead Energy, responded. Their input was summarized and provided to the consultants for incorporation into the Assessment.

Additionally, staff solicited input on the Assessment from SCE regarding, but not limited to, acceptable distances for new electricity generators or storage from the grid, minimum project size for an economically feasible project, and locally needed prorated energy generation and storage to meet the State's goals. The responses from SCE were summarized and incorporated into the Assessment's criteria.

County Agencies

On March 23, 2023, Planning staff met with LAFCo staff to provide an overview of the General Plan Programs COS-O, HAZ-O and Policy EV-4.4 and discussed existing regulations pertaining to the development of renewable energy projects within the coastal and non-coastal areas of the unincorporated County. Discussion points included siting criteria for potential new facilities, Greenbelt Agreements, and Sphere of Influence and Area of Interest requirements. LAFCo staff suggested that battery energy storage should be classified as urban projects and located in cities and Existing Communities with water service. They agreed to cordite further based on guidance from your Board.

On May 9, 2023, the Planning Division conducted a meeting with staff members from the Agricultural Commissioner's Office, Ventura County Fire Prevention Division, Public Works Agency, Department of Airports, and LAFCo. The purpose was to discuss potential project siting challenges and opportunities. The input from each agency was incorporated into the Assessment and used as a basis for site review criteria.

Naval Base Ventura County

Planning staff coordinated with NBVC personnel to understand the constraints and challenges these renewable energy facilities pose to the Naval Base. Planning staff has also reached out to the Military Aviation and Installation Assurance Siting Clearinghouse in Washington DC for comment on the Assessment. The Clearinghouse works with other federal agencies, states, local governments, developers, and landowners to overcome risks to national security while promoting compatible domestic energy development. Input from the NBVC personnel was identified under the Additional Planning Tools in Section F above.

SOAR Representatives

Additionally, after the Assessment was completed and the Options in Section F were drafted, Planning staff reached out to the SOAR organization to discuss preliminary findings and potential implications to the SOAR portion of the General Plan. After meeting on August 31, 2023, SOAR representatives confirmed after consideration by the SOAR Board that an NCZO amendment to allow battery energy storage in new zones within the Agriculture, Open Space or Rural Land Use designations would require a SOAR amendment and a majority public vote.

Legal Notice

The Planning Division provided public notice of the Board hearing on this matter in conformance with the requirements of Government Code Section 65091 and Ventura County NCZO Section 8111-3.1. On September 15, 2023, placed a legal ad in the *Ventura County Star*. Notice was also sent, by email correspondence to interested persons who previously notified the Planning Division of their desire to be notified of County actions regarding the subject.

This Board item was reviewed by County Counsel, the Auditor Controller, and the County Executive Office. If you have any questions regarding this matter, please contact Case Planner Donald Nielsen at (805) 650-4047 or donald.nielsen@ventura.org, or Planning Manager Aaron Engstrom at (805) 654-2936 or aaron.engstrom@ventura.org.

Dave Ward, AICP, Director
Ventura County Planning Division

Exhibits:

Exhibit 1: County of Ventura Renewable Energy Project Siting Assessment
Exhibit 2: Definitions from California Independent System Operator
Exhibit 3: Map showing the Arroyo Santa Rosa Valley sub-basin
Exhibit 4: Assembly Bill 205 Summary
Exhibit 5: Existing Project Examples
Exhibit 6: Supporting Factors for Battery Energy Storage in Agriculture, Open Space and Rural Lands Designations