



December 19, 2023

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

SUBJECT: Receive and File Second Planning Division Presentation Regarding 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 Zoning Ordinance Amendments to Implement These Programs and Policy; All Supervisorial Districts.

A. RECOMMENDED ACTIONS:

1. **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;
2. **RECEIVE AND FILE** Planning staff's presentation;
3. **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; and
4. **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.

B. FISCAL IMPACTS/MANDATES:

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

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

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, to 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, 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(s), Planning staff may need to create funding agreements to have the applicants pay a proportional share of the environmental document.

C. 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. The adopted 2040 General Plan became effective on October 15, 2020, and is currently in the implementation stage. The following General Plan Policy and Programs are the focus of this Board Letter:

- Program COS-O, Assessment of Land Near Electrical Transmission and Distribution Lines
- Program HAZ-O, Solar Concentration Restriction
- Policy EV-4.4, Renewable Energy Facilities

Program COS-O and Policy EV-4.4 encourage the development of renewable energy facilities consisting of ground-mounted solar arrays, wind turbines, battery energy storage projects, and other facilities. HAZ-O is a program that supports restrictions for solar concentration arrays and other types of facilities that can cause glare affecting Naval Base operations. In particular, COS-O and EV-4.4 required an assessment of undeveloped and underutilized sites within the unincorporated areas of the southern half of Ventura County that are suitable for grid-scale renewable energy projects (Exhibit 1, BH-1-1).

On September 26, 2023, your Board received and filed the County of Ventura Renewable Energy Siting Assessment (County Assessment) (Exhibit 1, BH-1-1) and heard staff's presentation on three potential options for regulatory amendments to address the policy and programs described above (Exhibit 1, BH-1-8). After deliberation, your Board voted to create a fourth option, which was for staff to consider your comments and to return with additional findings and options.

Following the September 26th Board meeting, the Planning Director issued a Director Use Equivalency Determination that finds battery energy storage as equivalent to the "energy production from renewable resource" use category (Exhibit 2). Through this Use Equivalency Determination, battery energy storage is allowed within the Agricultural Exclusive ("AE"), Open Space ("OS"), Rural Agriculture ("RA"), Limited Industrial ("M2"), and General Industrial ("M3") zoning districts with either a Conditional Use Permit (CUP) or a Planned Development Permit (PD). To read the Determination, please see Exhibit 2.

This determination alone does not meet all of your Board's objectives, including allowing some of the larger-scale battery energy storage projects proposed in OS and AE zones, due to the existing Land Use Designation development standard that limits the maximum lot coverage of 5 percent for all buildings. This lot coverage maximum restricts the development potential for buildings on OS and Agricultural (AG) designated lots and is a reason why Industrial designated lands are preferable, with a 50 percent lot coverage standard. The 5 percent lot coverage standard will only allow for smaller battery energy storage facilities that comprise a few acres each. For example, a battery energy storage facility proposed on a 120-acre AG-designated lot would be limited to 6 acres in lot coverage, inclusive of the battery energy storage containers, water tanks (if required), and other related buildings.

The Renewable Energy Program described in section D below is recommended to complete your Board's objectives and it includes a General Plan Amendment and Non-Coastal Zoning Ordinance (NCZO) amendments. The proposed amendments would be implemented over two phases, as follows:

- Phase 1: Codify the Planning Director Use Equivalency Determination and limit the number of acres that could be dedicated to energy storage in the OS and AE designated lands.
- Phase 2: Add a lot coverage exemption for renewable energy facilities in the OS and AE designated lands, simplify the permitting process in the Industrial designated lands, prohibit solar concentration arrays per Program HAZ-O, and draft development standards for photovoltaic solar arrays and battery energy storage projects.

Phase I could be completed within the first quarter of 2024 and Phase II would require approximately 18 months after the conclusion of Phase I. Additionally, optional phases could be included with your Board's request, and may include a Coastal Zoning Ordinance update and/or a restrictive overlay zone, as discussed further below. This local approach to amend County land use regulations is in addition to the State's AB 205 permitting process, which allows the California Energy Commission to authorize grid-scale battery energy storage projects in the unincorporated area.

D. DISCUSSION

Board Guidance

On September 26, 2023, your Board reviewed the staff report and heard a staff presentation (Exhibits 1, BH-1-0 and BH-1-8) along with public comment from potential energy operators, community stakeholders and a representative from Southern California Edison (SCE). After consideration of public comment and questions of Planning Division staff, your Board directed staff to promptly return with another proposal based on your guidance that is summarized in the following list, in no particular order:

1. Open, simplify, and refine the permit pathways for renewable energy generation and battery energy storage facilities by:
 - a. Reviewing and changing the types of permits required to simplify the development process; and
 - b. Clarifying the requirements of allowing renewable energy as accessory uses.
2. Protect residents and natural resources by:
 - a. Avoiding an over-concentration of energy storage and ensure there is enough energy storage capacity for Ventura County, including the cities;
 - b. Reducing risks of hazardous materials by requiring mitigation plans, fire safety suppression plans, decommissioning and reclamation plans;
 - c. Limiting the potential for conversion of farmland to other uses; and,
 - d. Addressing aesthetic impacts:
 - i. Consider new development standards and site maintenance requirements; and
 - ii. Don't allow grid scale solar facilities to cover mountainsides.
3. Be strategic about where renewable energy facilities are allowed by:
 - a. Identifying how much industrial land is actually vacant and underutilized;
 - b. Considering siting facilities on lands historically used for oil and gas production;

- c. Considering the Local Area Formation Commission's (LAFCo) role in reviewing Battery Storage as urban development; and
- d. Considering proximity to the electricity grid transmission lines and substations.

Much of this guidance was focused on battery energy storage because solar arrays and wind turbines are already allowed in most zones. Since this direction was provided, the Planning Director Determination (Exhibit 2) opened a new permit pathway for battery energy storage facilities in OS, AE, and RA zones. Additionally, your Board's directives will be met through the additional outreach and research, and the phased Renewable Energy Program described below.

The proposed Renewable Energy Program also supports the County's 2024-2027 Strategic Plan priorities for resilient communities, reliable infrastructure, and sustainability because it will increase opportunities for investment in renewable energy infrastructure and support the green economy, thereby strengthening the County's ability to recover from disasters and helping to support the job market and local economy.

Overview of Suitable Lands

As identified in the September 26, 2023, Board Letter (Exhibit 1, BH-1-0), the approximate prorated share of battery energy storage needs for the county (including cities) to meet current and near-term demand would require approximately 27 acres to provide about 79 megawatts (MW). This approximation is intended to help your Board decide on whether the County can meet these needs and whether to allow a limited amount of battery energy storage in other zones such as the OS, AE, and RA zones. When presented with this information, your Board directed Planning staff to conduct further outreach and research, particularly regarding whether the cities also have battery energy storage, and to more closely review available unincorporated industrial lands.

Following the September 26, 2023, Board meeting and direction, Planning staff contacted Ventura County's cities, the California Energy Commission (CEC), Clean Power Alliance, Southern California Edison (SCE), the California Independent System Operator (CAISO), and LAFCo for additional information that is summarized in Exhibit 3, BH-2-1. Based on the information received from some of these agencies, as well as the Unincorporated Industrial Lands analysis in Exhibit 3, BH-2-2, staff determined there are substantial grid scale battery energy storage projects that are either approved or are currently undergoing preapplication review in cities (652 MW), which are in addition to the Beedy Street project (100 MW) in unincorporated Ventura County, and there are at least 71-acres of vacant and 168-acres of underutilized industrial lands that could be used to meet the battery energy storage needs for the County. However, sole reliance on the industrial lands to meet battery energy storage needs could impact job growth in the unincorporated areas of Ventura County, as the General Plan's Background Report identified a deficit in the amount of industrial lands needed to meet the projected job growth by 2040 (Exhibit 3, BH-2-2).

Battery energy storage facilities are allowed by all the cities that responded to the Planning staff inquiry. Notably, the City of Moorpark currently has two pre-submittal/conceptual review applications for energy storage projects that currently total

635 MW on over 35 acres adjacent to one of the primary substations in Ventura County¹. Additionally, the City of Thousand Oaks currently has one, 2 MW battery energy storage facility operating, and Santa Paula has one, 15 MW battery energy storage facility in operation.

Based on this information, staff recommends that your Board direct staff to proceed with the Renewable Energy Program, as described in the next section. This program is needed because it is uncertain whether the battery energy storage projects that are under review in the cities will actually be approved. The extent to which the 71 vacant acres, and 168 underutilized acres, of industrial zoned land are in fact available for the development of battery energy storage projects is also unknown and depends upon landowner interests and land costs, as industrial lands are among the most expensive real estate in today's market².

Renewable Energy Program

The proposed General Plan and zoning amendments would occur in two phases as outlined below, and there are optional future phases as described. Figure 1 shows the anticipated timeline for completion. Each phase has been developed to allow for implementation of Program COS-O, HAZ-O, and Policy EV-4.4 while applicants for renewable energy projects can move forward expediently with permit application filing. Phase I is proposed to include updating the definition for "energy generation from renewable resources" to match the use equivalency determination and to establish a limit on the number of acres that could be used for energy storage based upon the amount of energy needed to support the unincorporated county's contribution of regional energy needs. Phase II will comprise the bulk of the work and is proposed to include the creation of development standards for battery energy storage and to review the permit pathways and allowed zones for the "energy generation from renewable resources" use category. This process will also allow applicants to submit projects while staff is preparing the amendments.

¹ SCE has two primary substations in Ventura County, the Moorpark Substation within the City of Moorpark and the Santa Clara Substation, in the hills north of the City of Ventura. These primary substations transfer and convert the electricity from the high voltage transmission lines to a lower voltage that can be handled by the distribution lines.

² According to CoStar, a commercial real estate information company, industrial use rents increased 39 percent between 2019 and 2023 in Los Angeles County and this amount was higher than all other real estate sectors.

Figure 1: Draft Work Plan Forecast for the Renewable Energy Program (Program COS-O, HAZ-O, and Policy EV-4.4)

| Phase | 23/24 Fiscal Year | | | | | | | | | | | | 24/25 Fiscal Year | | | | | | | | | | | | 25/26 Fiscal Year | | | |
|--|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------------|-----|-----|-----|
| | SEP | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
| Board Direction Hearing | ■ | | | ■ | | | | | | | | | | | | | | | | | | | | | | | | |
| Phase I - Definition and Acres Limit | | | | ■ | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | | | | | | |
| Phase II - Energy Storage General Plan & NCZO Amendments; Addresses Programs COS-O and HAZ-O | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | | | | | | | | | | | | |
| Optional Future Phases | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Legend | ■ | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Phase I – NCZO Amendment for Definitions and Acres Limit

Phase I would be brought back to your Board for approval during the first quarter of 2024 and includes key NCZO amendments that would codify the Planning Director Use Equivalency Determination and establish a limitation on the acres of Battery Energy Storage allowed in OS, AE, and RA zoned lands, as described below.

- 1) *Definition Amendment:* The definition(s) in Article 2 of the NCZO would be amended to include energy storage. As the Planning Director found that energy storage systems, specifically batteries, are equivalent to the “energy production from renewable resources” use category, staff would have to amend the definition to reflect this use equivalency determination.

This addresses the Board’s guidance to open permit pathways for battery energy storage facilities because it clarifies that grid scale energy storage is expressly allowed in the NCZO through use categories that are allowed within the OS, AE, RA, M2, and M3 zones.

- 2) *Acres limitation:* In order to ensure the Planning Director Use Equivalency Determination does not result in substantial impacts to OS, AE, and RA zoned lands, NCZO, Article 7, Standards for Specific Uses Section would be amended to include a placeholder for development standards and a limitation on the number of acres that could be developed for battery energy storage when it is a grid scale principal use (not an accessory use).

Your Board may advise Planning staff on how many acres of battery energy storage are needed based on the County Assessment (Exhibit 1, BH-1-1), the 652 MW of battery energy storage facilities under review or approved in the cities, and the 71 vacant acres and 168 underutilized acres of unincorporated industrial zoned land identified as potentially suitable in the evaluation (Exhibit 3, BH-2-2). For example, your Board may elect to allow the following amounts of battery energy storage in the OS, AE, and RA zones:

- a. Limit the total amount of battery energy storage in OS, AE, and RA zones to 30 acres. This amount would be sufficient to meet the energy needs of

Ventura County with 2035 population growth projections (including the cities).

- b. Limit the total amount of battery energy storage in OS, AE, and RA zones to 50 acres. This amount would be sufficient to meet projected energy needs based on item (a) above and includes additional holding capacity for future economic development opportunities and increased electrical demands (e.g., increases in electric vehicle charging at night). Furthermore, this would also accommodate the phasing out of local natural gas power plants.
- c. Limit the total amount of battery energy storage in OS, AE, and RA zones to 100 acres. This amount would be sufficient to meet projected energy needs based on items (a) and (b) above but also includes space for other potential new green technology and can accommodate potential new renewable energy goals from the State.

A limit on acres of the OS, AE, and RA zones that can be developed addresses your Board's guidance to protect residents and natural resources because it will avoid an overconcentration of renewable energy storage uses and limits the amount of farmland and open space that could be converted for this use.

Phase II – General Plan and NCZO Amendments for Energy Storage Standards

Phase II is anticipated to be brought back to your Board for approval during the last quarter of 2024 and consists of General Plan and NCZO amendments to simplify permit pathways and include development standards for battery energy storage facilities. Until this phase is complete, battery energy storage projects in OS, AE, and RA zones would be restricted to the 5 percent lot coverage standard in the NCZO and General Plan. These amendments, in particular a modification to increase the lot coverage standard, will likely require more time for environmental review and therefore it is included separately from Phase I. Phase II consists of the following amendments:

- 1) *Permit Type Simplification*: This task will simplify the permit paths to encourage energy storage in the Industrial zones of M2 and M3. The permits required would be modified from a Planning Commission-approved Conditional Use Permit (CUP) to a Planning Director-approved Planned Development Permit (PD) or Zone Clearance (ZC). Staff's goal would be to authorize these facilities in the industrial zones through a Zone Clearance (ZC) but would need to coordinate with other County agencies and divisions to establish a comprehensive application submittal checklist due to the highly technical aspect of these facilities. PD and ZC permits typically do not include expiration dates and therefore do not require periodic permit renewals.

This task addresses you Board's guidance to simplify and refine the permit pathways for renewable energy generation and storage facilities because it could allow for a faster processing time and potentially include some permit cost savings by removing the expiration and renewal process of the conditional use permit.

- 2) *Additional Zones*: Energy Production from Renewable Resources is currently only allowed within the OS, AE, RA, M2, and M3 zones. Both the Industrial Park (M1) and Light Industrial (IND) zones could be added to this list in order to capture all of the Industrial designated land in the non-coastal zone and provide more land for these uses.

This task addresses the Board's guidance to open permit pathways for renewable energy production facilities by adding additional industrial zones these uses can potentially locate in, which will expand the geographic area these facilities are allowed. This increased geographic area could also help to avoid an over concentration of energy storage facilities in one location while at the same time helping to limit the potential conversion of farmland and open space by opening up more urban zones for facilities to be located.

- 3) *Accessory Energy Storage*: Accessory energy production from renewable resources is currently allowed but does not have a uniform permit pathway and is not listed in the NCZO's use matrix as an accessory use. This proposed amendment would clarify the difference between accessory and grid scale energy generation/storage.

This task addresses your Board's guidance to simplify and refine the permit pathways for renewable energy generation and storage facilities because it clarifies the difference between grid scale and accessory scale energy storage and clarifies the requirements of allowing energy storage as an accessory use.

- 4) *Renewable Energy Generation and Energy Storage Development Standards*: The NCZO currently does not contain any development standards for renewable energy generation or energy storage facilities. This means that only the development standards that can be applied to projects are those that apply to the underlying zone (e.g. setbacks, lot coverage, height etc.). New development standards are needed to a) address hazards and safety in coordination with other County agencies such as the Fire Department and Public Works Agency, b) address aesthetic impacts, c) establish locational siting criteria, and d) include objective standards for ministerial permit approvals.

Perhaps the most important aspect of this task relative to allowing large grid-scale battery energy storage facilities in the OS, AG, and RUR General Plan land use designations is to amend Section 2.2 – *Land Use Designation General Development Standards* of the General Plan and Section 8106-1.4 of the NCZO to include an exception to the 5 percent maximum lot coverage standard³. This amendment is necessary for concurrent processing of some of the larger battery energy storage projects that are currently being pursued. Further, this task would

³ The NCZO contains three lot coverage exceptions or exclusions for building lot coverage on 1) nonconforming lots with an Agricultural land use designation (Section 8106-1.4.2.2), 2) nonconforming lots with an Open Space land use designation (Section 8106-1.4.2.3), and the exclusion of structures used for growing plants on lots with an Agricultural land use designation (Section 8106-1.4.2.5).

address the benefit of greater flexibility in lot coverage standards to support energy storage systems.

This task addresses your Board's guidance to protect residents and natural resources because it would reduce the risks from hazardous materials by requiring mitigation plans, fire safety suppression plans, decommissioning and reclamation plans, and it will address aesthetic and biological impacts.

- 5) *Solar Concentration Facility Prohibition*: The NCZO currently does not identify a distinction between the two primary types of solar facilities – photovoltaic (PV) and concentration arrays. According to the United States Department of Energy's National Renewable Energy Laboratory and the United States Energy Information Administration, both types of solar facilities are associated with environmental issues (e.g. large land area requirements or use of water to clean the panel/mirrors), there are unique impacts from solar concentration arrays including a higher demand for water for cooling turbine engines and the concentrated sunlight beams can kill wildlife that travel into the beams (Figure 2). Concentration arrays also have unique geographic and meteorological requirements that are not necessarily applicable to a photovoltaic system, including, but not limited to, sensitivity to coastal fog and moisture and a high number of cloudless sunny days. Furthermore, concentration arrays produce intense glares that are not typical of PV arrays with panels that are typically designed with anti-reflective glass⁴. Therefore, the County should prohibit concentration arrays use by adding them to the list of specifically prohibited uses contained in NCZO Section 8105-1.7.

Figure 2: Example images of a tower (left) and linear (right) solar concentration arrays.



This task would complete Program HAZ-O as it would prohibit solar concentration arrays in the County, avoid visual impacts and glare, and protect Naval Base Ventura County flight operations. Furthermore, solar concentration facilities have never been proposed in the County, there have never been any inquiries for these facilities, and they are less common than PV arrays. However, if your Board is hesitant to prohibit these facilities county-wide, an alternative would be a restrictive overlay that is described in the Optional Future Phases section below.

⁴ <https://www.nrel.gov/state-local-tribal/blog/posts/research-and-analysis-demonstrate-the-lack-of-impacts-of-glare-from-photovoltaic-modules.html>

Optional Future Phases

During the September 26, 2023, Board Hearing, interest was expressed in the following optional future phases of this program:

- 1) *Coastal Zoning Ordinance Consistency Update*: This optional future phase would require the Coastal Zoning Ordinance (CZO) be amended so that its “energy facilities” use category is consistent with the definition and standards that would be created for the NCZO’s “energy production from renewable energy” use category. This process is significantly more complex because the CZO amendments require Coastal Commission certification and renewable energy facilities are generally not a coastal dependent use. The exception could be for tidal energy generation facilities, which have not been proposed as of the date of writing this letter. This task could be included in the Planning Division Work Plan Forecast update expected next in spring 2026 upon a request from your Board.
- 2) *Renewable Energy Restriction Overlay Zone*: This optional future phase could be included if your Board is hesitant to prohibit solar concertation arrays countywide. An alternative to a prohibition would be an overlay zone that is more costly and time consuming to develop. The purpose of the overlay zone would be to restrict certain types of renewable energy facilities near Naval Base Ventura County and include additional development standards.

Since the NCZO currently allows for renewable energy generation and energy storage facilities to locate anywhere within the OS, AE, RA, M2, and M3 zones, renewable energy facilities could be developed within a close proximity that conflicts with Naval Base Ventura County operations. This task would fulfill Program HAZ-O through coordination with Naval Base staff to apply an overlay zone to certain adjacent lands that protects the Naval Base from incompatible uses. If desired, the overlay could also restrict renewable energy facility development on scenic mountain slopes, in critical wildlife habitat, and away from sensitive uses.

E. STATE LAWS THAT PROVIDE A PATHWAY TO PERMITTING BATTERY ENERGY STORAGE

As discussed in the September 26, 2023, Board Letter (Exhibit BH-1-0), the state has established an alternative certification process under AB 205 for state qualified renewable energy generation, storage, and manufacturing projects through the California Energy Commission. This process is still available for potential applicants to utilize in the event that the County’s current or potential future standards and regulations would not permit their projects.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of 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 this Board letter 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 per the phased approach described in this Board Letter will be subject to CEQA review.

G. NOTICE AND PUBLIC COMMENTS

The Planning Division provided public notice regarding this Board study session by publishing notice in the Ventura County Star on December 4, 2023, and by emailing approximately 1,150 recipients on the General Plan's interested parties list, to the list of potential energy operators who have been engaged with Planning staff on this topic, and to responsible and affected public agencies, e.g. all incorporated cities. To date, no public comments have been received.

This Board item was reviewed by County Counsel, Auditor-Controller's Office, and the County Executive Office. If you have any questions regarding this matter, please contact Donald Nielsen, Project Planner, at (805) 650-4047 or by email at Donald.Nielsen@ventura.org. You may also contact Aaron Engstrom, Area Plans and Resources Section Planning Manager, at (805) 654-2963 or by email at Aaron.Engstrom@ventura.org.



Dave Ward, Director
Ventura County Planning Division

Attachments:

- Exhibit 1: Materials from for the September 26, 2023, Board of Supervisors Hearing, including Exhibits 1-6 (Exhibits shown with Prefix "BH-1" below for represent the first Board Hearing on this item).
- BH-1-0 - Board Letter
 - BH-1-1 - County of Ventura Renewable Energy Project Siting Assessment
 - BH-1-2 - Definitions from California Independent System Operator
 - BH-1-3 - Map showing the Arroyo Santa Rosa Valley sub-basin
 - BH-1-4 - Assembly Bill 205 Summary
 - BH-1-5 - Existing Project Examples
 - BH-1-6 - Supporting Factors for Battery Energy Storage in Agriculture, Open Space and Rural Lands Designations
 - BH-1-7 - Comment Letters Received
 - BH-1-8 - Staff Presentation
- Exhibit 2: Director Determination for Battery Energy Storage

- Exhibit 3: Board of Supervisors Packet dated December 19, 2023 (Exhibits shown with prefix "BH-2" below to represent the second Board hearing on this item).
- BH-2-1 - Research and Outreach Summary
 - BH-2-2 - Unincorporated Industrial Lands Review of Development Potential