

County of Ventura
Planning Commission Hearing
Case No. PL24-0024
Public Comments Received for December 19, 2024
Planning Commission Hearing

From: [Bernhardt, Adams](#)
To: [Rachel L. Levine](#)
Subject: RE: Sholas Energy Storage (PL24-0024)
Date: Monday, December 16, 2024 8:52:00 AM
Attachments: [image001.png](#)

Rachel,

The project is designed as a 400 MW facility.

Thank you,

AJ Bernhardt | Planner III
Commercial & Industrial Permitting Section
aj.bernhardt@ventura.org
805.654.3136
800 S. Victoria Ave., L#1740 | Ventura, CA 93009-1700



From: Rachel L. Levine <rlevine@adamsbroadwell.com>
Sent: Friday, December 13, 2024 3:20 PM
To: Bernhardt, Adams <AJ.Bernhardt@ventura.org>
Subject: Sholas Energy Storage (PL24-0024)

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Good Afternoon AJ,

Could you please let me know the megawatt capacity for the Sholas Energy Storage (PL24-0024) being proposed by Wellhead Power?

Thank you for your assistance,

Rachel Levine

Legal Assistant
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
Phone (650) 589-1660
Fax (650) 589-5062
rlevine@adamsbroadwell.com

Juachon, Luz

From: Bernhardt, Adams
Sent: Monday, December 16, 2024 9:13 AM
To: Ann Dorsey
Subject: RE: Agenda Item 7B for 12/19/24 meeting

Thank you for your comment, Ann. The County completed an Environmental Checklist to show consistency with a CEQA 15183 Exemption. Please review Exhibit 17 of the Planning Commission Hearing Staff Report posted here: <https://ventura.primegov.com/portal/item?id=273491>. A summary of findings begins on page 18 of the report.

Thank you,

AJ Bernhardt | Planner III
Commercial & Industrial Permitting Section
aj.bernhardt@ventura.org
805.654.3136
800 S. Victoria Ave., L#1740 | Ventura, CA 93009-1700



From: Ann Dorsey <aedorsey@hotmail.com>
Sent: Saturday, December 14, 2024 10:52 AM
To: Bernhardt, Adams <AJ.Bernhardt@ventura.org>
Subject: Agenda Item 7B for 12/19/24 meeting

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

County of Ventura Planning Commission,

RE: CASE NUMBER: PL24-0024 APPLICANT: Wellhead Power Solutions, LLC

I support the expansion of battery storage. It is an integral and necessary part of the transition to clean renewable energy. Although the CEQA process is not required, environmental impacts should be considered and minimized before approving this application.

Thank you,

Ann Dorsey

December 19, 2024

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Lisa Woodburn, Jensen Design and Survey
Director

Ventura County Planning Commission

Attn: Case Planner AJ Bernhardt

Hall of Administration

800 South Victoria Avenue

Ventura, CA 93009

via email: aj.bernhardt@ventura.org

RE: PL24-0024: CUP application, Wellhead Power Solutions

Dear Mr. Bernhardt and Honorable Members of the VC Planning Commission:

Thank you for the opportunity to provide comments on this item.

VC CoLAB writes to express our support for the proposed Wellhead Battery Energy Storage System (BESS) project. This project represents a pivotal step forward in achieving our county's greenhouse gas (GHG) emissions reduction goals, aligns with the directives outlined in the County's Climate Action Plan and the 2040 General Plan, and will help deliver critically needed reliability to our local electrical grid.

Ventura County must have an efficient and stable uninterrupted power supply during peak demand periods or grid disruptions. The County's energy demands are substantial and growing. According to the California Energy Commission, Ventura County's electricity consumption exceeded 7,500 gigawatt-hours (GWh) annually in recent years. As we transition toward a decarbonized energy future, the integration of battery storage systems is essential to delivering the energy needed by our businesses, manufacturing, and agricultural industry.

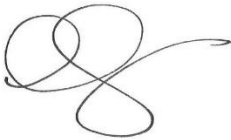
Because of the unique nature of Ventura County's topography and location within the large state electrical supply grid, Ventura County is particularly vulnerable to energy supply shortfalls. Ventura County is "at the end of the line" of the state-wide energy transmission system, with only one single electrical transmission supply line delivering energy to most of our County. This greatly increases our risk for power supply disruptions, especially during peak demand periods and times of grid instability. Recent years have seen an increase in power outages (both planned and unplanned) that disrupt daily life and economic activities and disproportionately impact our disadvantaged communities and lower income residents. Ventura County must invest in robust energy storage

systems to mitigate these disruptions, provide critical grid stability, and ensure energy availability for essential services for all residents.

The importance of reliable energy is especially critical for the agricultural industry. In 2020, Governor Newsom issued an executive order mandating that all new tractors and irrigation pumps sold in the state be zero-emission by 2035. This transition to electric equipment underscores the urgent need for reliable power to support farming operations. Without robust energy storage infrastructure, farmers will face significant challenges in planting, harvesting, and irrigating crops, threatening the viability of agricultural production in Ventura County. The proposed project will help sustain agricultural operations across the County, ensuring farmers can continue to thrive under the state's all-electric mandate.

We urge the Planning Commission to recommend that the County Board of Supervisors approve this project to assist the County's residents and businesses, including the agricultural industry, by helping to create much needed stability in our energy supply.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a trailing line, representing Louise Lampara.

Louise Lampara
Executive Director, VC CoLAB



December 19, 2024

Dear Ventura County Planning Commission,

The Central Coast Alliance United for a Sustainable Economy (CAUSE) is writing this letter in support of the Conditional Use Permit (CUP) for the construction and use of a Battery Energy Storage System. CAUSE is a community organization whose mission is to build grassroots power for social, economic, and environmental justice for the people of California's Central Coast region. Since 2005, CAUSE has been organizing with South Oxnard residents to prevent further industrial pollution from impacting their neighborhoods. We have long fought for the retirement of gas-fired power plants across the state, including the Ormond Beach Generating Station located in South Oxnard, so that we can transition to cleaner, more sustainable energy sources. CAUSE is committed to advancing energy solutions that prioritize the health, safety, and future of our communities in Ventura County. Energy storage is an essential piece of the puzzle in achieving a just, sustainable energy future for our region.

The Shoals Energy Storage project offers a promising path forward. By storing excess renewable energy generated during times of high production, ensuring that Ventura County can tap into clean energy even when demand is highest. This reduces our reliance on polluting, gas-fired power plants, which have long burdened our communities, especially during peak energy hours when they are most harmful to public health. Energy storage is not only a necessary technological advancement; it is a direct way to reduce environmental injustice in our region.

This project is also a step toward greater energy resilience and independence. Energy storage will help us avoid power outages, particularly in vulnerable communities, by providing a backup source of power during emergencies. By investing in local energy storage solutions, we are not only increasing reliability but also building a more self-sufficient and sustainable energy system that does not rely on fossil fuels.

At CAUSE, our vision is a community where everyone—especially environmental justice communities—can live in a clean, healthy environment, and have access to affordable, renewable energy. The Shoals Energy Storage project aligns with our goals for a just energy transition, one that creates jobs, and reduces pollution. We strongly support this project and urge you to approve the CUP.

Lucia Marquez
Associate Policy Director
Central Coast Alliance United for a Sustainable Economy



December 16, 2024

Ms. Veronica Zimmerman-Garcia
Chair, Ventura County Planning Commission
800 S Victoria Ave.
Ventura, CA 93009

Subject: Support for the Shoals Energy Storage Project

Dear Chair Zimmerman-Garcia and Members of the Ventura County Planning Commission:

On behalf of the West Ventura County Business Alliance (WVCBA), representing the interests of businesses across West Ventura County, we are writing to express our strong support for the Shoals Energy Storage Project. This innovative project promises to enhance the region's energy resilience while contributing significantly to the economic and environmental well-being of our community.

As advocates for sustainable economic growth, the WVCBA recognizes the urgent need for investments in alternative energy solutions. The Shoals Energy Storage Project exemplifies the type of forward-thinking infrastructure that aligns with our community's commitment to reducing reliance on fossil fuels, improving grid reliability, and mitigating the impacts of climate change. By utilizing state-of-the-art energy storage technology, this project will enable the efficient use of renewable energy resources, supporting California's transition to a cleaner and more sustainable energy future.

Beyond its environmental benefits, the Shoals Energy Storage Project offers significant advantages for the local economy. During the construction phase, the project will create much-needed jobs, supporting local contractors, suppliers, and workers. Once operational, it will continue to generate economic activity and provide a stable revenue stream to support essential public services in Ventura County.

The project also addresses a crucial need for energy reliability in our region. As we face an increasing number of extreme weather events, the importance of a stable and resilient energy grid cannot be overstated. By storing excess energy for use during peak demand periods, the Shoals Energy Storage Project will play a key role in ensuring uninterrupted power supply for homes, businesses, and critical facilities in West Ventura County.

The West Ventura County Business Alliance urges the Ventura County Planning Commission to approve the Shoals Energy Storage Project. Its implementation will not only address immediate energy needs but also set a precedent for sustainable development that benefits our community for years to come.

Thank you for your consideration. Please do not hesitate to reach out to us at (805) 738-9100 if you have any questions or require additional information regarding our support for this vital project.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Conli". The signature is fluid and cursive, with the first name "Andy" and last name "Conli" clearly distinguishable.

Andy Conli
Chief Operating Officer
West Ventura County Business Alliance
A.Conli@wvcba.org
O: 805.738.9100
D: 805.484.4384



December 16, 2024

RE: SHOALS ENERGY STORAGE PROJECT

Ventura County YIMBY voices its support for the proposed Shoals Energy Storage Project. We believe that the tradeoff of converting 25 acres of farmland near Oxnard to create storage capacity for energy generated by renewable sources that will serve local residential and community needs is a worthwhile one, so long as the project is well-designed and the vast majority of Ventura County's over 95,000 acres of farmland and nearly 200,000 acres of rangeland are maintained as such.

While our primary purpose is to advocate for housing needs in Ventura County, the topic of housing is inextricably linked to a variety of other important local and global issues including, but not limited to, transportation, the environment, climate change, and energy supply and storage. This project would support local renewable power generation, making it a more viable option for our communities. It would also increase local energy security and could potentially provide power for up to 50,000 households in Oxnard for up to 24 hours at a time, or for a far greater number of households in a more limited timeframe, and can serve as a critical energy supply in the event of a disaster.

Implementing energy storage facilities such as this project will make our communities more resilient and improve local quality of life. We hope that all of Ventura County sees the importance of supporting projects like this one.

Sincerely,

Jackson Piper, Co-Lead
Ventura County YIMBY
ventura@yimbyaction.org



December 16, 2024

County of Ventura
Planning Commission
800 S. Victoria Avenue, Ventura, CA 93009

Submitted electronically

Re: Agenda Item B; Support for Shoals Energy Storage project

Dear Commissioners,

On behalf of Climate First: Replacing Oil & Gas (CFROG) and our hundreds of supporters in Ventura County, I am writing to express our support for the Shoals Energy Storage project off Gonzales Road and Victoria Avenue.

CFROG is a Ventura County-based advocacy organization leading a just transition away from fossil fuels to protect our health, economy, and climate. Beginning in 2014, CFROG has monitored local oil and gas operations to address the limited publicly available data on drilling activities and their environmental and health impacts. Through comprehensive research and advocacy, we have actively pursued improved regulation, permitting, and enforcement to safeguard Ventura County residents from potential risks linked to fossil fuel extraction. Over the last decade, our work has expanded to intergenerational climate activist training, community-based research, clean energy advocacy, and green workforce development.

In light of our purpose, the Shoals Energy Storage project represents a critical step forward for Ventura County. Transitioning to renewable energy solutions and enhancing our region's capacity for energy storage aligns directly with our goals to reduce reliance on fossil fuels and mitigate their associated risks. This project can improve energy resilience while reducing greenhouse gas emissions and air pollution, which disproportionately affect vulnerable communities.

Additionally, the approval of this energy storage project at this location is significant. According to CalEnviroScreen, this area experiences a pollution burden higher than 91 percent of other California communities. The area hosts significant agricultural fields, actually leading at the 100th percentile of California communities exposed to pesticides; the Oxnard Airport and the lead-fueled planes that fly in and out; and dozens of oil and gas wells, many of which have been orphaned and left unplugged for decades. The Shoals Energy Storage project will not generate significant truck exhaust, except for occasional service vehicles, and operational emissions for the project are expected to be negligible. We encourage the Commission to seriously consider

Climate First: Replacing Oil & Gas

PO Box 23003, Ventura, CA 93002 (805)263-7408 info@cfrog.org www.cfrog.org

how the CUP conditions can ensure that the surrounding unincorporated and City of Oxnard neighborhoods benefit directly from the renewable energy stored at this facility.

As an organization deeply invested in the well-being of Ventura County residents, we recognize the need to move beyond fossil fuels and toward sustainable energy solutions. The Shoals Energy Storage project provides a clear and meaningful opportunity to do just that. We urge you to support this initiative and help ensure a healthier, cleaner, and more sustainable future for all.

Thank you for considering this important project. We are available to provide further information or support as needed.

Sincerely,

A handwritten signature in black ink, reading "Haley Ehlers". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Haley Ehlers, Executive Director

Myko Bryant
mykobryant@proton.me

December 18, 2024

Ventura County Planning Commission
c/o Luz Juachon
luz.juachon@ventura.org

Re: December 19, 2024 Planning Commission
Agenda Item 6B – Wellhead Power Solutions, LLC
Request for Conditional Use Permit

Dear Planning Commission:

Last year, your planning director decided, with a “use equivalency” determination, that industrial-scale battery storage is basically the same as solar power and could be set up on farmland. The planning department didn’t bother with any environmental review. It acted without the public’s knowledge and deliberately kept things quiet so that the appeal period could run before anyone caught wind.

Then the planning staff got busy drafting a change to the zoning rules to formally allow battery storage on agricultural land. Still, no environmental review was done. Instead, the planning department guided the board of supervisors to inappropriately use some loopholes meant for protecting the environment, arguing that the new rule is stricter than the planning director’s earlier decision.

On Thursday, your planning staff is asking you to give a specific battery storage project on agricultural land a free pass on environmental review. They claim it fits within zoning rules and that the impacts were already considered in earlier plans. This reasoning is riddled with **fallacies** and will set dangerous **precedents**.

I urge the planning commission to tell the staff to do a proper environmental review as required by California’s Environmental Quality Act. This review needs to look at risks like massive fires and hazardous materials, and it should also think about the cumulative effects of this and other battery projects.

Fallacy 1 - The general plan already looked at and mitigated the impacts of this project.

When the general plan was put together a few years back (around 2020), no one was thinking about big battery storage on farmland. That idea didn’t pop up until our planning director emerged with his clever equivalency determination in 2023 and formalized into the ordinance in 2024. Sure, solar panels might have been on the table back in 2020, but their potential for impact is not the same as battery storage. No one considered the fire risks back then.

The planning department's recommendation defies logic. You can't say this project is "consistent with zoning" in reliance on the general plan when the zoning rules were changed after the general plan was adopted. That just doesn't add up.

Fallacy 2 - Battery storage doesn't have unique or peculiar environmental issues beyond what was covered in the general plan.

In reality, the environmental impacts of battery storage in agricultural areas are quite different from any other land use and were never disclosed to the public as part of the general plan environmental report. There are all sorts of unique issues that the general plan didn't address. Very few barns or horse corrals spontaneously burst into catastrophic fires that burn for weeks, but this seems to be an ongoing problem with battery storage. The county needs to dig deeper into these concerns, including:

- Is Oxnard Fire Department confident they can handle a battery fire? Do they have the right resources to deploy quickly?
- How would toxic fumes from a battery fire affect nearby Oxnard High School? Would there be time for the school to evacuate?
- If toxic material from the batteries ends up in nearby fields, how would that harm our crops and hurt our agricultural economy? If a strawberry field is contaminated with lithium, how long until the crops can be marketed?
- Could those fire-related toxins contaminate our groundwater? Or runoff into streams?
- What about the greenbelt agreement and the SOAR initiative? Are those bypassed simply by virtue of the "use equivalency" determination?
- How do these projects plan to uphold environmental justice objectives if a fire and airborne toxic event could hit low-income communities harder?
- Are there feasible ways to lessen the significant impacts on farmland that the general plan didn't consider?
- When the batteries reach the end of life and cease to be profitable, is there a risk that the operator could walk away and leave hazardous waste behind?

Certainly, questions like these deserve answers before a 30-year operating permit is granted. Concerns about battery fires aren't just speculative fears; they're real. Just ask San Diego County, which has had its fair share of trouble:

- In May, the Otay Mesa fire burned for over two weeks, with up to three dozen firefighters battling it day and night. It just wouldn't quit reigniting.
 - <https://www.kpbs.org/news/public-safety/2024/05/28/otay-mesa-battery-storage-fire-stokes-residents-fear-of-similar-facility-in-north-county>
 - <https://web.archive.org/web/20240613225708/https://www.sandiegouniontribune.com/2024/05/18/battery-fire-at-storage-facility-in-otay-mesa-keeps-reigniting/>
- In September, there was a fire in Escondido that had similar issues, and battery fires are becoming a frequent concern.
 - <https://www.firehouse.com/operations-training/news/55138200/fire-at-escondido-ca-battery-storage-facility-could-burn-for-two-days>
 - <https://fox5sandiego.com/news/local-news/lithium-ion-battery-fires-are-becoming-much-more-common-fire-officials-say/>

The potential harm to agriculture is worse than what's shown in the general plan. A fire could release toxins that ruin important and productive agricultural fields. The planning department seems to recognize this when they mention that "the permit holder has insurance to cover damages to surrounding crops." Additionally, unlike solar panels, battery storage will take up all 5% of the site's allotted building coverage; area that could be used for things that support commercial agriculture like shade structures or barns. This creates a clear conflict over land use – which use gets the coverage allotment? None of this was considered in the general plan documents.

The planning department hasn't shown any solid proof that the previous plans dealt with these concerns. So, the county would be mistaken in granting this project a "consistent with zoning" exemption. The planning department has to admit that these issues weren't properly looked at before in the general plan documents, or at the very least, this project could cause even more severe impacts than what was previously noted. In either case, the project is ineligible for this exemption.

The public doesn't really know what kind of effects this project and others will have on public health, air quality, groundwater, and safety. We also don't know what solutions might help reduce those impacts. The planning department seems to think these considerations would just slow down the process of expedited battery storage approvals. No doubt, California needs battery storage to fulfill its energy strategy. But is it wise to bypass environmental review to accomplish it? And to facilitate displacement of agriculture?

For all these reasons, the idea of giving a "consistent with zoning" exemption is a bad call.

Fallacy 3 - A 1:1 conservation easement "would reduce impacts to Important Farmland to the extent feasible."

The board of supervisors made this claim in the general plan findings, but the planning department didn't explain why extra mitigation wouldn't work for battery storage projects. It's pretty clear this project will have a significant and unavoidable impact on farmland, converting nearly 20 acres of valuable soil. Yet, the general plan environmental report didn't even consider whether the county could feasibly seek more mitigation than what the general plan prescribed.

- Could planning require a 2:1 conservation easement for battery storage? 3:1?
- Can the battery storage be designed with pillars instead of slabs to minimize topsoil impacts?
- Is there a different technology that could store the same energy in a smaller space?

A 1:1 conservation easement isn't much help. At best, things just stay as they are on 20 acres of land that's already farmed and protected by SOAR, however unlikely to be at risk for conversion. A full environmental review would look into whether more agricultural mitigation than a 1:1 easement is feasible. The conditions of approval requiring insurance and site restoration prove that the county recognizes there is a need for more mitigation than what was laid out in the general plan environmental report.

Dangerous Precedent 1 - Opening the door to this “consistent with zoning” exemption is a slippery slope.

A “consistent with zoning” exemption might work fine in many cases, like building on vacant land in existing and planned communities. But the planning department is trying to stretch it to cover a type of development on agricultural land that wasn’t even considered when the original environmental report was drawn up.

If the planning commission goes ahead and grants this exemption, it’ll set a worrying trend. Every developer with a fat wallet and the ear of a board member will try to push urban development into agricultural and open spaces using the same arguments. You’ll be slipping down that slope. Before you know it, you’ll be considering approval of giant charging stations for trucks on farmland and filming studios on open space land. Sure, the board has changed and they’re all for development now, but there’s a right way to do things and a wrong way. Skirting the rules with “use equivalency” determinations, shirking the will of the voters who passed the SOAR initiative, and abusing environmental exemptions will come back to haunt the county.

Dangerous Precedent 2 - Putting industrial energy above agriculture.

Ventura County used to be famous for protecting its farmland. That’s what sets us apart from the other urbanized counties around Los Angeles. But the planning department is asking you to ignore general plan policies like AG-1.1, which asks us to keep urban development in urban areas, not on farmland. I’m concerned that the planning department’s analysis of this policy takes the project’s location on agricultural land for given, as if industrial-scale energy facilities belong on agricultural land. None of the analysis addresses whether agricultural land is the appropriate place for this use. This project will literally rip out strawberries and replace them with industrial development. The planning reports largely overlook the impacts this project has on agriculture, which are especially significant at a cumulative level. An environmental report would include both a cumulative impact analysis and an alternatives analysis that would consider the alternative of locating battery storage on industrial land.

It also is absurd to conclude that this project is consistent with the Land Conservation Act contract. It is neither agricultural nor a compatible use. A compatible use, under Govt Code 51238.1(a), must not significantly compromise agricultural productive capability, significantly displace or impair agricultural operations, or result in significant removal of adjacent contracted land from agricultural use. This project hits two of the three: it compromises agricultural productive capability by paving over some of the most fertile soil in the world, and it displaces over 20 acres of strawberries. In other counties it is clear: if you want to put battery storage on contracted land, you need a cancellation, and the county gets to recoup its taxes. Why is this county giving an industrial developer the benefit of reduced taxes?

If the board of supervisors and the planning department want to open up agricultural land for industrial uses, fine. But they can’t do it by bending the rules and misapplying environmental exemptions. Sure, it’s the quick way to get things done, but it’s not the right way. This approach disregards the spirit of the law, creates a fast-track for certain classes of development that have political favor, deprives the public of an opportunity for input, and undermines the very policies that have made this county unique.

So please, do not grant this exemption. Instead, please pause the hearing until proper environmental reviews are done.

Tell the planning department that this proposal needs an initial study under the environmental act. That study will reveal the specific impacts of a battery storage project on farmland and any impacts that are worse than what was recorded in the general plan environmental report. It will identify realistic ways to mitigate those impacts and allow for public input, posting this information on the county and state websites for all to see.

With a proper environmental review in hand, the project can come back for consideration. Approving it without understanding its real impacts and fully addressing them would be a regrettable mistake.

Sincerely,

/s/

Myko Bryant