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RUTH BROCK'S CONTINUING EMAIL CORRESPONDENCE WITH LA COUNTY BOARD OF SUPERIVORS 5TH DISTRICT SUPERVISOR KATHRYN BARGER

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SUBJECT: Opposition to Ministerial Review for Hecate Humidor

Dear Supervisor Barger,

My name is Ruthie Brock and I represent the residents of Acton through a community task force, Acton Takes Action. I wish to comment on the Hecate Humidor BESS project proposed for development in our area and the recent decision by Planning to grant a return to a ministerial review.

The Humidor BESS is only one of a potential six battery energy storage facilities that have targeted Acton due to the proximity to the Vincent Substation. The process by which this project is reviewed is the template for all projects of this type moving forward. To not give this project the appropriate level of scrutiny it warrants is showing a disregard for the known fire risks associated with lithium-ion batteries.

In June of 2022, the California Legislature passed AB 205 to support energy reliability. As part of this plan, the CEC created the "Opt-In Program" to fast-track approvals for renewable energy projects. Acting as the lead agency, the CEC approval process still requires that the applicant go through an environmental review, meet the requirements of CEQA and conform to the statutes in the Public Resource Code and Warren-Alquist Act in reference to siting. While the program is considered "fast-tracked," it is still rigorous and thorough. The opt-in approval process is designed to thoroughly review the project while protecting the people and environment of the community in which the project is proposed and ensuring that the project is conforming to the General Plan put in place by the local government.

The LA County review for renewable energy projects should mirror this level of scrutiny.

We do not believe that a ministerial review is adequate for approving a BESS that would be storing and transmitting millions of watts of energy and utilizing lithium-ion batteries to accomplish this. In addition, this project is proposed in a designated Very High Fire Hazard Area in extreme proximity to ranch homes, Metro rail tracks and the busy State Route 14. It also sits over the Acton Water Basin, on the border of the designated SEA, and beside the San Andreas Fault.

Nothing about this proposed siting calls for a downgrade to a ministerial review. Instead of basing your review on this just being a "storage project", you must consider what is being stored and how it's being stored. Because of known fire risks with lithium-ion batteries in grid scale applications, many states have cities or counties that have enacted moratoriums and have pushed pause on such

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projects until more research is done with Jefferson County in Tennessee being the most recent.

The location of these batteries serves as part of the transmission to the Vincent substation where it is then distributed to the load. This project should therefore be reviewed as an ETS and not an EDS.

We do not believe a ministerial review of this project (and the others to follow) is conforming with the Antelope Valley Area Plan. In the Plan's "Land Use" Chapter (LU-12) it states the following:

Utility-Scale Renewable Energy Production Facilities

Utility-scale renewable energy production facilities may be allowed in Rural Land designations without a Plan Amendment. However, applications for such facilities may require discretionary approval and shall be subject to the California Environmental Quality Act and the County's environmental review and public hearing procedures. Applications for such facilities must be carefully considered and must be consistent with the relevant Goals and Policies of the Area Plan, especially Goal COS 10 and related policies, Goal COS 13 and related policies, and Goal COS 14 and related policies. (For more information, see Chapter 4: Conservation and Open Space Element.)

The AV Area Plan clearly states above that Renewable Energy Projects "shall be subject to the California Environmental Quality Act and the County's environmental review and public hearing procedures." This section also states that projects must be carefully considered and be consistent with relevant Goals and Policies of the Area Plan.

Our community is deeply concerned about the fire risks associated with these lithium-ion batteries due to the project siting being in a Very High Fire Hazard Area in great proximity to homes. These area residents have already experienced hardship in obtaining fire insurance with extreme policy premium increases or notices of non-renewal. These BESS projects will only make this situation worse. And there is great concern over property values declining and homes being rendered unsellable with the presence of this and other potential BESS facilities.

To voice our united opposition we have created and circulated a petition which now has reached 1,777 signatures.

With all of the above in mind, we urge you to reconsider the decision to apply a ministerial review to the application for the Hecate Humidor Battery Energy Storage System project proposed in our rural community and apply a review process equal or greater to that of the CEC Opt-In Program and conforming to the AV Area Plan.

Thank you for your time and consideration,

Ruthie Brock
Chair, Acton Takes Action
And The Concerned Residents of Acton