

On Monday July 17th, our Acton Town Council traveled to downtown Los Angeles to attend a 10am meeting with our 5th District Supervisor, Kathryn Barger.

The subject of discussion: the Battery Energy Storage System projects proposed for development Acton. Our council members were able to share the concerns of our community and discuss the upcoming challenges facing us in our efforts to oppose these mammoth capacity battery facilities.

There are siting requirements clearly defined by statute within the Public Resource Code, Division 15--Warren-Alquist Act which were discussed with Supervisor Barger. These siting requirements are still upheld and referenced in the language of the newly adopted legislation of AB 205, created to help facilitate new green energy projects in Governor Newsom's quest to expand the electric grid of California.

As stated in AB 205, the California Energy Commission (CEC) is designated as the lead agency in any approval process for project applicants who choose to file and participate in the CEC "Opt-In Program". This program is a fast-tracked process to help energy projects meet siting requirement approvals and successfully complete their environmental impact studies. Although at first this Opt-In program sounds like a shortcut for applicants, it does indeed put them through the detailed process necessary for approval.

Normally, the local government that has land jurisdiction where the project is proposed to be located would have all of the power in the approval process. In our case, the local government is Los Angeles County. Supervisor Barger is the most important voice in our 5th district, so it was imperative that Supervisor Barger be 100% aware of the protections that are built into the language of the new AB 205 and the existing Warren-Alquist Act statute it still references.

*Should a project developer choose to apply to the CEC Opt-In Program, the project must still comply with LA County's adopted Antelope Valley General Plan. And if the project is found to be nonconforming--the developer must then utilize an alternate site that conforms with the General Plan in the area in which its located.

So in the end, while LA County's land use power may seem to be overridden by the CEC, the County's AV General Plan, previously adopted, has the last word.

Lastly, another important subject brought up at the meeting was the CEC requirement that the developer must have proof that they have entered into a binding and enforceable contract to provide benefit to one or more community-based organizations. Supervisor Barger assured us that LA County would not enter into any agreements to receive benefit from a developer on behalf of Acton, as that could be construed as meeting the Community Benefit Organization requirement. This was another big concern for us, so hearing these words from Supervisor Barger was a huge relief.

And that, my friends of Acton, is all very encouraging.

Can I get an Amen?