

County of Monterey



BOARD OF SUPERVISORS

LUIS A. ALEJO, Chair, District 1
GLENN CHURCH, Vice Chair, District 2
CHRIS M. LOPEZ, District 3
WENDY ROOT ASKEW, District 4
MARY L. ADAMS, District 5

May 15, 2023

The Honorable John Laird
California State Senate
1021 O Street, Room 8720
Sacramento, CA 95814

**RE: SB 38 (Laird) Battery energy storage facilities: emergency response and evacuation plans –
SUPPORT and AMMEND**

Dear Senator Laird:

The County of Monterey is pleased to support your measure Senate Bill (SB) 38, which requires each battery energy storage facility in the state to have an emergency response plan and an evacuation plan that covers the area of the battery energy storage facility.

On September 20, 2022, there was a battery fire at a battery energy storage facility owned by Pacific Gas & Electric (PG&E) in Moss Landing, in Monterey County. The fire led to a shelter-in-place advisory for the neighboring community. According to news reports, the fire smoldered for five hours as emergency responders were advised to not extinguish a battery fire but allow it to burn itself out.

SB 38 aims to have appropriate emergency response and evacuation plans in place for battery storage facilities. Monterey County appreciates and supports this goal and believes the bill should be amended to add that the emergency response plans and evacuation plans must be approved by the Operational Area as defined in Government Code Section 8606 (California Emergency Services Act). We would also request that the bill be amended to add permit requirements, including but not limited to, Risk Management Plans similar to the CalARP program requirements.

It is for these reasons that the County of Monterey supports SB 38 and asks that these amendments be considered. Should you have any questions, please feel free to contact the County of Monterey's Public Policy Advisor, Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,

Luis A. Alejo, Chair
Board of Supervisors

Cc: The Honorable Anna Caballero, 14th Senate District
The Honorable Robert Rivas, 29th Assembly District
The Honorable Dawn Addis, 30th Assembly District

California State Association of Counties (CSAC)
Rural County Representatives of California (RCRC)