

# County of Monterey



## Board of Supervisors

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September 20, 2023

The Honorable Gavin Newsom  
Governor  
State of California  
1020 N Street, Suite 9000  
Sacramento, Ca 95814

**Re: SB 38 (Laird) Battery energy storage facilities. – REQUEST FOR SIGNATURE**

Dear Governor Newsom:

The County of Monterey is pleased to support Senate Bill (SB) 38 by Senator John Laird and requests your signature on this measure. This measure 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 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. This measure will require the owner or operator of a battery energy storage facility to develop an emergency response and evacuation plan that establishes response procedures in the event of a malfunction or failure in equipment to the California Public Utilities Commission.

For these reasons, the County of Monterey pleased to support SB 38 and requests your signature on this important measure. Should you have any questions, please feel free to contact the County's Public Policy Advisor, Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,

**LUIS A. ALEJO**  
Chair, Board of Supervisors

cc: The Honorable Senator John Laird, Author  
Hazel Miranda, Deputy Legislative Secretary, Office of Governor Gavin Newsom  
The Honorable Anna Caballero, 14<sup>th</sup> Senate District  
The Honorable Robert Rivas, 29<sup>th</sup> Assembly District  
The Honorable Dawn Addis, 30<sup>th</sup> Assembly District  
California State Association of Counties  
Rural Counties Representatives of California