

Land Use & Community Services

55. Defer to on or before September 9, 2025, report back on the Energy Storage Combining District Ordinance

Name	Comment - 04/08/2025 10:49 AM : (No Vote)
Nina Audino	<p>Good morning,</p> <p>My name is Nina Audino. I am a resident of Santa Cruz County.</p> <p>I am encouraged to see on today’s agenda a deferral of Board review of the BESS Battery Energy Storage District Ordinance to on or before September 9, 2025.</p> <p>I want to thank you for your right action in slowing down our county’s adoption of a BESS Ordinance. And I urge you to act further to protect the best interests of your constituents – of all of us who live together in this county. Convene an impartial Technical Advisory Committee that is not limited to the BESS developer’s hired hands, which have prepared reports that represent the developer’s best interests, tied first and foremost to their business profits. We need all stakeholders, including the public, assisting with a transparent process of crafting a BESS Ordinance that makes health and safety a priority for our communities and environment. We need fire experts, battery engineers and former BESS developers on our Technical Advisory Committee.</p> <p>We live within a few dozen miles of an iconic, global tech hub – our community hosts a University of California campus and San Jose State is nearby. We have the resources to identify and vet experts who will work impartially to represent the best interests of our community, which are tied <i>not</i> to the developer’s conflicting, profit-driven agenda but first and foremost to the health and safety of our community and its environment.</p> <p>We are dealing with an unproven, new technology whose only actually proven results have been repeated malfunctions and fires. It is not enough to invoke the CEQA process. I urge you not to relegate the ways the public’s best interests are represented to a 30-day EIR review window.</p>

We need experts advising transparently on safety regulations codified by our BESS ordinance. The developer's submitted reports are shortcutting safety and endangering the public. The reports claim a wildly manipulated worst case scenario of a fire limited to one rack or module in a container. 1/40 of a container. We need a BESS ordinance that requires the developer to assess the hazards of an actual worst-case scenario – when an entire container or several burn. The reports make no mention of hydrogen fluoride gas. We need a BESS ordinance that requires a full assessment of HF risk. We need a BESS ordinance that requires the safest threshold of offsite toxicity, which is defined as “notable discomfort, irritation, but not necessarily irreversible damage” and not the 2nd level, which is the distance threshold when irreversible or long-lasting effects happen. We need a BESS Ordinance that requires the most aggressive plume modeling, which to date is, ironically as it turns out, Vistra's 2024 modeling, or a more restrictive one.

I urge you again to act on behalf of our community's highest good. It will take a committee of impartial experts to take on these challenges and many more to craft a BESS Ordinance that actually protects our communities and our environment.

Sincerely,
Nina Audino