



## County of Monterey Board of Supervisors

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### Board Order

Upon consensus the Board:

- a. Received a presentation on the MOSS 300 site cleanup at the Moss Landing Battery Energy Storage Facility from the following agencies:
    - i. Department of Emergency Management,
    - ii. Health Department - Environmental Health Bureau (EHB),
    - iii. Department of Toxic substance Control (DTSC) - Human and Ecological Risk Office (HERO),
    - iv. Department of Toxic Substance Control (DTSC) - Emergency Response Assessment Section (ERAS),
  - b. Receive a Presentation from the following community groups:
    - i. Estuary Monitoring of Battery Emissions and Residues (EMBER)
    - ii. Never Again Moss Landing (NAML); and,
  - c. Provided direction to staff to seek:
    - Independent Monitoring: Asking Vistra to fund long-term, third-party environmental monitoring of Elkhorn Slough, likely led by local scientific institutions;
    - Ongoing Research: Pushed for continued study of wildlife contamination (bioaccumulation) and long-term human health impacts—not just a one-time assessment;
    - Regulator Follow-Up: Will gather unanswered questions and send them to agencies (DTSC, EPA), especially about:
      - Early 2025 test results
      - Why high initial readings weren't highlighted
      - Missing short-term exposure analysis;
    - New Ordinance: Developing stricter local regulations for battery facilities, including community input and stronger safety rules; and
    - Facility Closure: The Moss 100 battery facility will not restart and will be dismantled.
- Overall more independent monitoring, more oversight, and stronger regulations moving forward.

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting March 17, 2026.

Dated: April 13, 2026  
File ID: 26-089  
Agenda Item No.: 18

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

  
Margarita Hernandez, Deputy