

Attachment A

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**Monterey County Board of Supervisors
Referral Submittal Form**

Referral No. 2025.15
Assignment Date: 10/28/25
(Completed by CAO's Office)

SUBMITTAL - Completed by referring Board office and returned to CAO no later than 10:00AM on Wednesday prior to Board meeting:

Date: 10/22/2025	Submitted By: Supervisor Glenn Church	District #: 2
Referral Title: Urgency ordinance adopting a moratorium on Battery Energy Storage System (BESS) facilities in unincorporated Monterey County while regulations for BESS operations are developed.		
Referral Purpose: To adopt an urgency ordinance placing a moratorium on BESS facilities in unincorporated Monterey County and develop a countywide policy and oversight framework to govern the operations of all BESS facilities in Monterey County for the health and safety of residents and the environment.		
Brief Referral Description (attach additional sheet as required): Monterey County has become a state and national focal point for the location of large-scale Battery Energy Storage Systems (BESS), particularly within the Moss Landing energy hub. The January 16, 2025, Moss Landing BESS fire threatened the health of residents, environmentally sensitive habitats and economic well-being of nearby communities. The August 30 fire in Parkfield further heightened the volatile nature of BESS facilities and lithium batteries within Monterey County. The lack of effective regulations to protect communities and the environment, coupled with high likelihood of expansion of BESS facilities at Moss Landing and elsewhere in Monterey County, provide a compelling need for a moratorium on BESS facilities while the County develops the regulations needed to protect the safety of its residents. While BESS facilities are essential for energy grid reliability and renewable energy integration, they also raise serious safety, environmental, operational and jurisdictional challenges. Although the State sets policy and regulates utilities, the County and other local jurisdictions retain many primary oversight powers including land use authority, fire and safety codes, environmental health and hazardous materials management and emergency management policies necessary to protect the well-being of residents. Although AB 205 allows the streamlining of BESS projects by the California Energy Commission while bypassing local jurisdictions, this only applies to BESS facilities that store over 200 MW. Even under these conditions, local jurisdictions retain significant local authority including post-construction operations, cleanup and decommissioning. This referral is to direct county staff to develop dual regulations that will take into consideration the constraints that AB 205 places on the County for BESS facilities over 200 MW while also addressing the need for more engaged County regulations for BESS facilities under 200 MW. As the County develops BESS regulations, it must include a comprehensive inclusion of County departments and outside agencies to reinforce that local authority and community safety are integral elements in energy infrastructure decisions.		
Classification - Implication		Mode of Response
☐ Ministerial / Minor ☐ Land Use Policy ☐ Social Policy ☐ Budget Policy ☒ Other: CAO _____		☐ Memo ☒ Board Report ☐ Presentation
		Requested Response Timeline
		☐ 2 weeks ☒ 1 month ☐ 6 weeks ☐ Status reports until completed ☐ Other: _____ ☐ Specific Date: _____

ASSIGNMENT – Provided by CAO at Board Meeting. Copied to Board Offices and Department Head(s) Completed by CAO's Office:

Department(s): Housing & Community Development County Counsel	Referral Lead: Craig Spencer Susan Blitch	Board Date: 10/28/25
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REASSIGNMENT – Provided by CAO. Copied to Board Offices and Department Head(s). Completed by CAO's Office:

Department(s):	Referral Lead:	Date:
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ANALYSIS - Completed by Department and copied to Board Offices and CAO:

Department analysis of resources required/impact on existing department priorities to complete referral:

Analysis Completed By: _____

Date: _____

Department's Recommended Response Timeline

☐ By requested date

☐ 2 weeks

☐ 1 month

☐ 6 weeks

☐ 6 months

☐ 1 year

☐ Other/Specific Date: _____

REFERRAL RESPONSE/COMPLETION - Provided by Department to Board Offices and CAO:

Referral Response Date:

Board Item No.:

Referrals List Deletion:

Note: Please cc Claudia Escalante and Karina Bokanovich on all CAO correspondence relating to referrals.