

DOCKETED	
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Comment Received From: Becky Steinbruner

Submitted On: 7/8/2026

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Santa Cruz County Draft BESS Ordinance is Deficient and Publicly Controversial as Guidance

Dear California Energy Commission,

The Santa Cruz County Board of Supervisors voted June 30, 2026 to forward to your staff the County's Draft BESS Ordinance, accompanied by a letter from Board Chair Monica Martinez with suggestion that the document serve as guidance from our jurisdiction.

As a member of the public who has closely followed this issue since inception in August, 2024, I request that your staff is aware of the controversial actions the Board has taken regarding the Draft BESS Ordinance. Many involved members of the public are concerned that the County's Draft BESS Ordinance lacks adequate public health and safety protection, and violates the Measure J voter mandate to preserve agricultural land.

The Board of Supervisors reviewed the Draft Ordinance last on January 13, 2026, and approved notable amendments to the document, which then was to be reviewed by the County Planning Commission and County Agricultural Policy Commission for recommendations. However, it is unclear whether those amendments were actually incorporated into the Draft document the County now has forwarded to your staff. The amendments included a 3:1 conservation for agricultural lands removed by a industrial BESS facility, and a requirement that a BESS facility ownership be approved by the County.

At the June 30, 2026 Board meeting, the action to submit the Draft BESS Ordinance as is to your staff to use as guidance in the CEC's review of the Seahawk BESS Project was initially Consent Item #69, unlike other Board reviews of the document. When pulled by a Supervisor at public request, there was no formal presentation, and Supervisors were pressured by the CEO to merely include the amendments that had been approved at their January 13, 2026 meeting into the adjunct letter from Chair Martinez to your Commission. The Planning staff seemed unclear regarding the CEC's timelines and process, even though members of the public corrected the misinformation provided the Board, having attended a June 28, 2026 public informational meeting organized by local activists which Mr. Drew Bohan and Ms. Fabi Lao and receiving correct information on the process.

The County Planning staff advised the Board that the County Draft BESS Ordinance cannot move forward to be codified because the document should have environmental review, but that would not happen now that New Leaf Energy has withdrawn the Seahawk BESS application.

This means that the unfinished document fails to fulfill full public, County Planning Commission and County Agricultural Policy Commission review.

The BESS Ordinance itself is exempt from California Environmental Quality Act (CEQA) review, as has been demonstrated by the City of Vacaville BESS Ordinance actions. I had made the Board of Supervisors, CEO and County Council all aware of this and provided contact information for Mr. Albert Enault, Senior Planner for the City of Vacaville, as shown in the e-mail copied below.

Therefore, as a concerned and informed member of the public, I urge you to understand that the County of Santa Cruz Draft BESS Ordinance, as written, is very controversial, lacks amendments approved by the Board of Supervisors, fails to protect public health and safety and does not comport with Measure J agricultural land protection. Local activists continue to pressure our elected representatives to complete the Ordinance process as promised, and provide transparent public review to codify the critical document.

Sincerely,
Becky Steinbruner

Becky Steinbruner
From:ki6tkb@yahoo.com
To:Board Of Supervisors
Cc:First District,Second District,Ph.D Supervisor Justin Cummings,Felipe Hernandez,Maria Orozco

Tue, May 12 at 10:13 AM

Dear Santa Cruz County Board of Supervisors,
Recently news of New Leaf Energy filing an Opt-In Certification with the California Energy Commission (CEC) has brought forth statements from some Supervisors that the County will not move forward with codifying the Draft Battery Energy Storage System (BESS) Ordinance because there is no funding to conduct environmental review on the document.

I request that your Board consult with the City of Vacaville staff, where a BESS Ordinance was adopted in March, 2026 that strongly protects the public safety and environment, prohibiting all lithium battery technology use in large-scale BESS projects.

The City Council adopted the Ordinance without the need for costly environmental review because of the determination that it is CEQA Exempt. Please see the message below from Mr. Albert Enault, Senior Planner for the City of Vacaville, explaining that action.

Now that the Seahawk BESS Project is to be reviewed by the CEC, it is critical that Santa Cruz County have in place a strong, codified BESS Ordinance that protects

health and safety of the public and our first responders, as well as the agricultural and sensitive environmental areas of our Communities. Please amend the current Draft BESS Ordinance to prohibit lithium battery technology use in large-scale BESS facilities, following the wise example of the City of Vacaville.

Please respond. Thank you.

Sincerely,
Becky Steinbruner

Albert Enault
From:albert.enault@cityofvacaville.gov
To:Becky Steinbruner
Mon, May 11 at 3:51 PM

Hi Becky,

The draft ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 15061 (b)(3) since there is no possibility that the addition of regulations for BESS Facilities will have a significant effect on the environment. Proposed future BESS facilities will be reviewed in compliance with the provisions of CEQA at the time of application to determine appropriate environmental review.

Albert Enault
Senior Planner
(707) 449-5364
