

DOCKETED	
Docket Number:	26-OPT-02
Project Title:	Seahawk Battery Energy Storage System
TN #:	271576
Document Title:	Becky Steinbruner Comments - Seahawk BESS Facility is an Industrial Land Use, Not Commercial or Agricultural
Description:	N/A
Filer:	System
Organization:	Becky Steinbruner
Submitter Role:	Public
Submission Date:	7/21/2026 4:47:18 PM
Docketed Date:	7/22/2026

Comment Received From: Becky Steinbruner

Submitted On: 7/21/2026

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Seahawk BESS Facility is an Industrial Land Use, Not Commercial or Agricultural

Dear CEC Staff,

The Seahawk BESS facility permit must be evaluated as an industrial land use, not commercial or agricultural. The Draft Santa Cruz County BESS Ordinance failed to address this issue, even though raised by the public. The Ordinance does not include any industrial land use provision. Santa Cruz County Code 13.10.341(A)(3) provides guidance on siting industrial districts relevant to siting an industrial-use BESS facility:

"3) To minimize the impact of industrial plants land uses on nearby residential, agricultural and commercial properties by encouraging nuisance-free, nonhazardous industrial uses through the control of noise, odor, dust, dirt, smoke, vibration, heat, glare, truck and rail traffic and other objectionable influences and from fire, explosion, noxious fumes, radiation and other hazards associated with certain industrial uses."

The County Land Use Code includes M-1, M-2 and M-3 designations for light, medium and heavy industrial use, respectively.

Code Chapter 13.10.341(B)-(D)

"B) Specific M-1 Light Industrial District Purposes. To provide areas for light industrial facilities such

as assembly and other types of manufacturing which have no potential for major pollution,

adverse visual impacts, or nuisance or hazard factors.

(C) Specific M-2 Heavy Industrial District Purposes. To provide areas for heavy industrial facilities

such as lumber mills and major manufacturing or processing plants; to provide standards for

their establishment and operation; and to ensure their compatibility with the environment,

supporting public services, and adjacent land uses.

D) Specific M-3 Mineral Extraction Industrial District Purposes."

Because the County Draft BESS Ordinance is not codified, the County therefore has NO zoning for BESS facilities and therefore, the Seahawk BESS facility should not be permitted, especially because it is proposed for a 37-acre parcel (APN 051-101-77) zoned for Commercial Agricultural use, not industrial use. A BESS facility is not an agriculturally-related use, thereby prohibiting the collocation of the Seahawk BESS

facility with existing agricultural use.

Santa Cruz County Measure J voter-approved referendum mandates agricultural land be preserved. Converting any agricultural land for an industrial BESS facility use is not legally allowed and will be challenged in the Court.

Sincerely,
Becky Steinbruner