



June 27, 2022

FLOOR ALERT

Assembly Bill 205 (Committee on Budget)
Senate Bill 122 (Committee on Budget and Fiscal Review)
As Amended June 26, 2022 – **OPPOSE**

The above local government organizations oppose AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on local communities, even when the benefits are spread to other parts of the state. Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist local governments in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

Counties and Cities agree that the state must improve energy reliability both at the local level and for the larger grid. Many of our communities have suffered a dramatic decline in energy reliability over the last several years.

Counties and Cities understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. For more information, please see our letters ([CSAC](#), [RCRC](#), [Cal Cities](#)) to the Budget Committees objecting to this proposal.

Local governments oppose this over-reach of state permitting and urgently request your "No" vote on AB 205/SB 122. Should you have any questions please contact Catherine Freeman (CSAC) at cfreeman@counties.org, Jean Hurst (UCC) at jkh@hbeadvocacy.com, John Kennedy (RCRC) at jkennedy@rcrcnet.org, or Derek Dolfie (CalCities) ddolfie@calcities.org.

The Board of Supervisors

County Administration Building
1025 Escobar St., 4th floor
Martinez, California 94553

John Gioia, 1st District
Candace Andersen, 2nd District
Diane Burgis, 3rd District
Karen Mitchoff, 4th District
Federal D. Glover, 5th District

Contra Costa County



Monica Nino
Clerk of the Board
and
County Administrator
(925) 655-2075

FLOOR ALERT

Assembly Bill 205 (Committee on Budget) Senate Bill 122 (Committee on Budget and Fiscal Review)

Contra Costa County opposes AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. ***Contra Costa County opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.***



County of Fresno

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June 28, 2022

The Honorable Assemblymember Philip Ting
Chair, Committee on Budget
1021 O Street, Suite 8230
Sacramento, CA 95814

The Honorable Assemblymember Richard Bloom
Chair, Assembly Budget Subcommittee #3
1021 O Street, Suite 8230
Sacramento, CA 95814

The Honorable Senator Nancy Skinner
Chair, Committee on Budget and Fiscal Review
1020 N Street, Room 502
Sacramento, CA 95814

The Honorable Senator Bob Wieckowski
Chair, Senate Budget Subcommittee #2
1020 N Street, Room 502
Sacramento, CA 95814

SUBJECT: AB 205 / SB 122 – Energy Trailer Bills, As Amended June 26, 2022 - OPPOSE

Dear Chairs Ting, Bloom, Skinner, and Wieckowski:

On behalf of the County of Fresno (County), I am writing to oppose Assembly Bill 205 and Senate Bill 122 (Energy Trailer Bills). These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Usurping local control for the siting and permitting of renewable energy projects will impact Fresno County in the following ways:

- Impacts Fresno County's ability to implement Senate Bill 1000 (Environmental Justice in Local Land Use Planning). Renewable energy projects, like other industrial uses, have the potential to impact disadvantage communities disproportionately as it relates to light and glare, and dust. Fresno County has over 50 disadvantage communities located in rural areas where renewable energy projects would likely try to locate. Taking away Fresno County's land use authority will likely result in incompatible land uses adjacent to our disadvantage communities.
- Impacts Fresno County's ability to ensure project specific impacts are mitigated during the County's development and environmental review process. Impacts that typically require mitigation include, but are not limited to, traffic, light and glare, reclamation of sites if they become abandoned, and impacts to agricultural resources if the project lacks rodent control measures.

- Impacts Fresno County's ability to determine appropriate locations for renewable energy projects. With the passage of the Sustainable Groundwater Management Act, Fresno County will likely be faced with the fallowing of agricultural lands. If this occurs, Fresno County will also be faced with determining appropriate alternative land uses which may include renewable energy projects. Taking away Fresno County's land use authority for these types of projects will likely result in discontinuous patterns of development which could impact Fresno County's remaining agricultural resources.

The County works closely with energy developers to site facilities and appropriately balance the needs of our community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While our state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting and community engagement process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. For these reasons, the County of Fresno opposes this over-reach of state permitting and urgently requests you "No" vote on AB 205 and SB 122.

Should you have any questions regarding this correspondence, please contact Bernard Jimenez, Planning and Resource Management Officer at (559) 600-4078.

Sincerely,



Brian Pacheco, Chairman
Fresno County Board of Supervisors

cc: Fresno County Board of Supervisors
Fresno County State Legislative Delegation
Paul Yoder, Legislative Advocate
Bernard Jimenez, County of Fresno



GLENN COUNTY BOARD OF SUPERVISORS

Willows Memorial Hall, 2nd Floor
525 West Sycamore Street, Suite B1
Willows, CA 95988

Grant Carmon, District 1
Paul Barr, District 2
Tom Arnold, District 3
Keith Corum, District 4
Ken Hahn, District 5

June 21, 2022

The Honorable Bob Wieckowski
Chair, Senate Budget & Fiscal Review Subcommittee
No. 2 on Resources, Environmental Protection & Energy 1020 N
Street, Room 502
Sacramento, CA 95814

**RE: Energy Trailer Bill: Opt-In Streamlined Review for Renewable and Zero
Carbon Facilities
Notice of OPPOSITION**

Dear Senator Wieckowski:

The Glenn County Board of Supervisors took action on this date to respectfully oppose the Administration's Opt-In Streamlined Review provisions in the proposed Energy Trailer Bill.

The Glenn County Board of Supervisors agree, that the State must improve energy reliability both at the local level and for the larger grid. Many of our communities in Glenn County and communities throughout the State have suffered a dramatic decline in energy reliability over the last several years. The necessary improvements will require significant investments in infrastructure, development of new energy and storage assets, and rethinking the state's lengthy interconnection process. Unfortunately, we believe that the proposed opt-in permit review process misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within our jurisdictions, and could result in even more litigation.

Overly broad scope of projects eligible for opt-in permitting by California Energy Commission (CEC). The opt-in permitting process applies to solar photovoltaic and terrestrial wind larger than 50MW (and appurtenant facilities), energy storage facilities over 200MW, renewable energy manufacturing facilities, and transmission lines.

It is unclear why solar projects should be included in this process, as these facilities are large, enjoy tax treatments created by the state that undermine the ability for local governments to provide core public services, and will not help the state fix its reliability problems. It is widely recognized that the state desperately needs power during the early evening hours after the sun sets and the state's solar generation capacity is unavailable. Given this need, including solar in this process will not provide the types of power that California needs at the time it is needed. It is unclear what appurtenant facilities will be covered by this proposal, but many of those facilities are better suited to the conventional local permitting process.

Similarly, manufacturing, production, and assembly facilities are similar to other major commercial and industrial uses that are well within the purview of local land use authority. It is not clear that the existing local permitting process is an impediment to opening these facilities. While there may be a need for CEQA relief to protect against anti-competitive litigation, that does not require usurpation of local permitting authority.

Usurps local permitting authority. Local governments are invested with authority over local land use decisions and permitting. The trailer bill improperly usurps that local permitting authority by allowing the CEC to permit a wide variety of renewable energy production, storage, transmission, and manufacturing projects.

We are best suited to make these decisions because we know the communities impacted, are tasked with balancing competing land uses, and are situated closest to those residents and communities that will be impacted by the projects. With our local permitting process, we are able to identify and compel mitigation of the project's impacts on the affected community.

The energy trailer bill takes these crucial responsibilities away from local governments and hands them to the CEC, which is far removed from being held accountable by impacted residents. Instead, the CEC is merely required to hold one scoping meeting and one public meeting "as close as practicable to the proposed site." Furthermore, the trailer bill allows the CEC to bypass local standards, ordinances, and laws if the facility is required for public convenience and necessity.

The CEC is required to give consideration and respond to comments made by the Coastal Commission and State Lands Commission for projects within their jurisdictions – and cannot proceed with a project where those agencies determine the facility is inconsistent with the primary uses of the land and would result in substantial unmitigated adverse environmental impacts. Disturbingly, there is no similar deference to concerns or determinations of the local governments in which those projects will be located.

It must be noted that these facilities can be very large, may conflict with local land use and planning, and are likely to impose significant impacts on the surrounding communities and properties. These are the types of facilities and impacts where local control over the permitting process is absolutely necessary.

Increases risk of future litigation. By virtue of their close proximity (and accountability) to individuals and communities impacted by these projects, local governments are best suited to issue permits and mitigate the project's impacts. In bypassing the local permitting process and the individuals who will be impacted, the trailer bill substantially increases the risk that the new CEC permitting process will result in even more litigation from those impacted residents and communities who are dissatisfied with the decisions made by the CEC.

Fails to address even bigger permitting hurdles. We believe this opt-in permitting process misses the mark. The state has long heard that the interconnection process can be a nightmare for major energy generation and storage projects, yet this proposal instead seeks to shift land use decisions from local governments, like the County of Glenn, to the state without addressing the interconnection nightmare.

For these reasons, we respectfully oppose the Administration's Opt-In Permitting component of the Energy Trailer Bill. We look forward to working with you and the Administration on changes that will expedite permit processing without alienating our

communities and residents in which the projects are to be located. If you have any questions, please contact our office at 530-934-6400.

Sincerely,



Thomas J. Arnold, Chair
Glenn County Board of Supervisors

cc: Assemblymember James Gallagher, Assembly District 3
The Honorable Nancy Skinner, Chair, Senate Budget & Fiscal Review Committee
Members of the Senate Budget & Fiscal Review Subcommittee No. 2 on
Resources, Environmental Protection & Energy
Anita Lee, Consultant, Senate Budget & Fiscal Review Committee
Nidia Bautista, Consultant, Senate Energy, Utilities, and Communications Committee
Anton Favorini-Csorba, Consultant, Senate Governance and Finance Committee Kirk
Feely, Consultant, Senate Republican Caucus
Christine Hironaka, Deputy Cabinet Secretary, Governor Gavin Newsom Hazel
Miranda, Deputy Legislative Secretary, Governor Gavin Newsom

BOARD OF SUPERVISORS



KATHLEEN KRAUSE

CLERK OF BOARD OF SUPERVISORS

Kern County Administrative Center

1115 Truxtun Avenue, 5th Floor

Bakersfield, California 93301

Telephone (661) 868-3585

TTY Relay 800-735-2929

SUPERVISORS

Phillip Peters..... District 1
Zack Scrivner..... District 2
Mike Maggard District 3
David R. Couch..... District 4
Leticia Perez..... District 5

June 28, 2022

RE: Floor Alert - Assembly Bill 205 (Committee on Budget) & Senate Bill 122 (Committee on Budget and Fiscal Review) - As Amended June 26, 2022

Honorable Members of the State Legislature,

Kern County has permitted and constructed over 18,600 MW of commercial scale wind and solar as well as 2,000 MWh of battery storage. Contrary to representations in the press, the Kern County Board of Supervisors continues to thoughtfully consider all environmental issues and siting constraints to support renewable energy while simultaneously protecting the community. Make no mistake, Kern County continues to approve renewable energy projects. The Board, however, does retain the right to examine closely the fiscal impacts of the Solar Tax Exclusion on our essential services. Energy Trailer Bill Language (TBL) in AB 205/SB 122 provides a pathway for energy companies that are unhappy with local government oversight to circumvent local concerns and move their project to the California Energy Commission for permitting consideration.

While the Energy Trailer Bills appear to provide some semblance of local control through the requirement for community benefit agreements, the bill language really presents a “grab bag” of options which could result in energy companies not engaging with local government at all. Kern County has extensive planning and permitting experience with large scale solar and wind projects, more than any other county. This attempt through the Energy TBL to supplant local controls governing complicated land use issues covering thousands of parcels and giving that responsibility to staff located in Sacramento who are unfamiliar with local planning nuances will not succeed. The details of many hundreds of acres of parcels, leased from many different property owners is not the same as processing a solar project on BLM land, which clearly has one owner. The mineral rights and access issues alone in the Central Valley are numerous and complicated, even for seasoned local county staff who have obtained expertise over the last several decades and who understand many of the unique challenges impacting various geographic segments of our county.

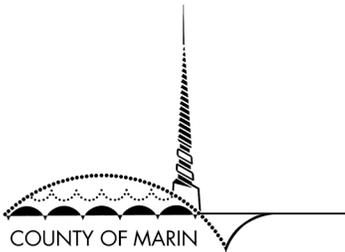
The Energy TBL will not provide an expedited process, as the Governor’s office intends. The TBL should be withdrawn, and discussions opened with representatives of CSAC to find ways to incentivize local government to support renewable energy projects, rather than sinking such projects in the quicksand of yet another cumbersome State permitting process. Addressing the inequities of the Solar Tax Exclusion, which bills such as SB 1340 (Hertzberg) are seeking to protect, in a commonsense fashion is the appropriate pathway to support local governments and encourage siting and permitting of commercial-scale solar projects into the future. As currently drafted, the Energy TBL represents an indolent and heavy-handed attempt to thwart difficult, but necessary, policy conversations about the future and equitability of renewable energy projects in our state.

Sincerely,

A handwritten signature in blue ink that reads "Zack Scrivner".

Zack Scrivner, Chairman
Kern County Board of Supervisors

cc: California State Association of Counties
Shaw Yoder Antwih Schmelzer & Lange



BOARD OF SUPERVISORS

June 27, 2022

PRESIDENT
Katie Rice
2ND DISTRICT

Assembly Committee on Budget
1021 O Street, Suite 8230
Sacramento, CA 95814

Senate Committee on Budget and Fiscal
Review
1020 N Street, Room 502
Sacramento, CA 95814

VICE PRESIDENT
Stephanie Moulton-Peters
3RD DISTRICT

RE: Assembly Bill 205 (Committee on Budget)
Senate Bill 122 (Committee on Budget and Fiscal Review)
As Amended June 26, 2022 – **OPPOSE**

2ND VICE PRESIDENT
Dennis Rodoni
4TH DISTRICT

Dear Committee Members:

Judy Arnold
5TH DISTRICT

On behalf of the Marin County Board of Supervisors, I write to oppose Assembly Bill 205 and Senate Bill 122 – the “Energy Trailer Bills.”

Damon Connolly
1ST DISTRICT

These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Matthew H. Hymel
COUNTY ADMINISTRATOR
CLERK OF THE BOARD

Diane Patterson
ASSISTANT CLERK OF THE BOARD

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting, but transitioning authority to the CEC and DWR is not the solution.

Marin County Civic Center
3501 Civic Center Drive
Suite 329
San Rafael, CA 94903
415 473 7331 T
415 473 3645 F
415 473 6172 TTY
www.marincounty.org/bos

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation. While state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project’s impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests.

The Marin County Board of Supervisors opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Rice".

Katie Rice, President
Marin County Board of Supervisors

Cc: Honorable Senator Mike McGuire
Honorable Assembly Member Marc Levine

MONTEREY COUNTY



COUNTY ADMINISTRATIVE OFFICE

CHARLES J. MCKEE
COUNTY ADMINISTRATIVE OFFICER

June 28, 2022

FLOOR ALERT

Assembly Bill 205 (Committee on Budget)
Senate Bill 122 (Committee on Budget and Fiscal Review)
As Amended June 26, 2022 – **OPPOSE**

The County of Monterey opposes AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. **The County of Monterey opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.**

Should you have any questions please contact the County of Monterey's Public Policy Advisor, Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,

Charles J. McKee
County Administrative Officer

Cc: Hon. Anna Caballero, 12th Senate District
Hon. John Laird, 17th Senate District
Hon. Mark Stone, 29th Assembly District
Hon. Robert Rivas, 30th Assembly District
California State Association of Counties (CSAC)
Rural County Representatives of California (RCRC)



A Tradition of Stewardship
A Commitment to Service

June 28, 2022

FLOOR ALERT

Assembly Bill 205 (Committee on Budget)
Senate Bill 122 (Committee on Budget and Fiscal Review)
As Amended June 26, 2022 – **OPPOSE**

The Napa County Board of Supervisors unanimously opposes AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

For the past 50 years, since Napa County first established the first “agricultural preserve” zoning designation in the United States, land use in the County has been guided by two complementary principles: that agricultural land should be protected; and that development should occur in urban areas. As a result, over 95% of the unincorporated area is currently designated in the General Plan for agriculture. These principles are further enshrined in Measures J and P, which require voter approval before agricultural land can be converted to other uses. Should AB 205/SB 122 become law, 50 years of precedent and protected agricultural land could be in jeopardy.

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While the State must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project’s impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. **Napa County opposes this over-reach of state permitting and urgently requests your “No” vote on AB 205/SB 122.**

Should you have any questions please contact Paul Yoder or Karen Lange at 916-446-4656.

COUNTY OF NEVADA
STATE OF CALIFORNIA
BOARD OF SUPERVISORS



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Vice Chair Edward C. Scofield, 2nd District
Dan Miller, 3rd District
Chair Susan Hoek, 4th District
Hardy Bullock, 5th District
Julie Patterson Hunter, Clerk of the Board

June 29, 2022

Senator Nancy Skinner
Chair, Senate Budget Committee

Senator Bob Wieckowski
Chair, Senate Budget Subcommittee #2

Assemblymember Phil Ting
Chair, Assembly Budget Committee

Assemblymember Richard Bloom
Chair, Assembly Budget Subcommittee #3

Re: FLOOR ALERT
AB 205 and SB 122: The Energy Trailer Bills
As Amended June 26, 2022 – OPPOSE

The County of Nevada opposes AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

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The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

The state must improve energy reliability both at the local level and for the larger grid. Many communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the

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phone: 530.265.1480 | fax: 530.265.9836 | toll free: 888.785.1480 | email: bdofsupervisors@co.nevada.ca.us

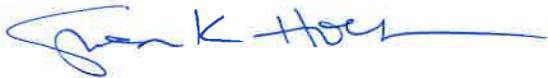
PRINTED ON RECYCLED PAPER

traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. The County of Nevada opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.

Should you have any questions please contact Jeffrey Thorsby, Senior Management Analyst, 530-265-7247 or Jeffrey.Thorsby@co.nevada.ca.us.

Sincerely,



Susan Hoek
Chair, Board of Supervisors

CC: Honorable Senator Brian Dahle
Honorable Assembly Member Megan Dahle
California State Association of Counties
Rural County Representatives of California
Shaw Yoder Antwih, Schmelzer & Lange



DOUG CHAFFEE

CHAIRMAN
ORANGE COUNTY BOARD OF SUPERVISORS
SUPERVISOR, FOURTH DISTRICT

ORANGE COUNTY HALL OF ADMINISTRATION
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June 28, 2022

Senator Nancy Skinner
Chair, Senate Budget Committee

Senator Bob Wieckowski
Chair, Senate Budget Subcommittee #2

Assemblymember Phil Ting
Chair, Assembly Budget Committee

Assemblymember Richard Bloom
Chair, Assembly Budget Subcommittee #3

SUBJECT: AB 205 / SB 122 – Energy Trailer Bill – CONCERNS

Dear Budget Committee Leadership:

On behalf of the Orange County Board of Supervisors, I am writing to respectfully express concerns about the proposed Energy Trailer Bill, legislation which would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC).

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community, as these facilities can have enormous impacts on very specific local communities even when the benefits are spread throughout the state. As such, we would support efforts to assist local governments in streamlining the permitting process as opposed to transitioning authority from counties to the CEC.

Additionally, the County is concerned by provisions to greatly expand the categories of projects that may be considered by the state without direct input from the County. Though this section is “opt-in,” the unclear parameters of when a project would be subject to state versus local permitting would be detrimental to the County’s land use authority. The language also seems to exclude local government consultation on environmental impacts for projects under CEC review. While counties have the knowledge and planning experience that would be most appropriate for consultation, local governments are not listed as entities that the CEC would need to seek input from.

For these reasons, we respectfully request consideration of other approaches to the issue of expediting permitting and siting; that any proposal affecting land use decision-making be done in cooperation with counties, with corresponding discussions on taxation, reasonable cooperation, and local land use considerations. Additionally, we request consideration of CSAC’s proposal to move the permitting sections of this proposal from a last-minute trailer bill to a policy bill or interim working group to provide stakeholders an opportunity for meaningful changes to the language.

Sincerely,

Doug Chaffee
Chairman, Orange County Board of Supervisors
Supervisor, Fourth District

cc: Members, Orange County Legislative Delegation
Members, Orange County Board of Supervisors
Frank Kim, County Executive Officer



Board of Supervisors

District 1	Kevin Jeffries, Vice Chair 951-955-1010
District 2	Karen Spiegel 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	V. Manuel Perez 951-955-1040
District 5	Jeff Hewitt, Chair 951-955-1050

June 28, 2022

Senator Nancy Skinner, Chair
Senate Budget Committee

Assemblymember Phil Ting, Chair
Assembly Budget Committee

Re: AB 205/ SB 122 Energy Reliability, Relief, and Clean Energy Investments Trailer Bills- As Amended June 26, 2022 – **OPPOSE**

Dear Budget Committee Leadership:

On behalf of the Riverside County Board of Supervisors, I write in opposition to AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Riverside County has a demonstrated history of supporting the development of solar renewal energy projects. We have worked with the solar industry in the permitting of projects that are adding over 2,100 MW in power generation to date, with more in the pipeline, while being able to address community concerns and properly mitigate project impacts. The environmental review and permitting of solar projects is best conducted at the local level, where the needs of the solar industry and all stakeholders can be readily considered. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While the state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years. We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

In conclusion, AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. **For these reasons, Riverside County opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.**



Board of Supervisors

District 1	Kevin Jeffries, Vice Chair 951-955-1010
District 2	Karen Spiegel 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	V. Manuel Perez 951-955-1040
District 5	Jeff Hewitt, Chair 951-955-1050

Should you have any questions, please do not hesitate to contact Riverside County Executive Officer, Jeff Van Wagenen, at (951) 955-1100 or JVanWagnen@rivco.org.

Thank you very much for your consideration.

Sincerely,

Jeff Hewitt
Chairman, Riverside County Board of Supervisors

cc: Members and Consultants, Senate Budget and Fiscal Review Committee
Members and Consultants, Assembly Budget Committee
Riverside County Delegation

**Governmental Relations &
Legislative Officer**

Natasha M. Drane



County of Sacramento

Board of Supervisors

Phillip R. Serna, District 1

Patrick Kennedy, District 2

Rich Desmond, District 3

Sue Frost, District 4

Don Nottoli, District 5

June 29, 2022

FLOOR ALERT

**Re: AB 205 (Committee on Budget) and SB 122 (Committee on Budget and Fiscal Review)
Oppose (As Amended June 26, 2022)**

On behalf of the Board of Supervisors, I respectfully write to oppose AB205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on local communities, even when the benefits are spread to other parts of the state. Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist local governments in expediting permitting, but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

The County agrees that the state must improve energy reliability both at the local level and for the larger grid and that the CEC permitting process is just one component of the trailer bill, however, its impact will be long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205 and SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. For these reasons, Sacramento County opposes AB 205/SB 122. Please feel free to contact me at (916) 874-4427 or deborde@saccounty.gov.

cc: Sacramento County Delegation
Catherine Freeman, CSAC
Hurst Brooks Espinoza, UCC
Chair and Members, Sacramento County Board of Supervisors
Audrey Ratajczak, Cruz Strategies



County Administrative Office
Governmental & Legislative Affairs

Bradley A. Jensen
Director

June 28, 2022

The Honorable Nancy Skinner, Chair
Senate Budget and Fiscal Review Committee
1020 N Street, Room 502
Sacramento, CA 95814

The Honorable Phil Ting, Chair
Assembly Budget Committee
1021 O Street, Suite 8230
Sacramento, California 95814

Re: AB 205 / SB 122: Budget Trailer Bills: Energy – Opposed

Dear Senator Skinner, Assemblymember Ting, and Members of the Budget Committees,

On behalf of the San Bernardino County Board of Supervisors, I oppose AB 205 / SB 122, the energy trailer bills that remove local government authority to approve and site new energy projects.

Renewable energy development projects have major impacts on the environment and neighboring land uses. Local governments work closely with energy developers to ensure that new facilities balance the needs of the community, the environment, and the project. AB 205 and SB 122 remove the discretionary power of local governments to approve and site renewable energy projects in their communities and gives it to the California Energy Commission. This legislation circumvents the established permitting process and the authority of local elected officials to determine what types of projects best fit their communities. It upends the public process for residents to voice their opinion and hold their elected officials accountable for land use decisions. By placing this power with unelected appointees in Sacramento, it will effectively force Californians across the state to simply accept construction of new energy projects next to their homes and neighborhoods with virtually no say in the process. While San Bernardino County is supportive of the state's efforts to expedite new energy development, a complete bypass of the democratic process is simply unacceptable.

For these important reasons, I ask that you vote to oppose AB 205 / SB 122. If you have any questions about our position, please contact Brad Jensen, Director of Legislative Affairs, at (909) 387-4821 or by email at Bradley.Jensen@cao.sbcounty.gov.

Sincerely,

A handwritten signature in blue ink that reads "Curt Hagman".

Curt Hagman
Fourth District Supervisor
Chairman, San Bernardino County Board of Supervisors

cc: Members of the Inland Empire Caucus

BOARD OF SUPERVISORS

COL. PAUL COOK (RET.)
First District

JANICE RUTHERFORD
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DAWN ROWE
Vice Chair, Third District

CURT HAGMAN
Chairman, Fourth District

JOE BACA, JR.
Fifth District

Leonard X. Hernandez
Chief Executive Officer



June 28, 2022

Senator Nancy Skinner
Chair, Senate Budget Committee

Senator Bob Wieckowski
Chair, Senate Budget Subcommittee #2

Assemblymember Phil Ting
Chair, Assembly Budget Committee

Assemblymember Richard Bloom
Chair, Assembly Budget Subcommittee #3

RE: Letter of Opposition – AB 205 and SB 122

San Joaquin County opposes AB 205/SB 122, the Energy Trailer Bills. These bills would permit a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC). Additionally, under the auspices of a Strategic Energy Reserve, it would delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Eliminating our ability to weigh in on facility siting and bypassing local permitting processes could harm communities within San Joaquin County by causing aesthetic and neighborhood impacts in both rural and urban communities, along with public safety impacts due to the inability to implement local floodplain management and other public safety regulations. Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills are overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in increased litigation.

While the state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years. Unfortunately, there has not been a concerted effort to consider all energy options to address our growing needs.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. Therefore, San Joaquin County opposes this over-reach of state permitting and urgently requests your “No” vote on AB 205/SB 122.

Should you have any questions please contact Public Works Director Fritz Buchman at 209-468-3100.

Sincerely,



Chuck Winn, Chairman
San Joaquin County Board of Supervisors

c: San Joaquin County Legislative Delegation
San Joaquin County Board of Supervisors
Members, Senate Budget and Fiscal Review Committee
Members, Assembly Budget Committee
Elisa Wynne, Staff Director, Senate Budget and Fiscal Review Committee
Christian Griffith, Chief Consultant, Assembly Budget Committee
Kirk Feely, Consultant, Senate Republican Caucus
Joseph Shinstock, Consultant, Assembly Republican Caucus
Joanne Roy, Consultant, Senate Budget and Fiscal Review Committee
Shy Forbes, Consultant, Assembly Budget Committee
Kirstin Kolpitcke, Consultant, Assembly Republican Caucus
Emily Reeb, Consultant, Senate Republican Caucus
Karen Douglas, Senior Policy Advisor for Energy, Office of Governor Gavin Newsom
Erika Li, Chief Deputy Director, Budget, California Department of Finance

BOS06-03

DAS WILLIAMS
First District, Vice Chair

GREGG HART
Second District

JOAN HARTMANN
Third District, Chair

BOB NELSON
Fourth District

STEVE LAVAGNINO
Fifth District



**BOARD OF
SUPERVISORS**

County Administration
Building
105 East Anapamu Street
Santa Barbara, CA 93101
Telephone: (805) 568-2190
www.countyofsb.org

COUNTY OF SANTA BARBARA

June 28, 2022

FLOOR ALERT

Assembly Bill 205 (Committee on Budget)
Senate Bill 122 (Committee on Budget and Fiscal Review)
As Amended June 26, 2022 – **OPPOSE**

We are writing on behalf of the Santa Barbara County Board of Supervisors to state our oppose position on AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

The County of Santa Barbara cannot support the loss of local control and bypassing local permitting. We support efforts to expedite permitting by the State supporting Counties and concur that transitioning authority to CEC and DWR undermines local control.

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests.

The Board of Supervisors adopted a 2022 Legislative Platform which includes the Local Control Principle which specifically state the County needs to ensure local authority and control over governance issues, as well as the Inter-Agency Collaboration principle that states that the County will support the advocacy efforts of such organizations as the California State Association of Counties (CSAC) and other local, regional and federal agencies/associations.

If you have questions about the Board's position, please contact the County's Legislative Coordinator, Jasmine McGinty at 805-568-3108 or jmcginty@countyofsb.org. Thank you for your consideration.

The County of Santa Barbara Board of Supervisors OPPOSES this over-reach of state permitting and urgently requests your "NO" vote on AB 205/SB 122.

County of Santa Clara
Office of the County Executive

County Government Center, East Wing
70 West Hedding Street, 11th Floor
San Jose, California 95110
(408) 299-5105



June 28, 2022

The Honorable Marc Berman
California State Assembly
1021 O Street, Suite 6130
Sacramento, CA 95814

RE: AB 205/SB 122 As Amended June 26, 2022 – OPPOSE

Dear Assemblymember Berman:

The County of Santa Clara opposes AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for the siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting.

The siting of solar, wind, and battery backup projects can have enormous impacts on our communities. Our County, like others in the state, work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in litigation.

We understand that the CEC permitting process is just one component of the trailer bills, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were written without input from local governments, which are best positioned to balance competing interests. The County of Santa Clara opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.

Sincerely,
DocuSigned by:

Michael Rattigan
Michael A. Rattigan
Legislative Representative

cc: Santa Clara County Legislative Delegation
Santa Clara County Board of Supervisors
Jeffrey V. Smith, County Executive

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

ERIN HANNIGAN
District 1, (707) 553-5363
MONICA BROWN
District 2, Vice-Chair (707) 784-3031
JAMES P. SPERING
District 3, (707) 784-6136
JOHN M. VASQUEZ
District 4, Chair, (707) 784-6129
MITCH MASHBURN
District 5, (707) 784-6030

BOARD OF SUPERVISORS



SOLANO COUNTY

BILL EMLIN
County Administrator
(707) 784-6100
675 Texas Street, Suite 6500
Fairfield, CA 94533-6342
Fax (707) 784-6665
www.solanocounty.com

June 29, 2022

FLOOR ALERT

RE: – ASSEMBLY BILL 205 (Committee on Budget) and Senate Bill 122 (Committee on Budget and Fiscal Review) – As amended June 26, 2022, OPPOSE

On behalf of the Solano County Board of Supervisors, I write to express our opposition to AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Solano County, home to Travis Air Force Base, contains a diverse mix of agriculture, urban and delta areas – many, if not all of which could be impacted by poorly sited large solar and wind projects. AB 205/SB 122 proposes removing local jurisdiction and oversight when approving these projects, and not necessarily accounting for impacts to residents, the base, Ag, business and farming communities.

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution. The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 was crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. Solano County opposes this over-reach of state permitting and urgently requests your "**No**" vote on AB 205/SB 122.

Sincerely,

A handwritten signature in blue ink, appearing to read "John M. Vasquez".

John M. Vasquez,
District 4 Supervisor and Chair
Solano County Board of Supervisors

OPPOSE, Floor Action, AB 205/SB 122
June 29, 2022 / Solano County, California
Page 2

CC:

Honorable Bill Dodd, Member, California State Senate
Honorable Tim Grayson, Member, California State Assembly
Honorable Cecilia Aguiar-Curry, Member, California State Assembly
Honorable Lori Wilson, Member, California State Assembly
Solano County Board of Supervisors
Karen Lange, Legislative Advocate



June 27, 2022

FLOOR ALERT

Assembly Bill 205 (Committee on Budget)
Senate Bill 122 (Committee on Budget and Fiscal Review)
As Amended June 26, 2022 – **OPPOSE**

Stanislaus County opposes AB 205/SB 122, the Energy Trailer Bills. These bills would allow for a shift of local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state.

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. As such, we would support efforts to assist counties in expediting permitting but transitioning authority to the CEC and DWR is not the solution.

The CEC permitting process for renewable energy and manufacturing contained in these bills misses the mark, is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

While state must improve energy reliability both at the local level and for the larger grid, many of our communities have suffered a dramatic decline in energy reliability over the last several years.

We understand that the CEC permitting process is just one component of the trailer bill, however, its impact will be sweeping and long-lasting. AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. Stanislaus County **opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.**

Should you have any questions, please contact Paul Yoder and Karen Lange with Shaw Yoder Antwih Schmelzer & Lange.

Shaw Yoder Antwih Schmelzer & Lange

1415 L Street, Suite 1000, Sacramento, CA 95814

916.446.4656 Ext. 3 paul@SYASLpartners.com

COUNTY OF TULARE
BOARD OF SUPERVISORS



June 29, 2022

The Honorable Nancy Skinner
Chair, Senate Committee on Budget and Fiscal Review
1020 N Street, Room 502
Sacramento Ca, 95814

The Honorable Phil Ting
Chair, Assembly Committee on Budget
1021 O Street, Suite 8230
Sacramento Ca, 95814

RE: Senate Bill 122/Assembly Bill 205- Energy Trailer Bills-OPPOSE

Dear Budget Committee Leadership:

As the representative of Tulare County's fifth supervisorial district, I write in ardent opposition to Senate Bill 122 (SB 122) and Assembly Bill 205 (AB 205), which shift local authority for siting of solar, wind, and certain battery backup projects to the California Energy Commission (CEC) and delegate blanket authority to the Department of Water Resources (DWR) to bypass local permitting, including through the Coastal Act of 1976.

The CEC permitting process for renewable energy and manufacturing contained in these bills is overly broad, usurps local control, excludes local governments from meaningful involvement in major development projects within their jurisdictions, and could result in even more litigation.

Counties work closely with energy developers to site facilities and appropriately balance the needs of the community. I would support efforts to assist local governments in expediting permitting but transitioning authority to the CEC is not the solution.

AB 205/SB 122 bypasses the traditional local permitting process designed to ensure a project's impacts on local communities and residents will be minimized. AB 205/SB 122 also removes all local permitting for facilities cited through the Department of Water Resources for strategic energy reserves and exempts these projects from the California Coastal Act. These facilities can have enormous impacts on our communities, even when the benefits are spread to other parts of the state

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests. For these reasons, I must respectfully opposes this over-reach of state permitting and urgently requests your "No" vote on AB 205/SB 122.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Townsend", is written over a horizontal line.

Dennis Townsend, Vice Chairman
District Five

Cc: Tulare County Delegation
Shaw Yoder Antiwh Schmelzer & Lange
California State Association of Counties
Rural County Representatives of California



COUNTY of VENTURA

June 28, 2022

The Honorable Nancy Skinner, Chair
Senate Budget and Fiscal Review Committee
1021 O Street, Suite 8630
Sacramento, CA 95814

The Honorable Phil Ting, Chair
Assembly Budget Committee
1021 O Street, Suite 8230
Sacramento, CA 95814

Re: **AB 205 (Committee on Budget)/SB 122 (Committee on Budget and Fiscal Review)
As amended 6/26/22 – OPPOSE**

Dear Senator Skinner and Assembly Member Ting:

On behalf of the Ventura County Board of Supervisors, I write to communicate our opposition to Assembly Bill 205 and Senate Bill 122, trailer bills to the budget related to energy. These bills would allow for a shift of authority for siting of solar, wind, and certain battery backup projects from counties and cities to the California Energy Commission (CEC) and would, under the auspices of a Strategic Energy Reserve, delegate to the Department of Water Resources (DWR) blanket authority to bypass local permitting, including through the Coastal Act of 1976.

While renewable energy projects are needed to meet the State's climate change goals and their energy benefits are spread to other jurisdictions and other parts of the state, they can have enormous impacts on local jurisdictions, including unincorporated areas of Ventura County. Land uses in unincorporated Ventura are governed by the General Plan, Coastal Area Plan and the applicable zoning ordinances. Additionally, the Ventura County Save Open Space and Agricultural Resources (SOAR) Initiative, the Guidelines for Orderly Development, and the County's Subdivision Ordinance are regulatory measures intended to regulate land division and conserve undeveloped agricultural and open space lands. Under these regulations, urban and industrial development is directed into cities and existing communities while greenbelts of open space and agricultural lands are conserved.

The proposed legislation would allow private companies to benefit the regional electrical grid by building renewable energy power plants, vast solar arrays, and industrial manufacturing plants in designated open space and on locally protected agricultural land that supports the local and regional economy and is important to the state and nation for the production of food, fiber, and ornamentals. AB 205/SB 122 would be inconsistent with our local SOAR voter initiative, the County's General Plan, Coastal Area Plan, Guidelines for Orderly Development, and the subdivision ordinance.

While the County's General Plan protects open space and agricultural lands, it also supports renewable energy. Economic Vitality (EV) Element Policy EV-4.4, "Renewable Energy Facilities," requires the County to identify appropriate locations to allow for development of renewable energy generation and storage facilities. It also encourages the development of solar power, wind power,

wave energy, distributed power systems, micro-grids, and other appropriate renewable energy sources, storage, and distribution systems.

General Plan Conservation and Open Space (COS) Element Program “O” also requires the County to study and assess suitable undeveloped lands near electrical transmission and distribution lines that would serve as priority areas for the development of solar energy generation and storage projects. This program is intended for a County wide assessment that would identify potential sites, create a new zone or overlay zone, develop new standards, and may require a subsequent General Plan amendment. The study is scheduled to begin in 2023 and the program has an implementation completion date of 2025.

Because EV Policy 4.4 and COS Program “O” require the County to further study the issue of where renewable energy systems are best located, the outcome will provide a wholistic approach helpful for the CEC, community stakeholders, and facility operators to meet the State’s renewable energy goals while engaging with local planning processes.

Finally, if the renewable energy manufacturing and power plants do not qualify as a public utility they would not be subject to Public Utility exclusions under Section 66412 of the Subdivision Map Act (SMA). Pursuant to the SMA, corporations and cooperatives that could qualify as “utility applicants” under the proposed legislation may not be able to subdivide portions of large open space and agricultural parcels needed for the facilities if only a portion of the parcel is sought. Therefore, the State should consider focusing this legislation towards urban centers, industrial areas, and appropriately designated zones.

AB 205/SB 122 were crafted without the input, and over the objections of, local governments that are best positioned to balance competing interests, as is evidenced by the County’s considerable efforts toward securing a clean, sufficient energy future for our communities. The County of Ventura is opposed to AB 205 and SB 122.

Sincerely,



Jean Kinney Hurst
Legislative Advocate

cc: Members and Consultants, Senate Budget and Fiscal Review Committee
Members and Consultants, Assembly Budget Committee
Ventura County Legislative Delegation
Ventura County Board of Supervisors