

JOINT [DRAFT] RESOLUTION OF FALLBROOK COMMUNITY PLANNING GROUP AND CHAMBER OF COMMERCE REGARDING BATTERY ENERGY STORAGE SYSTEMS

October 20th, 2024

A JOINT [DRAFT] RESOLUTION OF THE FALLBROOK COMMUNITY PLANNING GROUP (“CPG”) AND FALLBROOK CHAMBER OF COMMERCE (“Chamber”) EXPRESSING THEIR POSITION AND RECOMMENDATIONS ON BATTERY ENERGY STORAGE SYSTEM (“BESS”) FACILITIES AND PROJECTS IN AND ADJACENT TO THE THE FALLBROOK COMMUNITY PLANNING AREA

1. WHEREAS, the Fallbrook CPG and Chamber are vested in the appropriate use of land considering the health, safety, welfare and economic viability of the community; and
2. WHEREAS, the Fallbrook CPG and Chamber are mindful of the need for dependable and sustainable energy; and
3. WHEREAS, the County of San Diego’s General Plan does not include any language regarding BESS facilities; and
4. WHEREAS, in 2013, San Diego County Gas & Electric (“SDGE”) was mandated by the State to procure energy storage; and
5. WHEREAS, on May 31st, 2018, the CA Public Utilities Commission (“CPUC”) approved the 1.0 40MW AES/Fluence “Build-Own-Transfer” to SDGE BESS project; and
6. WHEREAS, on February 18, 2019, the 40MW 1.0 AES/Fluence “Build-Own-Transfer” to SDGE BESS project was presented to the Fallbrook CPG and approved in support of “local area capacity for electrical system reliability” and the CPG was assured consistency with the Fallbrook Community and County General Plans, no or very low fire risk, no or very low noise and light nuisance and would have less than significant impact characteristics; and
7. WHEREAS, on December 14th, 2023, the Fallbrook 2.0 30MW BESS was approved by CPUC under revised General Order 131-D pursuant to SB 529; and
8. WHEREAS, on February 20th, 2024, the Fallbrook CPG unanimously opposed the expansion BESS project 2.0 30MW; and
9. WHEREAS, in an effort to increase grid reliability, there has been an increasing number of proposed and constructed BESS projects in the County of San Diego whose technology is fairly new, rapidly evolving and for which there is not a well-documented history of economic, health, and environmental impacts on local communities; and
10. WHEREAS, the operational safety and security model for BESS facilities is remote management and low to no onsite staffing and therefore placement of these facilities in and around Fallbrook does not align with the Fallbrook Community Plan of optimizing available properties to their highest and best land use; increasing land values; and developing land uses that attract families and business investment; and
11. WHEREAS, BESS projects bring no economic benefit to Fallbrook, including jobs or tax revenue and, instead, place burden on the community with health and safety risks; long term static land use; negative impact on existing residential land values; disincentivizing employers and businesses from locating to the Area; and creating lower-than-optimum local opportunity in general; and

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12. WHEREAS, Fallbrook is located in an area of San Diego County subject to severe and destructive wildfires and as such, its residents have been required to undertake extensive fire safety efforts at their homes and businesses and have experienced issues such as ever-increasing insurance premiums or non-renewals due to the potential of fires; and
13. WHEREAS, one health and safety and environmental impact concern related to BESS projects is the significant potential for the ignition of fires, explosions and “thermal runaway” events which, once initiated, are extremely difficult to extinguish and create toxic gas plume; and
14. WHEREAS, protocol for a fire event requires emergency deployment of multiple agencies and personnel including but not limited to SDSO, NCFPD, CalFire, Capstone Fire Brigade, SDGE, EPA, CADFW, HIRT, and other agencies; and
15. WHEREAS, NFPA BESS standards are in their infancy and there’s not enough data to appropriately address concerns of a BESS fire and how to address those; and
16. WHEREAS, any infrastructure which increases grid reliability, also increases vulnerability for potential terrorist threats and cyber attacks; and
17. WHEREAS, in those cases where BESS projects are placed and governed under CPUC General Order 131-D, with no public review or adherence to zoning ordinances and therefore Fallbrook CPG will not have a sufficient opportunity to advise on and address the above-referenced concerns about these types of projects or qualify for oversight of the ongoing operation in the future; and
18. WHEREAS, on July 17th 2024 the County of San Diego Board of Supervisors (“BOS”) adopted minute order No. 8 wherein the BOS made several recommendations to the County’s Chief Administrative Officer to establish siting and development standards for BESS projects in the unincorporated areas of the County and seek stakeholder input on standards and project review criteria for any projects that may be proposed for BOS consideration and approval; and
19. WHEREAS, on August 28, 2024, the City of Escondido adopted resolution No. 2024-113 expressing its position and recommendations on BESS facilities in and adjacent to the City; acknowledging the need for consideration of local and regional design guidelines, development regulations, location placement restrictions, and related controls and criteria subject to input by ALL relevant stakeholders including residents, businesses, planners, legislative bodies, utility regulators, energy storage experts and industry representatives; and
20. WHEREAS, on September 11, 2024, the County of San Diego BOS adopted minute order No. 5 wherein the BOS approved additional requirements for fire suppression reports to go “above and beyond” current code requirements and analyze appropriate residential setback considerations but did not include a moratorium on current or future BESS project applications; and
21. WHEREAS, on September 11, 2024, the County of San Diego BOS acknowledged State law prohibiting County from regulating any BESS facility or project which is under CPUC jurisdiction or applies for a permit under CA Energy Commission; and
22. WHEREAS, the Fallbrook CPG and Chamber jointly concur in the need for a temporary moratorium for BESS projects in Fallbrook.

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23. WHEREAS, the Fallbrook CPG and Chamber jointly concur in the need for County General Plan zoning modifications which include “BESS” language as it relates to land use and setbacks; and

24. WHEREAS, the Fallbrook CPG and Chamber jointly concur in the need for the consideration of local and regional design standards, development regulations, location placement restrictions, and related controls and criteria subject to input by ALL relevant stakeholders including residents, businesses, planners, legislative bodies, utility regulators, energy storage experts and industry representatives.

NOW, THEREFORE, BE IT RESOLVED, by the Fallbrook CPG and Chamber of Commerce as follows:

1. The above recitations are true.
2. That as currently designed and constructed, the Fallbrook CPG and Chamber of Commerce do not find that BESS projects accomplish the fundamental development, economical, health and safety and land use goals of the community and any BESS projects considered to be located in and adjacent to Fallbrook should in good faith demonstrate compliance with and promote the values of the Fallbrook Community Plan and the Fallbrook Chamber of Commerce’s mission “to support business and build a better community”, be safe for residents and businesses and advance community priorities.
3. That the Fallbrook CPG and Chamber of Commerce desires to have stringent development and siting standards for ANY proposed BESS within and adjacent to Fallbrook and encourages all County agencies to ensure that any BESS project in the County be adequately studied, safe, promote positive economic value and utilize the most up-to-date technology.
4. That the Fallbrook CPG and Chamber of Commerce express and declare their concerns over BESS projects in general as they relate to the future development of the Fallbrook Area.