

MOTION BY SUPERVISOR LINDSEY P. HORVATH

April 9, 2024

**Accelerating Renewable Energy Development and Promoting Community**

**Resiliency in Los Angeles County**

Los Angeles County is working aggressively to transition to 100% clean energy, improve our air quality, and achieve carbon neutrality by 2045. We have made significant strides, including transitioning many of the County’s residents to 100% renewable electricity through the Clean Power Alliance (CPA), setting stricter emissions controls from stationary energy sources, and reducing greenhouse gas (GHG) emissions through vehicle electrification and expansion of public transit. Despite impressive progress, recent County analysis has found that we will miss our 2030 GHG emissions targets without further action.

Transitioning to clean power is not just about meeting our climate goals. Clean energy offers the promise of improved health benefits, particularly for low-income and disadvantaged communities. In 2023, the American Lung Association gave LA County a failing grade for air quality, citing us with some of the dirtiest air in the nation. Clean energy investments have the potential to create tens of thousands of new jobs, and utility-scale solar and wind can produce electricity at a lower cost than distributed rooftop solar. The Los Angeles Department of Water and Power’s *LA100* roadmap study estimates that

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transitioning the City of Los Angeles' power grid to 100% clean energy by 2035 would result in a minimum of 8,600 annual construction jobs and 2,000 permanent new jobs in operations and maintenance.

Just five years after its creation, the Clean Power Alliance's is now the third largest load-serving entity in the California Independent System Operator territory and roughly two-thirds of its more than one million customer accounts receive 100% renewable electricity, earning CPA the recognition of number one green energy provider in America by the US Department of Energy. But as more utilities and western states increase their clean power standards and new renewable energy projects face long timelines to secure local permits and connect to the grid, it has become increasingly difficult to procure renewable energy in California at the speed necessary to support the clean energy transition. CPA, for example, recently had to delay by two years the transition of its remaining unincorporated LA County customers to 100% renewable energy due to projected renewable energy supply constraints.

In December of 2016, the Board of Supervisors adopted the Renewable Energy Ordinance (REO) which updated planning and zoning codes for reviewing and permitting small scale and utility scale solar projects, aiming to protect public health, safety, and welfare and to minimize environmental impacts. The ordinance established new requirements in response to concerns from communities regarding visual aesthetics, fire safety, health concerns related to construction impacts, and environmental impacts. The REO incentivizes small-scale and structure-mounted projects and regulates ground-mounted utility-scale solar facilities. These regulations require transmission lines that connect these facilities to the broader electricity grid to be built underground and

mandates setbacks, measures to minimize fugitive dust, and a Conditional Use Permit (CUP) for utility-scale solar projects. The REO also prohibits ground-mounted, utility-scale solar projects in Economic Opportunity Areas or Significant Ecological Areas and bans new wind development.

Since the REO went into effect, very few utility-scale renewable energy projects have been approved in the County, most notably due to the expense of undergrounding transmission lines. Industry analysts report that undergrounding transmission lines costs seven to ten times more than building transmission overhead. From 2003 until the REO was adopted, 10 CUPs for utility-scale solar energy facilities were approved, and their renewable energy supply totaled more than 1,177 megawatts of clean energy. By contrast, since the REO was adopted, only three projects have been approved for a total of 86 megawatts of clean energy. Meanwhile dozens of projects and thousands of megawatts of utility grade renewable energy projects have continued to be built in neighboring incorporated communities and in adjacent Kern, Riverside, and San Bernardino Counties, while the cities of Lancaster and Palmdale became hubs of renewable energy development, providing jobs, increasing the local tax base, and mitigating greenhouse gas emissions.

Recognizing that renewable energy supply and transmission infrastructure was not meeting demand, Governor Newsom signed AB 205, which became effective late in 2023. The law allows developers of new utility-scale renewable energy and transmission projects to seek land use and permitting approvals through the California Energy Commission (CEC) rather than local jurisdictions. The CEC's certification is in lieu of any permit, certificate, or similar document required by any state or local agency and

supersedes any applicable statute, ordinance, or regulation by any local jurisdictions to the extent permitted by federal law. While developers typically prefer to work with local governments for many reasons, as it stands, our local land use and permitting for clean energy projects risks being usurped by the State.

For these reasons, a revision to the REO should be contemplated in a way that benefits the entire region, as well as providing local resiliency and community benefits to nearby communities. Rural communities particularly face harsh summer and winter weather, and sometimes unreliable electricity service with increasing numbers of Public Safety Power Shutoffs (PSPS). Local communities have long complained that they do not see adequate benefits from the energy projects that are nearby and reform to the ordinance could help to change that if it included specific requirements to subsidize or directly develop property and neighborhood scale renewable energy and storage systems.

Two strategies to create greater community resiliency is through the deployment of distributed energy resources (rooftop solar paired with batteries at individual buildings) and community-level microgrids powered by renewable energy. Battery energy systems, when paired with renewable energy like solar photovoltaics systems, allow a property to store energy and release it when the power is most needed, including during a grid outage. In a December 2023 motion, the Board directed the Department of Regional Planning to conduct stakeholder engagement and prepare a best-practices-informed ordinance for permitting larger scale Battery Energy Storage Systems. A microgrid is a self-sufficient energy system that can operate independently of or in parallel to the larger grid to keep individual buildings or small communities powered when the larger grid

suffers disruptions or outages. Programs are already in place that can be utilized to develop microgrids, such as the California Public Utilities Commission's Microgrid Incentive Program. The Cameron Corners Microgrid in San Diego County serves as an example of a successful zero-emission microgrid that keeps critical facilities on during emergencies and PSPS. A requirement that conditions new development of utility scale renewables on also investing in distributed energy resources or microgrids could deliver resiliency and energy cost savings costs to residents in neighboring communities.

Amendments to the REO that increase the supply of clean energy in our County, create local jobs, and improve the resiliency of our most impacted communities would benefit all residents. The alternative will extend our reliance on fossil fuels, negatively impacting our air quality, do nothing to promote the resiliency of vulnerable communities, and risk losing our local land use, environmental review, and permitting authority to the State.

**I, THEREFORE, MOVE that the Board of Supervisors:**

1. Direct the Department of Regional Planning, with the assistance of the Chief Sustainability Office, LA County Fire Department, and LA County Public Works, prepare updates to the Renewable Energy Ordinance, with a focus on accelerating development of utility-scale renewable energy facilities, including, but not limited to, the following components:
  - a. Identify certain areas in the County as renewable energy development zones. These zones and corridors would allow utility-scale renewable energy facilities. The Department should evaluate opportunities in all supervisorial districts, including larger brownfield sites. Areas where

facilities are currently prohibited, such as some of the Economic Opportunity Areas identified in the Antelope Valley Area Plan, should be considered.

- b. Establish a size threshold to determine whether a ministerial or discretionary permit is required for these projects. There should be clear development standards for both ministerial and discretionary permits.
  - c. Develop an approach to ensuring community benefits for renewable energy projects that promotes community resiliency in impacted areas. This can include the required development of community-scale renewable energy and storage systems, micro-grids serving individual or multiple sites, or payments into a community benefit fund that would subsidize solar and storage projects in vulnerable communities.
  - d. Evaluate the ban on utility-scale wind energy and make a recommendation based on market and environmental factors on whether it should be allowed on a discretionary basis in certain zones.
  - e. Apply relevant best practices and development standards from other California jurisdictions.
2. Direct the Department of Regional Planning, with the assistance of the Chief Sustainability Office, County Fire Department, and Public Works, to conduct outreach related to the Renewable Energy Ordinance update, including clean energy companies, environmental groups, labor, community organizations such as Town Councils, and other relevant stakeholders who will help craft

the updated ordinance. This outreach will include a collaborative effort to identify a set of criteria with areas and corridors, such as renewable energy development zones, that would allow utility-scale renewable energy facilities and have the least impact on the environment and our unincorporated communities.

3. Evaluate the opportunity to, and potential efficiencies of, aligning this effort with the December 19, 2023 Board motion “Developing a Los Angeles County Ordinance for Renewable Energy Zoning, Standards, and Requirements” and grant the Director of Regional Planning discretion to implement accordingly.

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