



September 3, 2025

VIA ELECTRONIC MAIL
Orange County Planning Commission
300 N. Flower Street
Santa Ana, CA 92703

RE: Support for Battery Energy Storage System Regulations (Zoning Code Amendment CA 24-03)

Dear Members of the Orange County Planning Commission,

On behalf of ENGIE North America, I am writing to express our support for the proposed Zoning Code Amendment CA 24-03, as presented in the Agenda for the September 10, 2025 Planning Commission meeting, which establishes development standards for battery energy storage system (BESS) facilities in unincorporated areas of Orange County. As an experienced developer and operator of clean energy infrastructure, including BESS projects, ENGIE appreciates the Commission's proactive approach to creating clear, balanced regulations that promote safe and sustainable energy development. The proposed ordinance aligns well with best practices and regulations across the state. For instance, the requirements for setbacks, perimeter walls, and compliance with the California Fire Code mirror those in jurisdictions like San Diego County, Los Angeles County, and the City of Menifee, as outlined in the Development Standards Comparison Table prepared by your staff.


By mandating hazard mitigation analyses, emergency response plans, and decommissioning strategies, Orange County's framework ensures environmental protection and community safety while facilitating the state's clean energy goals, including achieving 52,000 MW of battery storage by 2045. This thoughtful integration of land use planning with fire and building codes sets a model for responsible growth. The ordinance is also consistent with Engie's "Safety First" principles.

While these regulations would not apply to ENGIE's proposed Compass Energy Storage Project (Compass) in the incorporated City of San Juan Capistrano, we are proud that Compass meets or exceeds all of the requirements of the proposed ordinance. For example, Compass's setbacks far exceed the 100-foot minimum required from residential and community facilities, with the closest distance of approximately 900 feet from the nearest sensitive uses, and over 1500 feet in most places. Compass is also not located in a "very high fire hazard severity zone" (as per Section 7-9-122.5), further aligning with the ordinance's prohibition on such areas. The project includes a comprehensive emergency response plan developed in collaboration with the Orange County Fire Authority (OCFA), a detailed hazard mitigation analysis, and is fully designed to comply with the state fire code, including real-time monitoring and automatic shutdown systems. Additionally, in alignment with the

ordinance's visual and fire protection requirements, Compass features a 10-foot high, non-combustible perimeter wall that enhances both aesthetic screening and fire containment, as well as a fuel modification program for areas outside of the perimeter wall as recommended by the OCFA's wildfire prevention guidelines.

In conclusion, safety and improved clean energy infrastructure can be achieved together through properly sited, planned, and developed projects. ENGIE stands ready to assist the Commission as needed and commends your leadership in advancing sustainable energy solutions for Orange County. Please contact me at renee.robin@engie.com if we can provide additional information.



Renée L. Robin, J.D.
Director, Permitting & Planning
Engie North America
Renewable and Flexible Generation


cc: Justin Kirk, Deputy Director, Development Services, County of Orange Public Works