

Re: Comments regarding CUP22-0011

2 PAGES.

From Planning Department <planning@edcgov.us>

Date Wed 8/13/2025 4:46 PM

To PoganskiJ <PoganskiJ@eldofire.com>

Good afternoon,

We have received your Public Comment for tomorrow's Planning Commission meeting. Although it is too late to have the comment posted online, physical copies will be distributed tomorrow before the meeting. We have also forwarded your email to the Commissioners themselves, as well as the Planner and Planning Manager, so they can review your comment before tomorrow.

Thank you,

County of El Dorado

Planning and Building Department (Planning Services)

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From: Jacob Poganski <PoganskiJ@eldofire.com>

Sent: Wednesday, August 13, 2025 4:33 PM

To: Planning Department <planning@edcgov.us>

Subject: Comments regarding CUP22-0011

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Planning Commission Members:

I would like to add the following comments to the discussion of Agenda Item 25-1356 - Hearing to consider Conditional Use Permit CUP22-0011 for the development and ongoing operation of a Battery Energy Storage System (BESS) at APN 048-280-030.

The proposed 5.0-megawatt / 20.0-megawatt hour outdoor lithium-ion Battery Energy Storage System represents a high-hazard installation under the California Fire Code §1206, with potential risks of thermal runaway, toxic gas release, and extended-duration fire suppression needs. These hazards create operational demands on the El Dorado County Fire Protection District that exceed those of typical commercial developments, requiring specialized training, dedicated equipment, annual inspections, and

pre-incident planning. Establishing a Public Safety Services Agreement ensures that the project bears the fair and proportionate costs of mitigating its unique fire protection impacts, consistent with California Government Code §66000 et seq., without shifting the burden of these specialized services to the general public.

I do understand that these comments are in the 11th hour. I hope that you can understand that our fire prevention staff has experienced sudden unexpected turnover early in the year and I am trying to get my bearings on where certain projects stand and what we previously conditioned. We are realizing how significant of an impact this project could pose to our organization and the firefighters within, so additional mitigations are necessary. In the interest of the safety of our firefighters and the public I feel it is important to push these items forward. I do not intend to stall their project but feel that certain conditions can be amended to the Conditions of Approval.

The Conditions of Approval should be amended to include:

1. The project will require plan review by the Fire District as authorized by Section 105.6.9 of the California Fire Code.
 - a. This is not listed in the Applicant's supplied "Project Description" document of required approvals.
2. A more definitive Decommissioning Plan
 - a. The current plan does not identify specific triggers for decommissioning of the facility, which could lead to abandonment and an environmental/public safety risk that would continue to be present.
 - i. Recommend timeframes (e.g. 1 year post ceasing of operation) when decommissioning would be triggered.
3. Public Safety Services Agreement - There are unmitigated hazards associated with response to BESS facilities that include exposure of firefighters to toxic materials and long duration commitment of resources should a fire occur. Long duration commitment keeps fire resources from being able to be regularly available in the communities they protect.
 - a. Prior to the issuance of any Building Permit for the BESS facility, the applicant shall enter into a Public Safety Services Agreement with the El Dorado County Fire Protection District. The agreement shall be in a form approved by the Fire Chief and shall address:
 - i. Acquisition and maintenance of specialized firefighting and decontamination equipment for lithium-ion BESS incidents;
 1. Equipment may include but is not limited to: portable decontamination unit, HF/flammable gas detectors, thermal imaging cameras rated for high heat, and firefighting cooling nozzles or manifolds for battery container application.
 - ii. Initial and recurring firefighter training specific to the BESS technology installed;
 - iii. Annual readiness, inspection, and pre-incident planning costs for compliance with NFPA 855, UL 9540/9540A, and California Fire Code §1207;
 - iv. Incident response cost recovery for extended-duration suppression or monitoring events.

Execution of the Agreement and payment of the initial equipment/training fee shall be required prior to facility commissioning. Annual fees shall be paid in accordance with the Agreement for the duration of facility operation.

4. Hazard Mitigation Analysis (HMA) and UL 9540A Test Summary: The applicant shall provide a complete Hazard Mitigation Analysis (HMA) and large-scale fire test summary in accordance with NFPA 855, using UL 9540A test data for the specific BESS model installed. The HMA shall be submitted to the Fire Department for review and approval prior to final permit issuance.
5. Emergency Response Plan (ERP): Prior to operation, the applicant shall submit an Emergency Response Plan acceptable to the Fire Chief that includes:
 - a. Incident notification protocols (including 911 immediate notification in Condition 24);
 - b. System shutdown procedures and remote disconnect locations;
 - c. Fire suppression, cooling, and monitoring strategies;
 - d. Toxic/flammable gas detection systems and alarm integration;
 - e. Post-incident recovery and site re-occupancy criteria.

The ERP shall be reviewed annually and updated as necessary.

I appreciate your consideration of these items. I will be at the meeting Thursday to add these concerns in during the comment period.

Respectfully,

Jacob Poganski

Division Chief

Fire Marshal



**EL DORADO COUNTY FIRE PROTECTION DISTRICT *partnering with* DIAMOND SPRINGS
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