



## CITY OF LAGUNA NIGUEL

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## CITY COUNCIL

Mayor Ray Gennawey  
Mayor Pro Tem Gene Johns  
Council Member Kelly Jennings  
Council Member Stephanie Oddo  
Council Member Stephanie Winstead

June 27, 2025

The Honorable Senator Steve Padilla  
Chair, Senate Governmental Organization Committee  
1020 N Street, Suite 548  
Sacramento, CA 95814

**SUBJECT: AB 1285 State Fire Marshal: Lithium-Ion Battery Facilities: Guidance**  
**Notice of SUPPORT (As Introduced February 21, 2025)**

Dear Senator Padilla,

The City of Laguna Niguel is pleased to support **AB 1285 (Committee on Emergency Management)**, which would require the State Fire Marshal to develop fire prevention, response, and recovery measures for lithium-ion battery storage facilities. Local governments recognize the need to increase the pace and scale of battery energy storage system (BESS) deployment to increase grid resilience and reliability.

BESS protocols for responding to system failures and thermal runaways are very different than traditional firefighting and emergency response. These issues, combined with the fact that several systems have experienced high-visibility failures in recent years, have made local governments more cautious in siting and permitting projects to appropriately safeguard nearby residents and property owners. These issues are further exacerbated with the passage of AB 205 (2022), which grants the California Energy Commission (CEC) the authority to bypass local control and unilaterally approve BESS facilities.

AB 1285 appropriately charges the State Fire Marshal with developing fire prevention, response, and recovery measures for lithium-ion BESS. We hope these recommendations will be incorporated into an updated California Fire Code and also provide greater guidance to local first responders on how to respond in the event of a system failure.

A [proposed BESS facility](#) in the City of San Juan Capistrano, bordering Laguna Niguel's eastern City limits, less than 1,500 feet from Laguna Niguel homes, is currently under review with the CEC under the [AB 205 \(2022\) Opt-In Certification Program](#). The City of Laguna Niguel, surrounding jurisdictions, Orange County's elected representatives, and hundreds of thousands of residents are adamantly opposed to this project due to numerous public safety concerns. In the event that the [CEC approves this project](#), despite these blatant public safety concerns, it will be imperative that local first responders are provided with more comprehensive guidance in the event of a system failure.

For these reasons, the City of Laguna Niguel is pleased to support **AB 1285 (Committee on Emergency Management)**. Should you have any questions about our position, please contact Kevin O'Connor, Assistant to the City Manager, at [koconnor@cityoflaguneniguel.org](mailto:koconnor@cityoflaguneniguel.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ray Gennawey".

Ray Gennawey  
Mayor

Cc: Senate Governmental Organization Committee  
Assembly Committee on Emergency Management  
Laguna Niguel City Council