September 13, 2026

LakeCAP · Comments to the Lake County Board of Supervisors

ATTACHMENT 3 — ENERGY POLICY FOR LAKE COUNTY

LakeCAP Draft · September 2026 · Submitted for the Board's due consideration

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This draft is written to be adoptable. Every policy below is framed to operate within the legal and fiscal limits identified in the County's own draft Energy Strategy, to require no authority the County does not hold, and to carry a responsible department, a funding source, and a date. Where a policy depends on an open question, it states the question and sets a decision date rather than assuming an answer.

Cross-references. Provisions marked (A §…) *respond to a comment in Attachment 3 on the draft Energy Strategy; provisions marked* (B §…) *respond to a comment in Attachment 4 on the Geothermal and Hydrogen Siting Guide.*

PART A — PURPOSE, SCOPE, AND RELATIONSHIP TO OTHER DOCUMENTS

A.1 Purpose

This Policy establishes how the County of Lake will act on energy matters: what it will do for residents and businesses, what it will ask of energy projects sited in the County, how it will participate where permitting authority rests with the State, and how it will decide the questions it is not yet in a position to answer.

A.2 Scope

This Policy is **resource- and technology-neutral**. It applies to geothermal, geologic and produced hydrogen, wind, solar, battery and long-duration storage, pumped hydro, hydroelectric, biomass, transmission, and to demand-side measures including efficiency, distributed generation, and microgrids. Where a resource requires resource-specific standards, this Policy directs their preparation rather than embedding them.

A.3 Relationship to other documents

- **The County Energy Strategy.** This Policy is intended to be read with, and to supply the substantive program for, the Energy Strategy before the Board. The Strategy establishes the County's legal posture and its participation practice. This Policy establishes what the County is trying to achieve and how it will measure whether it succeeded.
- **The Geothermal and Hydrogen Siting Guide.** That document, as revised in accordance with Attachment 4, supplies the permitting and jurisdictional reference on which Articles 4 and 5 operate. This Policy directs the preparation of the genuine siting guide that document does not yet contain (Policy 5.10).
- **The General Plan Energy Element.** This Policy is drafted in goal-and-policy form so that its provisions can be carried into the Energy Element authorized by the Board, with hearings, consistency findings, and tribal consultation, without redrafting.
- **Existing County ordinances.** This Policy does not amend any ordinance. Where an ordinance amendment is required, it is identified in the Implementation Program at Part F.

A.4 Status

This is a discussion draft. Figures cited are planning estimates drawn from public sources and are to be reconciled by staff against a single authoritative County dataset before adoption (Policy 9.4).

PART B — FINDINGS

The Board finds as follows, subject to confirmation of the figures noted:

B.1 — The County hosts generation far in excess of its own load. Lake County co-hosts The Geysers, the largest geothermal field in the world. Countywide electric load is on the order of 50 MW average and 100 MW summer peak, against generation in the region an order of magnitude larger. The County is a net energy exporter and a high-cost energy consumer at the same time.

B.2 — Residents bear a high energy burden. Median household income is roughly two-thirds of the statewide median, approximately one in five residents lives in poverty, and a large majority of the County's population meets the Disadvantaged Community threshold. Upfront cost, not willingness, is the binding constraint on residential efficiency, solar, and storage adoption.

B.3 — The County's exposure to outage and wildfire is structural. Public Safety Power Shutoff events, wildfire, and a fire-exposed rural distribution system impose recurring costs on households, agriculture, small business, and medically dependent residents.

B.4 — Agriculture depends on reliable, affordable, and appropriately timed electric service. Frost protection for grapes, pears, and walnuts requires large nighttime pumping loads at unpredictable intervals during the spring frost season. An energy policy that ignores the shape of agricultural load does not serve the County's agricultural economy.

B.5 — New development is arriving under changed permitting law. Recent State legislation extended Energy Commission opt-in certification to geothermal facilities and amended the findings the Commission must make. A developer may elect State certification, in which case County permits are displaced. Wind, hydrogen exploration, and storage proposals are also in prospect.

B.6 — Significant jurisdictional questions remain unresolved. No decided case establishes how far the term "related facilities" reaches into geothermal field infrastructure. Uncertainty about the limits of County authority is not a reason for the County to relinquish that authority in advance. *(B § II.2.)*

B.7 — The County's capacity is limited and will remain so. The County operates under a hiring freeze and constrained discretionary revenue. A policy that assumes staff the County does not have will not be executed.

B.8 — The County's position is therefore a negotiating and participation position, not primarily a regulatory one. Where the County holds a discretionary approval it should use it well. Where it does not, its influence runs through the State record, through property and contract, and through the quality of the information it brings.

PART C — AUTHORITY, LIMITS, AND WHAT LAKE COUNTY RETAINS

C.1 Limits this Policy is designed around

Each limit below is stated as applying to the County **in its present form** as a general-law county. Where a different vehicle would change the answer, that is addressed at Article 6. *(A § Slide 3.)*

Limit	Consequence for this Policy
The County may not hold equity in a private corporation or lend its credit to a private venture (Cal. Const. art. XVI, § 6)	No policy here contemplates County equity in merchant generation

Limit	Consequence for this Policy
The County is not a utility, Electric Service Provider, or Community Choice Aggregator, and has no market entry point	No policy here contemplates the County buying and reselling power in its present form
A published, generally applicable, output-indexed charge is presumptively a tax (Cal. Const. art. XIII C; *Sheetz v. County of El Dorado* (2024))	Benefits are secured through voluntary, project-specific agreements with a documented nexus
A State certificate issues in lieu of County permits	County influence runs through early, substantive participation in the State proceeding
County property interests are proprietary, not regulatory	Road, corridor, and franchise terms are priced to the value conveyed and to actual impact, and are not used to extract what regulation could not require

C.2 What Lake County retains

This list states the affirmative basis of the Policy and is placed ahead of the program deliberately. *(A § Slide 10; B § II.4.)*

- Permitting authority over wellfield and field-development infrastructure where it is not displaced, and every reasonable claim to that authority where the boundary is unsettled
- Discretionary approvals, zoning, and the General Plan, including setbacks anchored in policy
- California Environmental Quality Act (CEQA) lead-agency and responsible-agency roles, and the scoping and comment record in either capacity
- Development agreements, community benefits agreements, and cooperation agreements
- County property, roads, rights-of-way, corridors, and franchise interests, priced to value conveyed
- The property tax base and federal geothermal lease revenue
- Applicant-funded cost recovery
- Formal participation in State permitting and ratemaking proceedings
- The ability to supply the evidentiary record on local conditions on which State findings depend
- Grant-funded program delivery through third parties, requiring no new County authority

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PART D — GUIDING PRINCIPLES

1. **Residents come first and come early.** The measure of this Policy is what a Lake County household and small business can see within twelve months.
2. **Hosting is not benefiting.** The County will not treat the presence of a resource as a benefit in itself.
3. **Neutral as to resource and technology.** The County's requirements attach to impact and benefit, not to fuel.
4. **Consent, not coercion.** Value capture is secured through negotiated agreements supported by a documented nexus, not through formula charges.
5. **No equity, no lending of credit, no operating risk in merchant generation.**
6. **Preemption is not irrelevance.** Where the County's permit is displaced, its evidence, its conditions, and its agreements are not.
7. **Partners carry the capital and the risk.** The County sets terms, convenes, permits where it can, negotiates, and reports.
8. **Speed is a form of local control.** Predictable, fast County process is the County's best argument against having its process displaced.
9. **Nothing is adopted without an owner, a funding source, and a date.**
10. **Tribal governments are governments.** Consultation is a floor, not the objective.
11. **Publish the record.** Figures, methodologies, agreements, and results are public by default.

PART E — POLICIES

Article 1 — Residents: Affordability and Resilience

Goal 1. Lake County households and small businesses see measurably lower energy costs and measurably better outage resilience, delivered through third-party capital and outside funding, without County debt, County lending, or General Fund appropriation.

Policy 1.1 — Property Assessed Clean Energy. The County shall authorize, by resolution and using State-licensed program administrators, a Property Assessed Clean Energy (PACE) program for residential and agricultural property and a Commercial PACE (C-PACE) program for commercial, industrial, and multifamily property, covering solar, storage, efficiency, water efficiency, seismic, and wildfire-hardening improvements, with the consumer protections required by State law. *The County lends nothing and guarantees nothing.*

Policy 1.2 — Streamlined residential permitting. The County shall implement an automated or expedited permitting pathway for small residential solar and storage systems, a certified-installer fast track, and reduced fees for low-risk systems, with published cycle times.

Policy 1.3 — Incentive navigation. The County shall maintain a single published point of contact and a public guide for residents and small businesses seeking State and federal incentives, with priority attention to programs serving fire-zone, outage-affected, medical-baseline, and income-qualified customers. Staffing shall be met through existing staff, a grant-funded position, a program fee, or a partner organization — not through a General Fund appropriation.

Policy 1.4 — Aggregated purchasing. The County shall support voluntary group purchasing of solar, storage, efficiency, and weatherization measures where aggregation demonstrably lowers installed cost, acting as convener and procurement host rather than as buyer or warrantor.

Policy 1.5 — Access for renters and manufactured-home households. The County shall pursue delivery models that do not require property ownership, credit qualification, or upfront payment, including tariffed on-bill and third-party-owned structures, so that program benefits are not confined to credit-qualified homeowners.

Policy 1.6 — Resilience centers. The County shall identify critical facilities — fire stations, shelters, public water and wastewater systems, communications sites, and cooling and warming centers — and shall pursue outside funding for solar-plus-storage microgrids capable of islanding at those facilities. County ownership of such an asset is permissible where it is built and operated for a public resilience purpose rather than for market return, and the County shall apply and document that test in each case.

Policy 1.7 — Ratepayer advocacy. The County shall participate before the California Public Utilities Commission and other State bodies on matters materially affecting Lake County ratepayers, including rate design, wildfire cost allocation, outage mitigation, agricultural schedules, and medical-baseline access, and shall report its filings to the Board annually.

Policy 1.8 — Benefit targets. The County shall set and publish annual targets for completed installations; storage installations in high-fire and outage-affected areas; households served that are renters or manufactured-home residents; permits processed through the streamlined pathway; and dollars of outside funding secured per General Fund dollar expended.

Article 2 — Agricultural and Critical Load

Goal 2. The energy needs of Lake County agriculture and of medically dependent and vulnerable residents are treated as a defined County interest in every proceeding and every agreement.

Policy 2.1 — Agricultural load is a County interest. The County shall characterize and document agricultural electric load — including frost-protection pumping, irrigation, processing, and cold storage — and shall place that characterization on the record in State proceedings and in project negotiations affecting local distribution capacity or reliability.

Policy 2.2 — Frost protection reliability. The County shall advocate for distribution capacity, rate design, and outage practices that accommodate large, intermittent, weather-driven nighttime agricultural load, and shall support on-farm generation, storage, and backup solutions that reduce exposure to outage during the frost season.

Policy 2.3 — Medically dependent and vulnerable residents. The County shall maintain, with its partners, current information on medical-baseline and access-and-functional-needs households and shall prioritize those households in resilience program delivery.

Policy 2.4 — Agricultural land is not a default energy site. Energy development shall not be sited on productive agricultural land or land under Williamson Act contract where a reasonable alternative site exists, and co-location that preserves agricultural production is preferred where development on such land is proposed.

Article 3 — Host-Community Value Capture

Goal 3. Energy projects sited in Lake County deliver local benefit proportionate to their local impact, secured by enforceable agreement.

Policy 3.1 — Benefits are secured by agreement. The County secures benefits above standard taxation through voluntary, project-specific agreements — development agreements, community benefits agreements, cooperation agreements, and property and franchise agreements — each supported by a documented nexus. The County shall not adopt a standardized, output-indexed, generally applicable revenue-share schedule. *(A § Slide 8.)*

Policy 3.2 — Published framework, negotiated terms. The County shall publish an illustrative benefits framework and model term sheet stating the categories it will raise in every negotiation — local hiring and apprenticeship, local procurement, road and infrastructure contribution, emergency-response and wildfire contribution, monitoring and reporting, workforce training, and community investment — with the understanding that the framework informs negotiation and does not bind an applicant.

Policy 3.3 — Authority in place before it is needed. The County shall amend its development agreement ordinance to permit a standalone agreement where no County entitlement is required, and shall authorize the County to enter community benefits agreements for State-certified projects. *This authority must exist before a State proceeding concludes; it cannot be created in response to one. (A § Slide 14.)*

Policy 3.4 — County property is priced to value. Use of County roads, rights-of-way, corridors, and other County property shall be authorized on terms that include compensation reflecting the value of what is conveyed, pre-work condition surveys, restoration, traffic and haul-route management, insurance, indemnification, and performance security. These terms protect County property and recover County cost; they shall not be used to require what the County could not lawfully require by regulation. *(A § Slide 7.)*

Policy 3.5 — Local offtake and local end use. Where a project's structure permits, the County shall seek arrangements that direct some portion of local generation, heat, or capacity to local benefit — including direct-use heat, on-site industrial load, and resilience capacity — without the County taking title to, or trading in, the commodity.

Policy 3.6 — Workforce. The County shall pursue, with operators, the community colleges, tribal governments, and trade programs, apprenticeship and training pathways in the occupations local energy development actually employs, and shall make local hiring and training commitments a standing element of every negotiation.

Policy 3.7 — Downstream and co-located value. The County shall actively recruit end users that benefit from co-location with local generation or direct-use heat, subject to County review of water demand, land use compatibility, noise, emissions, traffic, and net local fiscal benefit. Recruitment is not a waiver of review.

Article 4 — Participation in State Proceedings

Goal 4. Where permitting authority rests with the State, the County is an early, substantive, and credible participant whose conditions are adopted.

Policy 4.1 — Standing posture. The County takes no position opposing a developer's choice of permitting pathway. County support is not conditioned on pathway choice. The County's interest is substantive — conditions, mitigation, benefit, and information — not territorial.

Policy 4.2 — Early and formal participation. For every energy proceeding before a State agency sited in Lake County, the County shall request a pre-filing meeting, designate a single point of contact, and file substantive comments at scoping and on the draft environmental document.

Policy 4.3 — Comment as proposed conditions. County filings shall take the form of specific, feasible, adoptable condition language. A filing that urges denial gives the decision-maker nothing to adopt. The County shall develop its proposed conditions with public and tribal input rather than in isolation.

Policy 4.4 — The County as the information source. The County shall maintain and supply hazard and fire mapping, evacuation constraints, road and haul-route data, water supply information, labor market data, cumulative project lists, and tribal contact information, so that the State record reflects local conditions accurately.

Policy 4.5 — Fiscal-impact methodology. The County shall publish, in advance of any filing, its methodology for measuring a project's net fiscal and community effect on the County — including infrastructure and road demand, emergency services, housing, workforce, water, environmental burdens, and tax revenue — so that the record supporting any required net-local-benefit determination is the County's record. *(A § Slide 13; B § III.4.)*

Policy 4.6 — Standing compendium. The County shall maintain a current compendium of applicable County ordinances, General Plan policies, standards, and maps, with citations and factual basis, ready to file, and shall verify its contents against County Counsel's citation memorandum so that the County does not assert authority it no longer holds.

Policy 4.7 — Pre-application engagement. The County shall request that developers meet with the County before filing, and shall require full buildout disclosure — all phases, not the first — as a condition of completeness in any County review.

Policy 4.8 — Preemption is not irrelevance. Where a State certificate supersedes a County permit, County land-use policy, hazard and evacuation data, water limitations, road conditions, cultural resources, and community impact evidence remain material to the State's environmental, public health and safety, and net-benefit determinations. The County shall maintain and exercise a standing inventory of its remaining avenues of influence: formal participation, environmental comment, proposed mitigation, fiscal analysis, property and franchise terms, development agreements, and community benefit negotiation. *(B § III.1.)*

Article 5 — Local Permitting, Siting, and Environmental Review

Goal 5. Where the County holds authority, it exercises it quickly, predictably, and on a complete record, and it does not concede authority whose boundary is unsettled.

Policy 5.1 — Speed as local control. The County shall publish permit cycle times for energy applications and shall treat predictable, timely processing as a primary defense of local jurisdiction.

Policy 5.2 — Close the standards gaps. The County shall adopt development standards for resources for which its zoning ordinance currently provides none — wind in the first instance — before the first application in that category is filed, and shall amend its use and definition articles to address geothermal field development, geologic hydrogen, storage, and transmission.

Policy 5.3 — Setbacks anchored in policy. Resource setbacks and similar protections shall be anchored in General Plan policy as well as in zoning, so that they are not vulnerable to a consistency challenge.

Policy 5.4 — Whole of the action. Where the County is CEQA lead agency, review shall cover the whole of the action, including wellfields or collection systems, pipelines, gathering and transmission lines, water supply, and haul routes. Where the State is lead, the County shall request at scoping that its review do the same. *(B § III.2.)*

Policy 5.5 — Cumulative baseline. The County shall maintain a standing list of known, proposed, and reasonably foreseeable projects for use as the cumulative baseline in every review.

Policy 5.6 — Affirmative siting. The County shall pursue outside funding to prepare a County siting map identifying areas well suited to energy development and, where funding permits, a program-level environmental document from which later project review may tier. The County shall not commit General Fund money to this work.

Policy 5.7 — Interconnection and transmission information. The County shall maintain current information on interconnection and transmission constraints, obtained through partnership or grant funding, because siting policy without transmission awareness is speculative.

Policy 5.8 — Environmental and public health monitoring. The County shall require, through the mechanisms available to it in each case, environmental monitoring appropriate to the resource — including groundwater and drinking water protection, induced seismicity where applicable, air quality, and noise — with results reported publicly on a defined schedule.

Policy 5.9 — Emergency response and wildfire. Every energy project shall be evaluated for its effect on evacuation capacity, emergency access, fire-suppression water availability, and wildfire ignition risk, and shall be expected to contribute to the emergency-response capacity its presence requires.

Policy 5.10 — A genuine siting guide. The County shall prepare and adopt a siting guide that states **where and under what conditions** the County believes geothermal, geologic hydrogen, wind, solar, storage, and transmission development is and is not appropriate. It shall establish objective criteria addressing, at minimum: wildfire risk and evacuation capacity; road adequacy and haul routes; proximity to residences, schools, and communities; water demand and availability; seismic and geologic hazards; environmental sensitivity and habitat; tribal and cultural resources; existing disturbance and resource quality; leasehold; transmission and interconnection access; cumulative impacts; and compatibility with surrounding land uses. The permitting and jurisdiction guide prepared by the Ad Hoc Committee is a reference document and is not a substitute for this. *(B § IV.)*

Policy 5.11 — Retained field jurisdiction is preserved, not conceded. Production and injection wells, well pads, inter-well pipelines, gathering systems, and other field-development infrastructure may remain within County and State resource-agency jurisdiction rather than within a State powerplant certificate. Because no decided case establishes how far "related facilities" reaches, the County shall treat that boundary as an unresolved question, shall assert its jurisdiction where a reasonable claim exists, and shall not interpret uncertainty in favor of maximum preemption. *(B §§ II.2, II.3.)*

Article 6 — Governance Vehicle and Market Participation

Goal 6. The County makes a deliberate, informed, and dated decision about the vehicle through which it will act, rather than leaving the question open indefinitely.

Policy 6.1 — The question is open and will be closed. The County acknowledges that several of the limits in Part C attach to its form as a general-law county rather than to public agencies generally. The County shall evaluate, on a defined schedule, whether a different vehicle better serves its residents. *(A § Slide 4.)*

Policy 6.2 — Options to be evaluated. The evaluation shall address, at minimum: (a) status quo; (b) participation in an existing community choice aggregator; (c) formation of a community choice aggregator, alone or jointly; (d) a joint powers authority with the Cities of Clearlake and Lakeport and, where appropriate, tribal governments and special districts; (e) district formation; and (f) targeted public-purpose asset ownership without any of the foregoing.

Policy 6.3 — Evaluation standard. Each option shall be assessed on rate effect for Lake County customers, startup and ongoing cost, County risk exposure and its insurability, time to benefit, staffing demand, reversibility, and effect on the County's negotiating position. No option shall be recommended on the basis of aspiration.

Policy 6.4 — Existing authority. Staff shall confirm and report the status of any existing County authorization relating to community choice aggregation or other energy vehicles, and whether it remains effective.

Policy 6.5 — No acquisition of the investor-owned distribution system. The County shall not pursue acquisition of the investor-owned distribution system. The County's own analysis shows required bond par far exceeding any financeable coverage ratio, no scenario clearing a marketable threshold, and no State wildfire-fund eligibility for a publicly owned utility. The County shall not reopen this question absent a material change in State law governing wildfire liability, or a fully funded third-party proposal that carries the liability. *(A § Slides 5–6.)*

Policy 6.6 — Public-purpose ownership is permitted and bounded. Where the County or a County-affiliated public agency acquires or builds an energy asset, it shall do so only where the asset serves a public resilience or public service purpose rather than market return, and shall document that finding at the time of acquisition.

Policy 6.7 — Decision date. Staff shall return to the Board with a recommendation on Policy 6.2 no later than the end of the first quarter of 2027.

Policy 6.8 — Existing hydroelectric assets. The County shall state a position on the disposition of existing hydroelectric facilities within the County whose ownership is in transition, including the County's interests in water storage, firefighting water supply, recreation, and public safety, and shall state whether it regards generation at such facilities as a County energy interest. Silence on an asset of this kind will be read as an omission.

Article 7 — Tribal Governments

Goal 7. Tribal governments participate as governments in County energy decisions affecting their peoples, lands, and cultural resources.

Policy 7.1 — Consultation as a floor. The County shall conduct consultation required by law, early and in good faith, and shall not treat completion of a statutory consultation as the limit of its obligation.

Policy 7.2 — Participation in benefit. The County shall seek tribal participation in the negotiation and governance of community benefit arrangements affecting tribal interests, and shall support direct tribal-developer agreements rather than substituting for them.

Policy 7.3 — Cultural resources. The County shall protect the confidentiality of tribal cultural resource information and shall ensure that resource surveys and monitoring reflect tribal expertise.

Policy 7.4 — Standing relationship. The County shall maintain a standing government-to-government channel on energy matters rather than initiating contact project by project.

Article 8 — Fiscal Framework, Cost Recovery, and Funding

Goal 8. The County's energy work is paid for by applicants, grants, and agreements — not by the General Fund.

Policy 8.1 — Applicants pay actual cost. The County shall update its fee schedule so that development agreement, community benefits agreement, and energy application processing recover the County's actual cost — including County Counsel, outside counsel, and consultants — from a refundable deposit, with periodic reconciliation.

Policy 8.2 — Cost recovery for negotiation on State-certified projects. Where a developer requests that the County negotiate a community benefits agreement or cooperation agreement for a project the State permits, the County's actual cost of that negotiation shall be recovered by deposit agreement as a condition of County participation.

Policy 8.3 — Existing revenue first. The County shall audit its geothermal royalty and impact-mitigation receipts to confirm it is receiving its full statutory share, shall report the result to the Board, and shall pursue any shortfall.

Policy 8.4 — Grants as the funding engine. The County shall pursue State and federal funding for planning, program delivery, workforce, resilience, and capital work, and shall maintain a standing application calendar. The County recognizes that grants generally do not fund formation, legal, or negotiation cost, and shall fund those from cost recovery and agreements.

Policy 8.5 — Directed use of new revenue. The Board shall consider directing a defined share of new energy-derived revenue to the resident programs in Article 1 and to emergency-response and resilience capacity, so that the connection between hosting and benefiting is visible to residents.

Policy 8.6 — No unfunded commitments. No action shall be adopted under this Policy without a named responsible department, an identified funding source, and a date. Actions that cannot meet that test shall be listed as aspirational and not represented as commitments. *(A § Slide 18.)*

Article 9 — Transparency, Metrics, and Accountability

Goal 9. The Board and the public can tell whether this Policy is working.

Policy 9.1 — Annual energy report. Staff shall report annually to the Board on: permit cycle times; State proceedings in which the County participated and conditions adopted; agreements executed and benefits secured; resident program results against the targets in Policy 1.8; grant applications and awards; royalty and mitigation receipts; and monitoring results.

Policy 9.2 — Public posting. Executed development and community benefits agreements, the published benefits framework, the fiscal-impact methodology, and the cumulative project list shall be publicly posted.

Policy 9.3 — Community organization roster. The County shall maintain a roster of local community-based organizations qualified to participate in benefit agreements, and shall make clear where the County itself may serve in that role.

Policy 9.4 — One authoritative dataset. The County shall publish and maintain a single reconciled set of figures — plant count, nameplate and net capacity by county, assessed value, employment, load profile, royalty receipts, and demographic indicators — and shall use it consistently in all County documents and filings. *(A § Slide 10.)*

Policy 9.5 — Public process. Energy matters of countywide significance shall be brought to the Board in a format that permits genuine public exchange, including noticed workshops and study sessions, rather than through comment periods alone.

Policy 9.6 — Review. This Policy shall be reviewed by the Board annually and amended as law, resources, and County capacity change.

PART F — IMPLEMENTATION PROGRAM

Actions are grouped by urgency. Every action carries a responsible department, a funding source, and a target.

Tier 1 — Time-critical (0–120 days)

#	Action	Policy	Responsible	Funding
1	Amend the development agreement ordinance to allow standalone agreements	3.3	Comm. Dev. / Counsel	Existing staff
2	Authorize County execution of community benefits agreements for State-certified projects	3.3	Counsel / Admin	Existing staff
3	Update the Master Fee Schedule to actual-cost recovery by refundable deposit	8.1	Comm. Dev. / Auditor	Cost recovery
4	Adopt wind development standards; close the zoning gap	5.2	Comm. Dev.	Existing staff
5	Adopt PACE and C-PACE by resolution	1.1	Admin / Counsel	None required
6	Adopt a standard road impact and use agreement and encroachment package	3.4	Public Works / Counsel	Cost recovery
7	Designate the single point of contact for State proceedings	4.2	Admin	Existing staff
8	Obtain a written State position on geologic hydrogen classification	5.2	Comm. Dev. / Counsel	Existing staff
9	Issue Counsel’s citation memorandum reconciling the LORS treatment across County documents	4.6	Counsel	Existing staff

Tier 2 — Near term (120 days to 12 months)

#	Action	Policy	Responsible	Funding
10	Publish the fiscal and community impact methodology	4.5	Admin	Existing staff
11	Publish the illustrative benefits framework and model term sheet	3.2	Admin / Counsel	Cost recovery
12	Implement streamlined residential solar and storage permitting; publish cycle times	1.2, 5.1	Comm. Dev.	Fee-supported
13	Stand up incentive navigation and publish the resident guide	1.3	Admin / partner	Grant or partner
14	Audit royalty and impact-mitigation receipts; report to the Board	8.3	Auditor / Admin	Existing staff
15	Adopt interim hydrogen exploration and production standards	5.2, 5.8	Comm. Dev. / Counsel	Existing staff
16	Complete the governance-vehicle evaluation and return with a recommendation	6.2, 6.7	Admin	Grant or cost recovery
17	Build and file the standing ordinance compendium	4.6	Counsel / Comm. Dev.	Existing staff
18	Identify resilience centers; apply for microgrid funding	1.6	Admin / OES	Grant
19	Establish the standing tribal government channel	7.4	Admin	Existing staff
20	Amend use and definition articles for energy uses	5.2	Comm. Dev.	Existing staff
21	Establish the cumulative project list and community organization roster	5.5, 9.3	Comm. Dev.	Existing staff
22	Publish one reconciled County energy dataset	9.4	Admin	Existing staff
23	Adopt County siting criteria as the basis of the siting guide	5.10	Comm. Dev.	Existing staff
24	State the County's position on existing hydroelectric assets	6.8	Admin / Counsel	Existing staff

Tier 3 — Funding-dependent (12 to 36 months)

#	Action	Policy	Responsible	Funding
25	County siting map and program-level environmental document	5.6, 5.10	Comm. Dev.	Outside funding only
26	Interconnection and transmission constraint information	5.7	Admin	Outside funding only

#	Action	Policy	Responsible	Funding
27	Aggregated purchasing program	1.4	Admin / partner	Grant or partner
28	Renter and manufactured-home access program	1.5	Admin / partner	Third-party capital
29	Workforce and apprenticeship pathway	3.6	Admin / colleges	Grant / agreement
30	Resilience center microgrid construction	1.6	Admin / OES	Grant / public-purpose finance

PART G — RISKS AND HOW THIS POLICY ADDRESSES THEM

Risk	Treatment
A negotiated payment is challenged as an unlawful tax or exaction	Voluntary, project-specific agreements; documented nexus; no output-indexed schedules (3.1, 3.2)
The County asserts an authority it no longer holds and loses credibility on the record	Counsel-verified compendium and citation practice; participation framed as proposed conditions (4.3, 4.6)
The County concedes authority whose boundary is unsettled	Unresolved questions labeled as such; reasonable claims asserted (B.6, 5.11)
Property or franchise terms are characterized as an unconstitutional condition	Terms priced to value conveyed and actual impact, with an express limit on their use (3.4)
Environmental review is split between agencies and impacts are not analyzed as a whole	Whole-of-the-action scoping; request that State review include the full project; cumulative list (5.4, 5.5)
The County lacks staff to execute	No action adopted without owner, funding, and date; recurring obligations funded by cost recovery or grants (8.6)
A State proceeding closes before the County acts	Tier 1 authorities in place in advance; standing point of contact and compendium (3.3, 4.2, 4.6)
Residents see no benefit and the policy loses public support	Article 1 delivered in year one with published targets and annual reporting (1.8, 9.1)
Benefits reach only credit-qualified homeowners	Delivery models not requiring ownership, credit, or upfront payment; participation tracked (1.5)
Agricultural load is not accommodated and the farm economy absorbs the cost	Agricultural load characterized and placed on the record; advocacy on rate design and reliability (2.1, 2.2)

Risk	Treatment
Figures in County documents conflict and the County's credibility suffers	Single authoritative dataset published and used consistently (9.4)

PART H — WHAT SUCCESS LOOKS LIKE

Within twelve months of adoption, the County should be able to state, in plain language:

1. **What a resident got** — installations completed, storage placed in high-fire and outage-affected areas, renters and manufactured-home households served, permits through the streamlined pathway, and outside dollars secured.
2. **What the County asked of projects, and got** — agreements executed, conditions adopted in State proceedings, benefits secured, and cost recovered.
3. **What vehicle the County will act through** — a decided question, with a recommendation before the Board.
4. **Where development belongs** — objective siting criteria adopted, and a siting map underway or funded.
5. **Who owns each commitment, by when, paid for how** — reported quarterly against the Implementation Program.
6. **Whether it is working** — measured against Policy 1.8 targets and reported annually under Policy 9.1.

APPENDIX — AUTHORITIES REFERENCED

To be verified and completed by County Counsel prior to adoption. Listed here to identify the statutory basis of each policy area, not as legal advice.

- Cal. Const. art. XVI, § 6 — public agency stock ownership; gift of public funds; lending of credit
- Cal. Const. art. XIII C — Proposition 26; local tax and fee definitions
- *Sheetz v. County of El Dorado* (2024) — nexus and proportionality as applied to legislatively adopted permit conditions
- *Jacks v. City of Santa Barbara* (2017) — charges for use of public property and the value conveyed
- Gov. Code § 65864 et seq. — development agreements
- Gov. Code § 6500 et seq. — joint exercise of powers
- Pub. Util. Code § 366.2 — community choice aggregation

- Pub. Res. Code § 25500 et seq.; § 25545 et seq. — Energy Commission certification and opt-in certification, as amended by AB 531 (2025) and SB 254 (2025)
- Pub. Res. Code § 21000 et seq. — CEQA; § 21080.3.1 — tribal consultation
- Sts. & Hy. Code § 5898.10 et seq. — contractual assessments (PACE)
- Gov. Code § 53311 et seq. — Mello-Roos Community Facilities Act
- Gov. Code § 66000 et seq. — Mitigation Fee Act
- Pub. Res. Code § 3800 et seq. and related provisions — geothermal resources; geothermal impact mitigation

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Submitted for discussion. The County's draft Energy Strategy establishes the County's legal posture and participation practice; this Policy is offered to supply the program, the priorities, and the accountability structure that make that posture productive.