



County of Sonoma

State of California

Date: July 9, 2024

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Authorizing the Director of Permit Sonoma, or designee, to execute an agreement with MIG,
Inc. to oversee the adequacy of an applicant prepared Environmental Impact Report for a
term not to exceed three years and commencing on the date of the last required signature to
the agreement**

Whereas, on September 22, 2022, Permit Sonoma received an application for a Use Permit to allow construction and operation of the Borealis Energy Storage Project- a 300 MW commercial battery storage facility that would occupy approximately 20 acres of an existing 137-acre agricultural property located at 3571 Old Adobe Rd., Petaluma (APN 017-130-008); Zoned Land Extensive Agriculture (LEA) (allowed density: 70 acres per dwelling) with combining districts for Flood Plain (F2), Local Area Development Guidelines for Sonoma Mountain (LG/MTN), Riparian Corridor (RC50/25), and Scenic Resources (SR), and Valley Oak Habitat (VOH); and,

Whereas, it is the standard practice of Permit Sonoma to self-prepare any necessary EIR, typically through a contract the County enters with an EIR consultant to evaluate the environmental impacts of a project. An applicant may request, and Permit Sonoma may allow, an exception to the standard practice in accordance with Permit Sonoma's Applicant Prepared Environmental Review Policy 8-0-7; and,

Whereas, in November 2023, Permit Sonoma accepted the applicant's request to submit an Applicant-prepared EIR for the Borealis Energy Storage project and on March 28, 2024, the Director of the Sonoma County Permit Resource and Management Department and Borealis ESS, LLC, executed a Memorandum of Understanding (MOU). The MOU establishes a cooperative agreement between Permit Sonoma and Borealis ESS, LLC to allow the applicant to provide an Applicant Prepared EIR to be peer reviewed by the County and County hired consulting staff with expenses covered by the applicant; and,

Whereas, on April 15, 2024, Permit Sonoma released a Request for Proposals (RFP), to solicit proposals to conduct peer review of the Applicant-prepared EIR analysis, develop hearing and public meeting materials related to the EIR, and complete related administrative tasks. Two firms responded with proposals for the requested scope of work; and,

Whereas, County staff evaluated and scored the proposals in accordance with the evaluation criteria outlined in the RFP. The review panel consisted of three staff members from the Planning Division of Permit Sonoma. MIG, Inc. was scored as the preferred bidder because their proposal included a comprehensive explanation of their proposed approach to EIR peer review and preparation of public hearing materials. The cost of the not-to-exceed contract is \$107,410; and.

Whereas, County staff and independent consultant review is part of the project costs for which the applicant is responsible; and,

Whereas, on July 9, 2024, the Board of Supervisors considered the request at a public meeting conducted in compliance with applicable law.

Now, Therefore, Be It Resolved, that the Board of Supervisors of the County of Sonoma, authorizes the Director of Permit Sonoma, or designee, to execute an agreement with MIG, Inc. to oversee the preparation of an Environmental Impact Report for a term not to exceed three years and commencing on the date of the last required signature to the agreement.

Be It Further Resolved, that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other materials which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin: Coursey: Gore: Hopkins: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.