Equity Principles for Responsible Utility-Scale Battery Energy Storage Systems (BESS)



California Environmental Justice Alliance

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Introduction

The California Environmental Justice Alliance (CEJA) is a statewide coalition of environmental justice organizations representing Asian, Pacific Islander, Latine, and Black residents disproportionately impacted by environmental pollution and related health burdens. Our member organizations work across the Bay Area, San Joaquin Valley, Central Coast, Los Angeles, Inland Valley, and San Diego–Tijuana regions, collectively representing more than 40,000 residents in low-income communities and communities of color on the frontlines of environmental hazards. Grounded in deep community relationships, policy expertise, and firsthand experience, CEJA advances equitable, community-driven solutions that protect public health, strengthen community power, and safeguard California's environment. We envision a 100% renewable energy future where everyone has access to affordable, reliable, clean energy.

We see battery energy storage systems (BESS) as an opportunity to help retire fossil fuel plants in environmental justice (EJ) communities. We prioritize community-scale solar and storage, behind-the-meter distributed energy resources, microgrids, energy efficiency, and demand response solutions over large-scale projects, in order to localize benefits and avoid the build-out of costly transmission. We also understand the need for responsible utility-scale BESS to be implemented as a way to leverage the vast amounts of solar on our grid to retire gas plants, serve system reliability, and support a more affordable grid for all. Utility-Scale BESS are being permitted rapidly, sometimes near homes, schools, and workplaces, and carry risks of fire, toxic exposure, supply-chain harm, and unaccountable cost.

In these principles, CEJA considers utility-scale BESS as front-of-the-meter interconnected systems that have a capacity of at least 1 MW. These principles were developed through a series of community education workshops in October 2026 attended by 49 participants across 6 organizations: APEN, CAUSE, CBE, CRPE, PODER, and SCOPE LA.

These principles share our vision for what equitable implementation of responsible utility-scale BESS looks like: prioritizing safety, transparency, and community collaboration to achieve a just transition away from fossil fuel plants that is clean, affordable, and community-designed.

Who We Are

The California Environmental Justice Alliance (CEJA) and the following member and partner organizations have endorsed these principles. Asian Pacific Environmental Network (APEN), Central Coast Alliance United for a Sustainable Economy (CAUSE), Communities for a Better Environment (CBE), Center on Race, Poverty & The Environment (CRPE), Environmental Health Coalition (EHC), and Physicians for Social Responsibility Los Angeles (PSR-LA).

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Our Principles

1. Host communities' consent to a project, help shape it before applications are filed, and stay involved throughout the life of the project.

Before the application is submitted, developers must:

- Seek informed consent from the communities that will live next to a BESS project early in the planning and before an application is filed.
- Engage in the languages communities speak, through trusted messengers and CBOs, and reach residents directly, not only their elected officials.
- Fund CBO engagement at least 6 months before any application is filed, and compensate CBOs and residents for their time and expertise through stipends, transit, meals, and childcare.
- Form a Community Oversight Committee before the application stage, made up of local EJ, public health, labor, and utility representatives with defined authority to approve, deny, or require changes to the project plan, and reviews safety and compliance throughout the project's life.
- Begin Tribal consultation if the project affects Tribal territories or cultural resources.
- Publish the battery chemistry, materials, hazards, and alternatives analysis (Principle 5) before the first workshop, so communities can consent with full information.
- Host community workshops that answer the following questions:
    - What alternatives were considered, and why was this battery type chosen?
    - What are the emergency and safety plans?
    - What does the life-cycle analysis show?
    - How are materials sourced?
    - What are the potential impacts of fires, spills, or other failures?
    - What are the liability and insurance plans?
    - How will decommissioning be funded?
    - What are the municipality's contingency plans if the developer goes bankrupt?
    - What other day-to-day impacts, such as construction, noise, smells, water, and aesthetics, should residents expect?

During permitting, developers and agencies must:

- Provide plain-language notices and materials, in the languages the community speaks, at least 90 days before each decision point.
- Offer easy ways to track the project and submit comments.

- Share the site's emergency safety protocols.
- Offer residents a tour of the facility when possible.

After each decision, developers and agencies must:

- Explain how community concerns were addressed, and justify any community recommendation they do not adopt.

2. Safety is non-negotiable, never a bargaining chip.

The following conditions are part of every project, and are not tradeable for community benefits. Developers must provide:

- Consistent minimum setbacks from homes, schools, and other sensitive sites.
- Emergency response plans coordinated with local fire departments, with public notification in languages most commonly spoken in the community, and annual updates.
- A site reachable by trained fire and emergency responders within a reasonable amount of time.
- Payment for fire department training and equipment specific to BESS.
- Public disclosure of battery chemistry and hazards (see Principle 5).
- An incident response protocol & protections for folks who live, work, and go to school in the community (including but not limited to families, children, elderly, farmworkers) in the event of an emergency.
- Maintain insurance for remediation in case of fire or other malfunction.
- Be the named responsible party for the project's entire life (even after a sale) and not pass fire or failure costs on to ratepayers.

3. BESS must deliver savings that residents can see on their bills.

Renters and homeowners must receive savings on their electricity bills from the project. The developer must:

- Work with the utility to provide households and businesses near the project with bill credits that reduce their electricity bills.
- Publish the project financial and carbon costs as compared to gas-burning power generation, and the savings that go to the host community.

4. BESS must strengthen local resilience for host communities.

For every project, the following is required:

- Developers and agencies must locate projects where they can relieve communities of risks from transmission and/or distribution systems that are less robust because of historic grid design or in the face of wildfire, flood, or other climate emergencies.
- Developers provide 24/7 backup power to nearby households and critical facilities. This would serve communities for day-to-day needs as well as during outages and utility shutoffs via a microgrid or islanding capability where possible. If not possible, this would be achieved through the direct financing of a solar-powered community microgrid.

5. Developers and local municipalities must protect communities at every stage of a BESS project's life: responsible sourcing and installation, safe operation, and end of life.

Developers are responsible for a BESS project's entire life, from sourcing through recycling as detailed below. We have a preference for non-combustible BESS types and battery types that use minerals with less environmental impact (i.e. sodium, iron/air, flow-state) where possible. We have a preference for siting storage with solar where possible so storage can charge from clean energy and not extend reliance on fossil fuel plants.

Before the project application stage, developers must:

- Undergo and provide an alternatives analysis to the public that weighs different battery types, sizes, and non-storage options for the project based on safety, materials production impacts, end-of-life impacts, efficiency, siting, and cost. The analysis should explicitly consider whether distributed energy resources, energy efficiency, or demand response could meet the same need.
- Publish the project's battery materials and chemistry.

During the sourcing stage, developers must:

- Disclose where BESS materials come from and prefer lower-impact sources, with particular attention to lithium extraction, cobalt mining, rare earth extraction, and other critical minerals. Supply chains should prioritize ethically sourced materials when possible.

During the operation stage:

- Developers must protect host communities at the site.

- Developers must commit to developing safety plans for installation, operation, and end of life.
- Local municipalities should develop contingency planning in cases where developers are unable to meet their commitments.

During the end of life, developers must:

- Decommission the project, remediate the site, and recycle materials without harming the host community or exporting harm to other communities.
- Work with municipalities to identify recycling pathways, and invest in them where viable recycling does not yet exist, to help build a circular economy where possible.
- Dispose of waste in ways that do not concentrate pollution in other communities or create Superfund sites.

6. Developers must consider local workforce opportunities and community ownership models in a CBA.

It is prudent for developers to offer communities a real stake in the projects built in their neighborhoods, especially environmental justice and frontline communities. Developers must negotiate a CBA that is:

- Legally binding, with a clear enforcement path and public reporting.
- Developed with local trusted CBOs from the project proposal stage, and negotiated with impacted community groups that include people who live, work, and go to school near the project. The developer should make every effort to negotiate CBAs with trusted community organizations that include local environmental justice organizations, labor, public health organizations, as well as Tribes.
- Inclusive of enforceable local and targeted hire commitments, prevailing wages, and high-road labor standards, with apprenticeship pathways and dedicated job opportunities for residents and workers displaced from fossil fuel and agricultural jobs.
- Inclusive of an opportunity for community ownership or co-ownership of the project if that is desired by the community.
- Posted on a searchable public website before any decision is made, and at least 90 days before a final decision.

7. BESS must not be used to enable data center growth.

Storage should serve communities' reliability, resiliency, and clean energy needs. It should not be built to support new data center load or other large industrial demand that takes priority over local needs.

8. Utilities must share decision-making power over procurement, siting, and spending with the communities affected by their projects.

We ask that utilities do the following to share decision-making power with impacted communities:

- Evaluate community-scale solar, storage, and demand-side options before procuring large-scale storage.
- Design a formal role for impacted CBOs and EJ organizations in utility planning, procurement, and rate proceedings.
- Mandate Community Oversight Committees be required for BESS projects.
- Compensate communities to participate in a project's permitting process for CBOs and EJ organizations.
- Publish what storage procurement costs ratepayers for transparency.

9. BESS projects must help retire fossil fuel plants, starting in local capacity areas.

State and local agencies must prioritize clean energy resources and BESS procurement in local capacity areas to retire fossil fuel resources. BESS should only be sited at a fossil fuel plant as a means to retire the plant. BESS projects sited at a fossil fuel plant will include a binding retirement date and a plan, with funding, for decommissioning and cleaning up the existing plant. Closure should be prioritized for plants in or near EJ communities. BESS must not extend a plant's life, and the plant must not remain as backup.



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