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THIRD READING

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Bill No: AB 915  
Author: Petrie-Norris (D)  
Amended: 7/17/25 in Senate  
Vote: 21

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SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 7/16/25  
AYES: Limón, Seyarto, Allen, Grove, Hurtado, Laird, Stern

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 78-0, 6/2/25 - See last page for vote

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**SUBJECT:** Dam safety: state supervision: exceptions

**SOURCE:** Hydrostor

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**DIGEST:** This bill exempts from Division of Safety of Dams (DSOD) oversight water storage facilities, structures, and activities associated with a specified energy storage system facility in Kern County using compressed air technology if the facility, structure, or activity meets certain requirements.

**ANALYSIS:**

Existing law:

- 1) Subjects all dams and reservoirs to regulation and oversight by DSOD within Department of Water Resources (DWR) (Water Code (WAT) §6075).
- 2) Defines “dam” as any artificial barrier, together with additional appurtenant structures (including training walls, spillways, outlets, tunnels, channels, pipelines, or dikes) that may impound or divert water and is either (a) 25 feet or greater in height from the natural stream bed to the top of the barrier/maximum storage elevation, or (b) impounds a capacity of 50 acre-feet of water or more (WAT §6002).

- 3) Excludes any barrier not in excess of six feet or a barrier with a storage capacity of 15 acre-feet or less, regardless of height, from the definition of dam (WAT §6003).
- 4) Excludes certain structures from the definition of “dam,” including an obstruction in a canal as a barrier across a stream channel, watercourse, or natural drainage area from consideration as a dam if the structure is no greater than 15 feet in height (WAT §6004).
- 5) Excludes certain waste water treatment and storage ponds constructed as part of a waste water control facility from the requirements for state regulation and supervision of safety of dams (WAT §6025.5).
- 6) Requires DSOD to inspect dams, reservoirs, and appurtenant structures to verify their safety in accordance with a prescribed schedule depending on the hazard classification, as determined by DSOD, of the facility (WAT §6102.5).

This bill:

- 1) Exempts from the requirements of state regulation and supervision of safety of dams water storage facilities, structures, and activities associated with a specific energy storage system facility in Kern County using compressed air technology that meet all of the following:
  - a) A maximum water pool height of 25 feet or less from the final engineered grade and a maximum storage capacity of 1,500 acre-feet or less;
  - b) Designed by, and constructed under, the supervision of a registered civil engineer;
  - c) Are not across a stream channel or watercourse; and
  - d) Are approved by a lead agency pursuant to the California Environmental Quality Act (CEQA), including, but not limited to, approval by state regulatory agencies with a regulatory program certified by the Secretary of the Natural Resources Agency pursuant to CEQA.

## **Background**

*Division of Safety of Dams (DSOD).* The State has regulated dams since 1929 to prevent failure, safeguard life, and protect property. DSOD provides oversight to the design, construction, and maintenance of over 1,200 jurisdictional sized dams in California. A “dam” is any artificial barrier, together with appurtenant works.

If the dam height is more than six feet and it impounds 50 acre-feet or more of water, or if the dam is 25 feet or higher and impounds more than 15 acre-feet of water, it is under the jurisdiction of DSOD (“jurisdictional dams”), unless it is exempted.

DSOD ensures dam safety by:

- Reviewing and approving dam enlargements, repairs, alterations, and removals to ensure that the dam appurtenant structures are designed to meet minimum requirements.
- Performing independent analyses to understand dam and appurtenant structures’ performance. These analyses can include structural, hydrologic, hydraulic, and geotechnical evaluations.
- Overseeing construction to ensure work is being done in accordance with approved plans and specifications.
- Inspecting each dam on an annual basis to ensure it is safe, performing as intended, and is not developing issues. Roughly one-third of these inspections include in-depth instrumentation reviews of the dam surveillance network data.
- Periodically reviewing the stability of dams and their major appurtenances in light of improved design approaches and requirements, as well as new findings regarding earthquake hazards and hydrologic estimates in California.

*CEC Power Plant Certification Processes.* The California Energy Commission (CEC) has exclusive authority to certify all thermal power plants 50 megawatts (MW) and larger and related facilities proposed in California. The Application for Certification (AFC) process is a certified regulatory program under CEQA. As a certified regulatory program, the CEC does not prepare environmental impact reports (EIRs) but instead prepares environmental assessment documents that are functionally equivalent to EIRs. A certificate issued by CEC is in lieu of any permit, certificate, or similar document otherwise required by any state, local or regional agency, or federal agency to the extent permitted by federal law, and supersedes any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law.

*Willow Rock Energy Storage Center.* According to the CEC, the Willow Rock Energy Storage Center (Willow Rock) is a proposed compressed air storage energy

storage facility in Kern County. The project site is on undeveloped land in an area zoned Limited Agriculture (A-1) District. The area surrounding the project boundary is largely undeveloped with very sparse residential development; the nearest residence is approximately 0.8 mile northwest of the northwest corner of the Willow Rock project site.

Willow Rock would be a 520 MW gross (500 MW net) and 4,160 megawatt-hour (MWh) gross (4,000 MWh net) facility using Hydrostor, Inc.'s proprietary, advanced compressed air energy storage technology. The overall facility would consist of four 130 MW (gross) power turbine trains, outputting a total of 500 MW net at the point of interconnection. Each train would contain an electric motor-drive air compressor drivetrain, heat exchangers, an air turbine generator, air exhaust stacks, and ancillary equipment. Each train would share a common set of thermal storage tanks (hot and cold water), as well as the air storage cavern. Willow Rock would interconnect to Southern California Edison's Whirlwind Substation located southwest of Willow Rock via a new approximately 19-mile 230-kilovolt generation-tie line.

According to Willow Rock's fact sheet, provided by this bill's sponsor Hydrostor, "Hydrostor's technology relies on a man-made, fully lined retention pond which maintains the pressure of the compressed air in the underground cavern. The pond has no hydrologic connection to surface water or groundwater, will contain less than 600 acre feet of water, and will have a small berm six feet high from finished grade. 45 acre feet of water, or 15 million gallons of water, will be held above the finished grade, and all water in the pond can be emptied into the cavern if necessary." Although Hydrostor argues that this pond is not a dam, it does fall within the definition of a dam, subjecting it to DSOD oversight. Additionally, according to the fact sheet, CEC staff have asserted that DSOD jurisdiction applies to the reservoir.

Reception to Willow Rock has been mixed, with the project receiving support from individuals and the California City Chamber of Commerce and concerns from environmental groups including Center for Biological Diversity and Defenders of Wildlife. Both Center for Biological Diversity and Defenders of Wildlife have expressed their concerns through CEC's AFC process and copies of their comments can be found on the CEC website.

For more information, see Senate Natural Resources and Water Committee analysis.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

**SUPPORT:** (Verified 8/19/25)

Hydrostor (sponsor)  
Ava Community Energy

**OPPOSITION:** (Verified 8/19/25)

None received

**ARGUMENTS IN SUPPORT:** According to the author, “In order to meet its clean energy and climate change goals, California must find efficiencies in the permitting process wherever possible while maintaining high standards of safety and environmental protection. To this end, AB 915 streamlines the permitting of long duration, non-lithium renewable energy storage facilities. Because the California Energy Commission is best suited to process and review compressed air energy storage projects and their various components, including retention ponds, AB 915 provides clarity in the law about which agency has the authority to process and review compressed air energy storage project permit applications.”

**ASSEMBLY FLOOR:** 78-0, 6/2/25

**AYES:** Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

**NO VOTE RECORDED:** Ellis

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