

APPENDIX A

NOTICE OF PREPARATION AND PUBLIC COMMENTS RECEIVED

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**NOTICE OF PREPARATION OF A DRAFT EIR
AND SCOPING MEETING**

DATE: March 26, 2018

TO: Responsible Agencies and Interested Parties

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report and Scoping Meeting

Pursuant to the California Environmental Quality Act (CEQA), the County of San Bernardino (County) must conduct a review of the environmental impacts of the Daggett Solar Power Facility Project (Project). Implementation of the Project will require discretionary approvals from state and local agencies, and therefore the Project is subject to the environmental review requirements of CEQA. As the lead agency under CEQA, and due to the involvement of potentially significant impacts to the environment, the County is therefore Issuing this Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Project.

PROJECT TITLE: Daggett Solar Power Facility

PROJECT APPLICANT: Daggett Solar Power 1, LLC

ASSESSOR'S PARCEL NUMBERS: 0515-011-03,-14,-15; 0515-021-06, -07; 0515-041-09,-15,-18,-21,-22,-28,-29; 0515-051-03,-04,-07,-09,-14,-15,-16,-17,-19,-22,-23,-24,-25,-31,-36,-37,-38; 0515-061-02,-19; 0515-071-12; 0515-111-05,-06,-07,-08,-09,-10,-12,-13,-14,-15,-16; 0515-131-11,-12,-13,-36; 0515-151-04,-09,-29,-30

Gen-Tie/Transmission Line Alternatives - #1 0515-061-17,-20,-21,-22; 0516-272-33; 0516-331-06; 0516-341-18; #2 0515-011-21; 0515-021-05; 0515-031-06; 0515-041-03; 0515-131-15; 0516-272-07,-16,-33; 0516-331-06; 0516-341-01; #3 0515-011-21; 0515-021-05,-06; 0515-041-03; 0515-131-15; 0516-272-33; 0516-331-06; 0516-341-18; #4 0515-031-06; 0515-041-03; 0515-051-30; 0515-131-15; 0516-272-33; 0516-331-06; 0516-341-18; #5 0516-272-33; 0515-061-17,-20,-21,-22; 0516-341-18,-19; 0516-331-05,-06

PROJECT LOCATION

The Project site is located in unincorporated San Bernardino County; east of Barstow and Daggett, south of Interstate 15 and the Mojave River, and north of Interstate 40, and adjacent to Barstow-Daggett Airport (Figure 1). The Project area is situated within Township 9 North and within Ranges 1 East and 2 East. The sections are Sections 13, 23, and 24 in Range 1 East; Sections 7, 8, 15-19, 21, and 23 in Range 2 East (Figure 2). The Project site is located approximately within the latitudes of 34.83° and 34.90° and within the longitudes of -116.70° and -116.88°.

PROJECT DESCRIPTION

Daggett Solar Power 1 LLC, a subsidiary of NRG Renew, LLC, (Applicant) proposes six (6) Conditional Use Permits to construct and operate a solar energy generation and storage Project on approximately 3,500 acres east of Daggett, CA in San Bernardino County. The proposed Project would be a photovoltaic solar (PV) energy facility with associated on-site substations, inverters, fencing, roads and supervisory control and data acquisition (SCADA) system of up to 650 Megawatts (MW). The Project would also include up to 450 MW of energy storage and an overhead power line, referred to as a generation tie line (gen-tie line), which would connect the Project to its points of interconnection which are the existing Southern California Edison-owned Coolwater substations, located approximately two miles west of the Project site. The Project would utilize existing electrical transmission infrastructure adjacent to the existing Coolwater Generating Station to deliver renewable energy to the electric grid.

The Project site is flat and is generally bounded by the town of Daggett approximately 0.5 mile to the west; the Mojave River, Yermo, and Interstate 15 to the north; Barstow Daggett Airport, Route 66, and Interstate 40 to the south; and Newberry Springs and Mojave Valley to the east.

The existing zoning designation for the Project site is Resource Conservation (RC). The RC zoning permits the development of renewable energy generation facilities with approval of a Conditional Use Permit (CUP). Other related permits/County approvals include, but are not limited to, a variance, which is required for the height of the transmission poles; road vacations, and/or a lot line adjustment/lot merger/subdivision map and/or tentative parcel map to merge parcels that comprise Project phases; encroachment permits; and airport land use compatibility approval. The Project is anticipated to be constructed in three phases and is seeking six separate CUPs to facilitate Project phasing and financing. The phases would share certain facilities, such as the on-site Project substations and generation tie (gen-tie) line. Development would occur on privately owned land.

The site will repurpose existing electrical transmission infrastructure previously used for fossil fuel-based electricity generation. The Project is being designed in accordance with the County's Solar Ordinance (an ordinance amending Chapter 84.29, Renewable Energy Generation Facilities) and the recently adopted General Plan's Renewable Energy and Conservation Element (August 8, 2017).

The Project area is also close to existing energy generation facilities, and other industrial uses. These include the existing non-operating Coolwater Generating Station, a 626 MW natural gas fired power plant, the 44 MW photovoltaic Sunray Solar Project, the Los Angeles Department of Water and Power (LADWP) high voltage transmission corridor of approximately 1,000 feet in width, several high voltage substations and transmission lines owned by Southern California Edison (SCE), major highway and railroad infrastructure, and the Barstow Daggett Airport.

Overview of the Solar Facility

The Project consists of PV solar panels, mounted on a single axis tracking system that tracks the sun. The tracking system is supported by steel piles and the panels are arranged into rows, which are grouped into solar arrays or blocks. The design also includes inverters and transformers mounted on small concrete pads and distributed across the site. Electricity produced by the arrays would be collected and routed to an on-site substation. Each phase would have its own on-site substation and battery storage system. From the on-site substations, each phase would include a segment of the overhead gen-tie line, which would connect the Project to the existing SCE-owned 115 and 230 kV Coolwater substations, which are adjacent to the Coolwater Generating

Station. The Project would also include security fencing for all phases and an O&M building to be constructed with the first phase.

Solar Array

Panels would be organized in rows in a uniform grid pattern, with each row separated by approximately 10-20 feet (from post to post). A fixed tilt racking system, which does not track the sun, also may be used if deemed suitable. Panels are proposed to be a maximum of 20 feet in height.

Inverters and Switchgear

Individual PV panels would be connected together in series to create a "string" to carry direct current (DC) electricity. Strings of DC electricity would be routed to inverters, which would take the DC output and convert it to alternating current (AC) electricity.

Substations

One new substation would be constructed as a part of each of the three Project phases. Each substation would occupy an area of approximately 300 feet by 300 feet and would be surrounded with security fence. From the new Project substations, a gen-tie line would be constructed to connect the solar facility to its point of interconnection at the two existing substations (115 and 230 kV) owned and operated by SCE. Work to facilitate the gen-tie connection will occur primarily inside the existing substations. Therefore, no expansion of the existing substations is anticipated.

Battery Storage

The Project is anticipated to include up to 450 MW of battery storage (on a total footprint of approximately 16 acres) to be constructed in three phases corresponding to the phased construction of the solar arrays. The battery storage systems are expected to be located either adjacent to each of the on-site Project substations or distributed throughout the solar arrays at the inverter equipment pads or tracker rows.

Gen-Tie Lines

The gen-tie poles are expected to be up to 120 feet in height and would be capable of accommodating both 115 and 230 kV electrical circuits. Each phase would share the gen-tie facilities. Five primary alternative routes are being considered for the Project gen-tie lines. These routes traverse the Project site from east to west and would be primarily along Silver Valley Road. Portions of some alternatives may be under ground, particularly in the area of the LADWP right-of-way. The gen-tie would be built out in sequences to match the phases of the solar Project.

Perimeter Fencing

Chain link fencing topped with one foot of barbed wire is proposed along the perimeter of the Project site. Access gates would be provided at each site entry point. Substation sites and/or battery storage sites may be separately fenced.

Lighting

Manual, timed, and motion sensor lights would be installed at equipment pads and substations for maintenance and security purposes. Remote-controlled cameras and other security measures would also be installed.

Other Infrastructure

An Operations and Maintenance (O&M) building of approximately 10,000 square feet would be constructed on approximately 1.5 acres within the Project footprint, during the first phase of the Project. The O&M building would serve to store spare parts, vehicles, and accommodate full and

part-time staff associated with the Project. Water would come from on-site wells

The solar and energy storage Project access road would be approximately 24 feet wide and composed of asphalt or native compacted material per County requirements.

Telecommunications equipment, such as fiber optic line, a SCADA (supervisory control and data acquisition) system, and auxiliary power, would be installed throughout the Project, at each inverter equipment pad, substation, and security system. Fire protection would also be included per applicable requirements.

EIR SCOPE

As set forth in California Public Resources Code Sections 21000 et seq., and the CEQA Guidelines, codified in the California Code of Regulations, Title 14, Section 15000 et seq, the County has determined, based on substantial evidence and in light of the whole record before the lead agency, that the Project may have a significant effect on the environment and that an Environmental Impact Report shall be prepared for the Project. *(PRC Sections 21080(d) and (e); 21082.2(d); 21083(b); CEQA Guidelines Sections 15060(d) and 15081)*

The lead agency has initially identified the following environmental considerations as potentially significant effects of the Project:

- Aesthetics
- Air Quality
- Agriculture
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Traffic/Circulation
- Tribal Cultural Resources
- Mandatory Findings of Significance

The EIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic Project objectives while lessening or eliminating any potentially significant Project impacts.

RESPONSIBLE AGENCIES

A responsible agency means a public agency other than the lead agency, which has permitting authority or approval power over some aspect of the overall Project. This Notice provides a description of the Project and solicits comments from responsible agencies, trustee agencies, federal, state and local agencies, and other interested parties on the scope and content of the environmental document to be prepared to analyze the environmental impacts of the Project. Comments received in response to this Notice will be reviewed and considered by the lead agency in determining the scope of the EIR. Due to time limits, as defined by CEQA, your response should be sent at the earliest possible date, but no later than thirty (30) days after publication of this notice. We need to know the views of your agency as to the scope and content of the environmental information that is germane to you or to your agency's statutory responsibilities in

connection with the Project. Your agency may need to use the EIR prepared by our agency when considering your permit or other approval for the Project.

OPPORTUNITY FOR PUBLIC REVIEW AND COMMENT

The NOP is available for public review on the County's website:

<http://cms.sbcounty.gov/lus/Planning/Environmental/Desert.aspx>.

Additionally, copy of the NOP is available for public review at the following locations:

San Bernardino County High Desert
Government Center
15900 Smoke Tree Street, Suite 1331
Hesperia, CA 92345

San Bernardino County Library
Barstow Branch
304 E. Buena Vista Street
Barstow, CA 92311

San Bernardino County Government Center
385 North Arrowhead Avenue, Second
Floor
San Bernardino, CA 92415

Daggett Community Services District
35277 Afton Street
Daggett, CA 92327

We would like to hear what you think. Comments and questions should be directed as follows, **before 4:30 p.m. on April 26, 2018:**

County of San Bernardino
Land Use Services Department
Tom Nieves, Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415
Phone: (909) 387-5036
Email: Tom.Nieves@lus.sbcounty.gov

Please include the name, phone number, and address of your agency's contact person in your response.

PUBLIC SCOPING MEETING

The CEQA process encourages comments and questions from the public throughout the planning process. Consistent with Section 21083.9 of the CEQA statute, a Public Scoping Meeting will be held to solicit public comments on the scope and content of the EIR. The Public Scoping Meeting will be held on:

Date and Time: April 11, 2018 from 4:00 to 7:00 pm

Place: Daggett Community Services District
35277 Afton Street
Daggett, CA 92327

Figure 1. Project Location

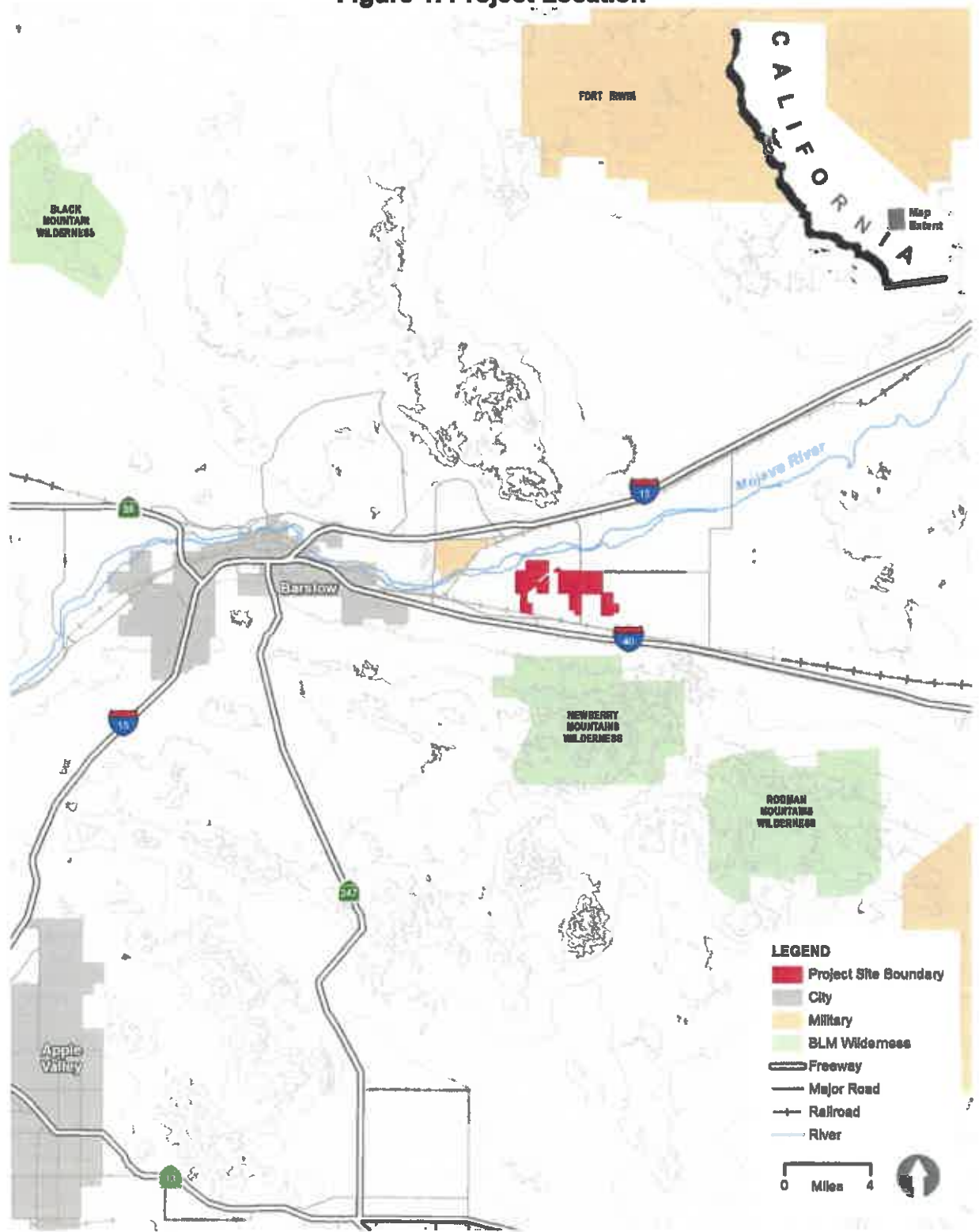
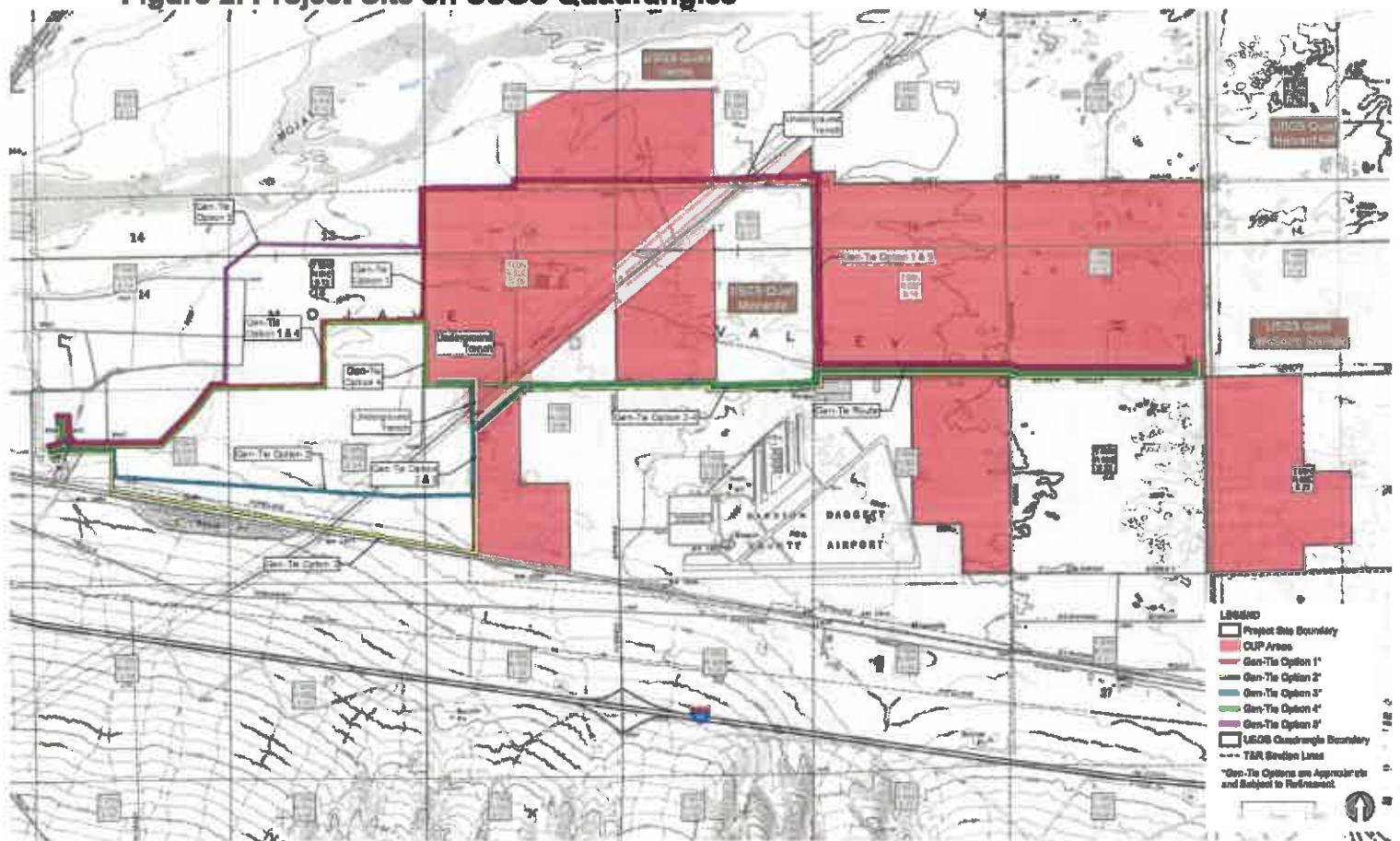


Figure 2. Project Site on USGS Quadrangles





EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

Notice of Preparation

April 2, 2018

To: Reviewing Agencies

Re: Daggett Solar Power Facility
SCH# 2018041007

2018 APR 10 AM 8:52

FISCAL ADMIN

Attached for your review and comment is the Notice of Preparation (NOP) for the Daggett Solar Power Facility draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Tom Nieves
San Bernardino County
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018041007
Project Title Daggett Solar Power Facility
Lead Agency San Bernardino County

Type NOP Notice of Preparation

Description Daggett Solar Power 1 LLC, a subsidiary of NRG Renew, LLC, (Applicant) proposes six (6) Conditional Use Permits to construct and operate a solar energy generation and storage Project on ~3,500 acres east of Daggett, CA in San Bernardino County. The proposed Project would be a photovoltaic solar (PV) energy facility with associated on-site substations, inverters, fencing, roads and supervisory control and data acquisition (SCADA) system of up to 650 Megawatts (MW). The project would also include up to 450 MW of energy storage and an overhead power line, referred to as a generation tie line (gen-tie line), which would connect the Project to its points of interconnection which are the existing Southern California Edison-owned Coolwater substations, located ~ 2 miles west of the Project site. The project would utilize existing electrical transmission infrastructure adjacent to the existing Coolwater Generating Station to deliver renewable energy to the electric grid. The project site is flat and is generally bounded by the town of Daggett ~0.5 mile to the west; the Mojave River, Yermo, and Interstate 15 to the north; Barstow Daggett Airport, Route 66, and Interstate 40 to the south; and Newberry Springs and Mojave Valley to the east. See NOP for more details.

Lead Agency Contact

Name	Tom Nieves	
Agency	San Bernardino County	
Phone	(909) 387- 5036	Fax
email	Tom.Nieves@lus.sbcounty.gov	
Address	385 N. Arrowhead Avenue, 1st Floor	
City	San Bernardino	State CA Zip 92415-0182

Project Location

County	San Bernardino
City	
Region	
Cross Streets	
Lat / Long	34.83° 34.90° N / 116.70° W
Parcel No.	0515-011-03,-14,-15; 0515-021-06,-07.....
Township	9N
Range	1, 2E
Section	13,23,
Base	

Proximity to:

Highways	I 15, I 40
Airports	Barstow-Daggett
Railways	
Waterways	Mojave River
Schools	
Land Use	Unincorporated

Project Issues Aesthetic/Visual; Air Quality; Agricultural Land; Biological Resources; Archaeologic-Historic; Geologic/Seismic; Toxic/Hazardous; Other Issues; Water Quality; Landuse; Minerals; Noise; Traffic/Circulation; Tribal Cultural Resources

Reviewing Agencies Resources Agency; Cal Fire; Department of Parks and Recreation; Department of Fish and Wildlife, Region 6; Office of Emergency Services, California; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; State Water Resources Control Board, Division of Drinking Water; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 6 (Victorville)

Document Details Report
State Clearinghouse Data Base

Date Received 04/02/2018

Start of Review 04/02/2018

End of Review 05/01/2018

Resources Agency
☒ Resources Agency
Nadell Gayou

☐ Dept. of Boating & Waterways
Dorise Peterson

☐ California Coastal Commission
Alyson Hitt

☐ Colorado River Board
Lisa Johansen

☐ Dept. of Conservation
Crina Chan

☒ Cal Fire
Dan Foster

☐ Central Valley Flood Protection Board
James Herola

☐ Office of Historic Preservation
Ron Parsons

☒ Dept of Parks & Recreation Environmental Stewardship Section

☐ S.F. Bay Conservation & Dev't. Comm.
Steve Goldbeck

☐ Dept. of Water Resources
Resources Agency
Nadell Gayou
Fish and Game
☐ Depart. of Fish & Wildlife
Scott Flint
Environmental Services Division

☐ Fish & Wildlife Region 1
Curt Babcock

☐ Fish & Wildlife Region 1E
Laurie Harnsberger

☐ Fish & Wildlife Region 2
Jeff Drongesen

☐ Fish & Wildlife Region 3
Craig Weightman

☐ Fish & Wildlife Region 4
Julie Vance

☐ Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program

☒ Fish & Wildlife Region 6
Tiffany Ellis
Habitat Conservation Program

☐ Fish & Wildlife Region 6 VM
Heidi Calvert
Inyo/Mono. Habitat Conservation Program

☐ Dept. of Fish & Wildlife M
William Paznokas
Marine Region
Other Departments
☐ California Department of Education
Lesley Taylor

☒ OES (Office of Emergency Services)
Monique Wilber

☐ Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture

☐ Dept. of General Services
Cathy Buck
Environmental Services Section

☐ Housing & Comm. Dev.
CEQA Coordinator
Housing Policy Division
Independent Commissions/Boards
☐ Delta Protection Commission
Erik Vink

☐ Delta Stewardship Council
Anthony Navasero

☒ California Energy Commission
Eric Knight

☒ Native American Heritage Comm.
Debbie Treadway

☒ Public Utilities Commission
Supervisor

☐ Santa Monica Bay Restoration
Guangyu Wang

☒ State Lands Commission
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)
Cherry Jacques
Cal State Transportation Agency CalSTA
☐ Caltrans - Division of Aeronautics
Philip Crimmins

☐ Caltrans - Planning
HQ LD-JGR
Christian Bushong

☒ California Highway Patrol
Suzann Ikeuchi
Office of Special Projects
Dept. of Transportation
☐ Caltrans, District 1
Rex Jackman

☐ Caltrans, District 2
Marcelino Gonzalez

☐ Caltrans, District 3
Susan Zanchi - North

☐ Caltrans, District 4
Patricia Maurice

☐ Caltrans, District 5
Larry Newland

☐ Caltrans, District 6
Michael Navarro

☐ Caltrans, District 7
Dianna Watson

☒ Caltrans, District 8
Mark Roberts

☐ Caltrans, District 9
Gayle Rosander

☐ Caltrans, District 10
Tom Dumas

☐ Caltrans, District 11
Jacob Armstrong

☐ Caltrans, District 12
Maureen El Harake
Cal EPA
☐ Air Resources Board

☐ Airport & Freight
Jack Wursten

☐ Transportation Projects
Nesamani Kalandiyur

☒ Industrial/Energy Projects
Mike Tollstrup

☐ California Department of Resources, Recycling & Recovery
Sue O'Leary

☐ State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

☒ State Water Resources Control Board
Cindy Forbes - Asst Deputy
Division of Drinking Water

☐ State Water Resources Control Board
Div. Drinking Water # _____

☐ State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

☐ State Water Resources Control Board
Phil Crader
Division of Water Rights

☒ Dept. of Toxic Substances Control Reg. # _____
CEQA Tracking Center

☐ Department of Pesticide Regulation
CEQA Coordinator

☐ Regional Water Quality Control Board (RWQCB)

☐ RWQCB 1
Cathleen Hudson
North Coast Region (1)

☐ RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)

☐ RWQCB 3
Central Coast Region (3)

☐ RWQCB 4
Teresa Rodgers
Los Angeles Region (4)

☐ RWQCB 5S
Central Valley Region (5)

☐ RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

☐ RWQCB 5R
Central Valley Region (5)
Redding Branch Office

☐ RWQCB 6
Lahontan Region (6)

☒ RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

☐ RWQCB 7
Colorado River Basin Region (7)

☐ RWQCB 8
Santa Ana Region (8)

☐ RWQCB 9
San Diego Region (9)

☐ Other _____

☐ Conservancy



Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Brad Poiriez, Executive Director

April 2, 2018

County of San Bernardino
Land Use Services Department
Tom Nieves, Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415

2018 APR 10 AM 9:08

FISCAL ADMIN

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report and Scoping Meeting for the Daggett Solar Power Facility Project

Dear Mr. Nieves:

The Mojave Desert Air Quality Management District (District) has received the request for comments for the Notice of Preparation of a Draft Environmental Impact Report and Scoping meeting for the Daggett Solar Power Facility Project. This project proposes six (6) Conditional Use permits to construct and operate a photovoltaic solar energy facility with associated on-site substations, inverters, fencing, roads, and supervisory control and data acquisition system of up to 650 Megawatts (MW), as well as up to 450 MW of energy storage and overhead power line, approximately 3,500 acres east of Daggett, CA in unincorporated San Bernardino County.

The District has reviewed the NOP and concurs with the scope of analysis proposed in the EIR Scope section. MDAQMD Designations and Classifications are available at <http://mdaqmd.ca.gov/home/showdocument?id=538>. The District also recommends that the following dust mitigation measures be required for the construction of the solar photovoltaic project (enforceable by the District AND by the land use agency):

- Prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;
- The following signage shall be erected not later than the commencement of construction: A minimum 48 inch high by 96 inch wide sign containing the following shall be located within 50 feet of each project site entrance, meeting the specified minimum text height, black text on white background, on one inch A/C laminated plywood board, with the lower edge between six and seven feet above grade, with the contact name of a responsible official for the site and a local or toll-free number that is accessible 24 hours per day:

“[Site Name] {four inch text}
[Project Name/Project Number] {four inch text}
IF YOU SEE DUST COMING FROM {four inch text}
THIS PROJECT CALL: {four inch text}
[Contact Name], PHONE NUMBER XXX-XXXX {six inch text}
If you do not receive a response, Please Call {three inch text}
The MDAQMD at 1-800-635-4617 {three inch text}”

- Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.
- All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
- All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

The District supports the development of renewable energy sources; such development is expected to produce cumulative and regional environmental benefits.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,



Alan J. De Salvio
Deputy Director – Mojave Desert Operations

AJD/kh

Daggett Solar Power Facility Project

NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95891
Phone (916) 373-3710



2018 APR 17 AM 10:48

FISCAL ADMIN

April 5, 2018

Tom Nieves
San Bernardino County
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

Also sent via e-mail: tom.nieves@lus.scounty.gov

RE: SCH# 2018041007; Daggett Solar Power Facility Project, near the Community of Daggett; San Bernardino County, California

Dear Mr. Nieves:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.**

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. **Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. **Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. **Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. **Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. **Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. **Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. **Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. **Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. **Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - I. Planning and construction to avoid the resources and protect the cultural and natural context.
 - II. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - I. Protecting the cultural character and integrity of the resource.
 - II. Protecting the traditional use of the resource.
 - III. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. **Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton

Gayle Totton, M.A., PhD.

Associate Governmental Program Analyst
(916) 373-3714

cc: State Clearinghouse

Nieves, Tom

From: Jeff Gaastra <jeffgaastra@gmail.com>
Sent: Monday, April 16, 2018 11:50 AM
To: Nieves, Tom
Subject: Daggett Solar Power Facility

To whom it may concern,

I have been a permanent resident in Newberry Springs for 18 years, and have owned property since 1991. I live on Dune Rd. at SilverDune Mobile Home Park/Lake and I am the President of the Newberry Springs Recreational Lakes Association. The NSRLA has 10 member lakes and represents 300 homeowners on water issues.

As you know the community has many concerns about this project. I attended the scoping meeting April 11th and heard a ton of negative impacts that this project and the next one on Minneola will have. In fact, nobody had any favorable views of these projects. The CEQA is supposed to minimize the impact on the community, environment, and other issues. It would be nice to have some assurances that these concerns can be minimized to a reasonable level.

In my view the two biggest issues are the continuing water problem and the blow dirt/sand.

1st Big Issue, Water; It is in short supply in the Mojave Area Watermaster managed Baja sub-basin, where the Daggett and Minneola solar projects are located. This area is in a current ramp-down by the Watermaster because of the dropping ground water supply. For the water year 2018/19 we are looking at a 35% ramp-down, or in other words, water owners may only use 35% of the water they own. This is a hardship on the Agriculture in the area, our homeowners that live on lakes, and the minimal producers. The Daggett Solar project is proposed on land that is currently being used to farm alfalfa and other crops. These farms represent half of the watered crops in Baja, and if they were sold and transformed to solar it could possibly reverse the dropping water table. This would be a great thing!

There are some questions on water that should be answered;

1. Are the farmers going to sell their land for the Daggett Solar Project?
2. What are the farmers going to do with their water rights?
3. How much water do the solar plants use?
4. Will the loss of jobs hurt the area? Or will they be offset by solar plant jobs?
5. Can the projects negative impacts be minimized?

2nd Big Issue, Blow Dirt/Sand; My place on Dune rd. in Newberry Springs is downwind from the proposed Daggett Solar and the Minneola Solar projects. Currently we get wind that blows 40-50 mph with gust in the 80 mph range on days in the spring. This wind blows from the west and south/west direction. On days like these, we can have brown out conditions and cannot go outside or travel. Not to mention the health problems associated with breathing the dust, it gets into your house no matter how good your place is sealed up. Then after these wind storms clean-up can take a day or two, depending on how long the wind blows, it sometimes lasts for days. Many areas in Newberry Springs have this same issue with blowing dust, the last thing we want is a solar plant that could potentially make this worse.

Questions on the blow dirt/sand;

1. Can the solar projects minimize the blow dirt/sand?
2. How will they accomplish this?
3. Any guarantee the mitigation will work?
4. What recourse do we have if things get worse?

In my opinion, the Daggett Solar project could be good for the community if the water is taken offline and the blow dirt issue can be minimized. To stop the blow dirt I think that gravel or some sort of aggregate would need to be put down, and if there are any existing sand dunes, that sand would have to be removed from the project rather than spread out.

Regards,

Jeff Gaastra
President
Newberry Springs Recreational Lakes Association
760-257-0979
JeffGaastra@gmail.com



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

April 18, 2018

Mr. Tom Nieves
Contract Planner
County of San Bernardino
Land Use Services Department
385 North Arrowhead Avenue, First Floor
San Bernardino, California 92415
Tom.Nieves@lus.sbcounty.gov

**NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT
(EIR) FOR THE DAGGETT SOLAR POWER FACILITY PROJECT (PROJECT
NUMBER: 201700679) (SCH# 2018041007)**

Dear Mr. Nieves:

The Department of Toxic Substances Control (DTSC) has reviewed the subject NOP. The following project description is stated in the NOP: "Daggett Solar Power 1 LLC, a subsidiary of NRG Renew, LLC, (Applicant) proposes six (6) Conditional Use Permits to construct and operate a solar energy generation and storage Project on approximately 3,500 acres east of Daggett, CA in San Bernardino County. The proposed Project would be a photovoltaic solar (PV) energy facility with associated on-site substations, inverters, fencing, roads and supervisory control and data acquisition (SCADA) system of up to 650 Megawatts (MW). The Project would also include up to 450 MW of energy storage and an overhead power line, referred to as a generation tie line (gen-tie line), which would connect the Project to its points of interconnection which are the existing Southern California Edison-owned Coolwater substations, located approximately two miles west of the Project site. The Project would utilize existing electrical transmission infrastructure adjacent to the existing Coolwater Generating Station to deliver renewable energy to the electric grid."

Based on the review of the submitted document, DTSC has the following comments:

1. The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances. A Phase I Environmental Site Assessment may be appropriate to identify any recognized environmental conditions.

2. If there are any recognized environmental conditions in the project area, then proper investigation, sampling and remedial actions overseen by the appropriate regulatory agencies should be conducted prior to the new development or any construction.
3. If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
4. If planned activities include building modifications/demolitions, lead-based paints or products, mercury, and asbestos containing materials (ACMs) should be investigated and mitigated/disposed of in accordance with all applicable and relevant laws and regulations. In addition, evaluate whether polychlorinated biphenyls (PCBs) containing materials is present in onsite buildings and address as necessary to protect human health and the environment.
5. If the site was used for agricultural or related activities, residual pesticides may be present in onsite soil. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.
6. DTSC recommends evaluation, proper investigation and mitigation, if necessary, of onsite areas with current or historic PCB-containing transformers.
7. Please evaluate whether the proposed project is located within or in close proximity to the Formerly Used Defense Site (FUDS) based, in part, on the United States Department of Defense ordnance maps. DTSC recommends assessment and/or investigation be conducted in the project area to assess potential impacts from the nearby FUDS if necessary.
8. If soil contamination is suspected or observed in the project area, then excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. In addition, if the project proposes to import soil to backfill the excavated areas, proper evaluation and/or sampling should be conducted to make sure that the imported soil is free of contamination.
9. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted and the appropriate government agency to provide regulatory oversight.

Mr. Tom Nieves
April 18, 2018
Page 3

If you have any questions regarding this letter, please contact me at (714) 484-5380 or by email at Johnson.Abraham@dtsc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Johnson P. Abraham", with a horizontal line extending from the end of the signature.

Johnson P. Abraham
Project Manager
Brownfields Restoration and School Evaluation Branch
Site Mitigation and Restoration Program – Cypress

kl/sh/ja

cc: Governor's Office of Planning and Research (via e-mail)
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
State.clearinghouse@opr.ca.gov

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Brownfields Restoration and School Evaluation Branch
Site Mitigation and Restoration Program - Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2018041007



DEPARTMENT OF THE ARMY
HEADQUARTERS, NATIONAL TRAINING CENTER & FORT IRWIN
FORT IRWIN, CA 92310-5000

REPLY TO
ATTENTION OF
AFZJ-G3

20 Apr 2018

Tom Nieves, Contract Planner
County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415

SUBJECT: PROPOSED DAGGET SOLAR POWER 1 PROJECT

Dear Mr. Nieves,

The purpose of this letter is to request your support, and that of the project's proponent, to ensure that the Army preserves the National Training Center & Fort Irwin's vital training mission at the Barstow Dagget airport. The proposed Dagget solar project surrounding the Barstow Dagget airport may negatively impact that mission. Although we clearly recognize the importance of renewable energy development, we jointly need to participate in conducting further analysis on the potential impacts to the Army's existing operations by the proposed project.

The properties of large-scale solar infrastructure can conflict with military use of the electromagnetic spectrum in many ways. This interference is highly dependent upon the specific technological approach and the physical placement of the instrumentation and infrastructure relative to this project. We request the Dagget Solar 1 instrumentation/infrastructure plan soonest for this solar project so that we may through the Federal Aviation Administration and the Joint Spectrum Center address any emergent issues. If there are problems, it may be possible to mitigate any adverse effects through modifications to the existing plans and/or through adjustments to how we conduct our operations.

Solar energy technology's effects in the visible spectrum are characterized as glint, the momentary flash of a reflection, and glare, a more prolonged reflection of the sun. Each can cause potentially serious interference with aircraft and ground vehicle operations, air traffic control, and other activities requiring visual reference. The sun and moon both can cause glint and glare, with the latter having an effect on night vision devices.

Radiofrequency (RF) emissions from solar facilities introduces the potential for RF encroachment on the spectrum already in use by the military. Additionally, a large-scale solar project can cause a heat island effect that may negatively impact aviation operations and communications.

AFZJ-G3
SUBJECT: PROPOSED DAGGET SOLAR POWER 1 PROJECT

In addition, an FAA Obstruction Evaluation/Airport Airspace Analysis may be required for such construction near airports. Federal regulations (CFR 14, Part 77) establishes standards and notification requirements to the FAA for objects affecting navigable airspace. This notification serves as the basis for:

- Evaluating the effect of the construction or alteration on operating procedures
- Determining the potential hazardous effect of the proposed construction on air navigation
- Identifying mitigating measures to enhance safe air navigation
- Charting of new objects

If this project is confirmed to have adverse impacts on our Mission then we will need to discuss mitigation measures and alternatives.

Should you have any questions, please contact Eric Negrete by phone at: 780-380-3767 or by email at: eric.a.negrete.civ@mail.mil.

Sincerely,



TOMMY L. CARDONE
LTC, IN
G3

CC:
Daggett Solar Power 1 LLC
Attn: James Kelly
100 California Street, #400
San Francisco, CA 94111

April 24, 2018

**Mr. Aron Liang, Senior Planner
Land Use Services Department
San Bernardino County**

Subject: EIR scoping comments for the Daggett Solar project P201700679

Mr. Liang,

Following are four issues we would like addressed in the EIR for the Daggett Solar project. They are presented as four separate papers expressing our concerns.

- 1. Employment as an economic issue**
- 2. Renewable Solar is a NEW technology**
- 3. Unanticipated water crises from west basin water extraction moving to the east basin of the Baja Sub area**
- 4. Utility Scale Solar placed in deserts may increase global warming**

Thank you,

**Paul Deel
President, Newberry Springs Economic Development Association**

cc: Mr. Tom Nieves, Planner tom.nieves@lus.sbcounty.gov

1. Employment as an economic issue

Paul Deel 4/20/2018

The area to be developed for the Daggett Solar Farm includes as many as 15 alfalfa and hay fields. Those who make a living working those fields will lose their jobs. Those workers live in the Newberry Springs and Daggett areas.

A local hay grower estimates that the number of direct workers may number as high as 25 who will become unemployed. Ancillary and service personal who also live in the area may number as high as 100.

It is therefore probable that a total job loss to the area's economy could be as many as 125 primary and 2nd tier wage earners. We know from experience that the majority of workers at the existing solar facilities do not choose to live in either Daggett or Newberry Springs. Construction workers come from outside the area for their portion of the job, and return to their home base upon completion. Construction jobs are temporary jobs.

The effect of those lost jobs to this already distressed economy could be significant. The EIR should address this economic condition.

2. Renewable solar is a NEW technology

Paul Deel 4/20/2018

One argument posed by solar developers in arguing that roof top solar is inadequate to meet the energy goals is that those solar installers often go bankrupt and therefore only utility scale solar is able to meet the solar renewable energy mandates.

The error in their argument is to blame roof top solar as the problem while the actual problem is that the business model of solar installers is inadequate.

During the last great technological evolution in houses and buildings, indoor plumbing was being added to existing buildings as well as being incorporated into the designs of new buildings. Imagine the chaos and failures if that had been done with the current solar installer business models. Would those shortcomings be a valid argument to discredit indoor plumbing?

"Renewable Energy World" The World's #1 Renewable Energy Network for News, Information, and Companies. <https://www.renewableenergyworld.com> April 5th 2018. In an article titled, "Los Angeles Takes Top Spot for Solar among US Cities" says, "In a report released yesterday, Environment America said that first-place Los Angeles had 349.3 MW-DC of solar PV installed by the end of 2017, followed by San Diego with 287.2 MW-DC, and Honolulu with 287.2 MW-DC. Los Angeles held the No. 1 spot from 2013-2015 and was overtaken by San Diego in 2016." And, "Los Angeles Mayor Eric Garcetti unveils a new 2.2-MW solar installation on the roof of the Los Angeles Convention Center. Credit: Office of Mayor Garcetti ." This is proof to me that their argument is discredited. Roof top solar can do it.

Visions of easy solar dollars dance in the heads of utility scale solar developers without a trace of the vision for how this newest technology should be applied.

Solar is everywhere. It is a no-brainer to harvest it where it will be used.

3. Unanticipated water crises from west basin water extraction moving to the east basin of the Baja Sub area Paul Deel 4/20/18

The Baja Sub Area of the Mojave River basin is divided by the Calico Fault into the western basin and the eastern basin. The river runs generally west to east while the fault runs generally south to north. Water flow in the Mojave is first redirected into the west basin by the dike effect of the rising fault zone. Water spills over the dike to supply the east basin which is the last reservoir before the river dissipates through Afton Canyon into a desert sink. A lack of recharge flow from the river has stressed both basins but the eastern basin getting what the western basin won't contain is at greater risk.

The proposed Daggett Solar project is sited in the west basin. The west basin contains the equivalent of 16, 120 acre alfalfa and hay pivots while the eastern basin supports an estimated 15, 120 acre alfalfa and hay pivots. (Estimated from satellite images) It may generally be assumed that each alfalfa field consumes 6.5 acre feet of water per acre per year. The western basin would be calculated to consume 12,480 acre feet of water per year while the eastern basin consumes 11,700 acre feet per year.

By replacing alfalfa pivots with solar fields, 12,480 acre feet of water could be conserved. This could be a significant benefit to the distressed community of Newberry Springs, were it not for the way the adjudication program is designed. During the adjudication process pumping rights were assigned to property owners based on the declared water they were pumping from the properties they owned. These 'Pumping Rights' became private properties independent of the land and can be sold or leased for use anywhere within the Baja Basin.

Though the Daggett development will buy the land they are not buying the pumping rights. This will cause the owners of those pumping rights to sell or lease to the adjudicated producers in the east basin.

Without traditional recharge from the Mojave, It may take decades for the west basin to fill up and spill over into the east basin again. What will become of the east basin water table when the west water is now being pumped from the east basin in addition to what is already being pumped? Another look at the satellite image shows that the east basin producers are the only ones left to use those pumping rights.

The majority of the population of Newberry Springs lives in the east basin. Most residential wells there are 150 – 200 ft. deep. Water tables are dropping roughly 1ft./year. Many wells are going dry or have limited production and poor water quality. By extracting the 12,480 acre feet of west basin water from the east basin while waiting for the west basin to recharge could well cause most of the residential wells to go dry in the east basin.

Newberry Springs is an economically disadvantaged area. We do not have the resources to drill the next generation wells. Most new wells are being drilled to rock or 300ft. (\$25,000.⁰⁰) some to 600ft or

more. The unintended consequence of the Daggett Solar project could well be the end of available water and the death of the community of Newberry Springs.

The EIR must address this threat.

4. Utility Scale Solar placed in deserts may increase global warming

Paul Deel 4/20/2018

Utility scale renewable energy solar fields clear the ground of vegetation. Even though the developers claim to prevent vegetation destruction by various plans, the areas are denuded by the time the project is completed. Where do you see a solar farm with natural vegetation?

When land is cleared of vegetation, cooling by evapotranspiration and shading stops and ground superheating occurs. The results are: A. the heat island effect and B, de-carbonization of organic materials above and below the ground surface.

A. Heat Islands are land areas warmer than the surrounding land areas causing hotter and higher pressure air columns that modify local weather patterns.

1. Cooler lower pressure rain systems are diverted over or around the rising columns of warm air causing desertification to increase in an ever growing area.

2. Studies are showing that higher ambient atmospheric temperatures hold water vapor in suspension preventing it from rising to the troposphere where it would have cooled to return as precipitation.

Since atmospheric water vapor is the number one greenhouse gas (60%) responsible for global warming it can be reasoned that (1) reducing vegetation increases ambient atmospheric temperatures that (2) holds more water vapor which (3) increases global warming.

B. Desert organic materials do not decompose, they decarbonize. De-carbonization of ground organics i.e. plants, roots etc. is caused by superheated ground temperatures and low moisture. This results in (1) loss of ground stabilization from erosion caused by rain and wind and (2) the inability of rain to be absorbed into the ground. (3) The release of organic carbon into the atmosphere is a minor (4%) greenhouse gas that is credited for creating global warming.

In conclusion: The goal of renewable solar energy is to reduce global warming by replacing fossil fuel generators.

However, massive utility scale solar farms in the desert:

1. Modify local weather
2. Increases desertification
3. Increases, not decreases global warming

The challenge of the EIR is to address these critical issues.

Reference: "Water for the Recovery of the Climate – A New Water Paradigm"

Authors: M. Kraveik, J. Pokorny, J. Kohutlar, M. Kovac, and E. Toth

[http://www.waterparadigm.org/download/Water for the Recovery of the Climate A New Water Paradigm.pdf](http://www.waterparadigm.org/download/Water%20for%20the%20Recovery%20of%20the%20Climate%20A%20New%20Water%20Paradigm.pdf)

Year of publication 2007

Nieves, Tom

From: Daniel Lindenman <happytiredwaterdog@yahoo.com>
Sent: Tuesday, April 24, 2018 4:25 AM
To: Nieves, Tom
Subject: Daggett Solar Power Plant - Public Scoping Meeting

County of San Bernardino Land Use Service Department;

When I see the homes buried by blowing sand just east of the existing solar farm in Daggett, it is obvious to me that solar is still bad for the area. The solar farm owners don't seem to care (or find it cheaper to pay off the buried homeowners after a lawsuit), then to prevent the problem in the first place. I know when this solar farm was installed, there were promises made of activities to prevent this known problem, obviously just lies. Now the County of San Bernardino Board is lying to the public it supposedly represents by passing a solar power project that will make the existing solar farm look like child's play and do much more damage. It is obvious that the majority of people in the area are against this project. The county run by lying scum! I don't know how you live with yourselves.

Name: Dan Lindenman
Organization: none
Mailing Address: 3610 Emerald Street, Apt #22, Torrance CA 90503
Note: I own property at 35855/35877 Ramona Road, NBS CA 92365
Telephone: 310-531-4495
email Address: happytiredwaterdog@yahoo.com



FISCAL ADMIN

2018 MAY -1 AM 8:58

April 25, 2018

Submitted via email

County of San Bernardino
Land Use Services Department
Tom Nieves, Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415

Dear Mr. Nieves:

After sending our list of areas to be covered by the proposed Daggett Solar Power Facility EIR, we learned that there is a 500+ page document with much more detail regarding the project.

Until we have all the documents and time to study them it is impossible for us to make an informed decision.

To more adequately address the possible issues affecting our community, we are requesting a 60 day extension for the EIR comment period to better understand the parameters of the proposed Daggett Solar Power Facility.

Sincerely,

Le Hayes
General Manager
Newberry Community Services District

FISCAL ADMIN

2018 APR 24 AM 9:36

April 25, 2018

County of San Bernardino
Land Use Services Department
Tom Nieves, Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415

Dear Mr. Nieves:

Regarding the Preparation of a Draft Environmental Impact Report, the following are of special concern:

1. **Blowing dust and sand:** When the top crust of our desert is disturbed, the wind picks up the next layers and hurls them for miles. One of the worst areas is along the RR tracks (as is the proposed project). This area has blown so bad that it has closed I-40. As has been learned from an existing Solar Project, the panels change the wind pattern and are devastating to the surrounding homes.
2. **Traffic:** Our roads serve a rural agricultural community. They will not survive the construction.
3. **16 acres of batteries:** Lithium – how safe are they?
4. **Costs:** County will lose tax dollars as value of surrounding homes decrease. Increase in road maintenance. Few if any local jobs created; 25+/- jobs lost. No increase in property tax on Project land. Losses of view scape as arrays proposed are 15-20 feet.
5. **Water:** We are an adjudicated area. Even though the project purchases pumping rights; the increase of water use will cause the rest of the adjudicators to be further ramped down. This includes our Community Services District that provides water for our Volunteer Fire Department to fight fires.

Sincerely,



Le Hayes
General Manager



DESERT TORTOISE COUNCIL

4654 East Avenue S #257B

Palmdale, California 93552

www.deserttortoise.org

cac@deserttortoise.org

Via email only

25 April 2018

Tom Nieves, Contract Planner
County of San Bernardino, Land Use Services Department
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415
Email: Tom.Nieves@lus.sbcounty.gov

RE: Notice of Preparation of a Draft Environmental Impact Report for the Proposed Daggett Solar Power Facility, San Bernardino County, CA

Dear Mr. Nieves,

The Desert Tortoise Council (Council) is a non-profit organization comprised of hundreds of professionals and laypersons who share a common concern for wild desert tortoises and a commitment to advancing the public's understanding of desert tortoise species. Established in 1975 to promote conservation of tortoises in the deserts of the southwestern United States and Mexico, the Council routinely provides information to individuals, organizations, and regulatory agencies on matters potentially affecting desert tortoises within their geographic ranges.

We appreciate this opportunity to provide comments on the Notice of Preparation (NOP) of the Draft Environmental Impact Report (Draft EIR) for the Proposed Daggett Solar Power Facility (Project), dated 26 March 2018. Given the location of the proposed Project in habitats potentially occupied or used by (e.g., movement corridors) Agassiz's desert tortoise (*Gopherus agassizii*), our comments pertain to enhancing protection of this species during activities authorized by the County of San Bernardino Land Use Services Department (County).

On page 2 of the NOP, Project Description, third paragraph the County describes "related permits/County approvals" associated with the project. We note that depending on the results of requisite surveys by the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) (see below), if any evidence of Agassiz's desert tortoise occurs on any portion of the site, including gen-tie lines and access roads, both federal and state incidental take permits will likely be required. Because the NOP states that there is no federal involvement

in the project and therefore no federal nexus to Section 7 of the Federal Endangered Species Act (FESA), Daggett Solar Power 1, LLC (Proponent) would need to acquire a Section 10(a)(1)(B) incidental take permit from the USFWS. Since Agassiz's desert tortoise is also listed under the California Endangered Species Act (CESA) as Threatened by the California Fish and Game Commission, a Section 2081 incidental take permit would also need to be acquired from the CDFW.

We note on page 4 that the NOP states, "The EIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic Project objectives while lessening or eliminating any potentially significant Project impacts." For the Draft EIR to fully assess the effects and identify potentially significant impacts, the following surveys would need to be performed to determine the extent of rare plant and animal occurrences within the impact area. Results of the surveys will determine appropriate permits from CDFW and USFWS and associated minimization and mitigation measures, which would then be published in the Draft EIR.

- Prior to conducting surveys, a knowledgeable biologist should perform a records search of the California Natural Diversity Data Base (CNDDB; CDFW 2018) for rare plant and animal species reported from the region. The results of the CNDDB review would be reported in the Draft EIR with an indication of suitable and occupied habitats for all rare species reported from the region based on performing species specific surveys described below. Given the proximity of the site to the City of Barstow, the biological technical report completed for the city's general plan (Circle Mountain Biological Consultants, Inc. 2014) should be included in the literature reviewed to complete the Draft EIR.

- The project proponent will need to conduct formal protocol surveys for Agassiz's desert tortoise (USFWS 2017) at the proper times of year. As per this protocol, since the impact area is larger than 500 acres, the surveys must be performed in the time periods of April-May or September-October so that a statistical estimate of tortoise densities can be determined for all impact areas and reported in the Draft EIR. If any tortoise signs are found, state and federal incidental take permits would likely be required. Given that the site is located in what appears to be marginal tortoise habitats for year-round occupation, only experienced biologists should perform protocol surveys. We strongly recommend that the County require the biologists performing these surveys to provide their credentials to CDFW and USFWS before the surveys to ensure they are qualified to find tortoise signs in suboptimal habitats. The need for biologists to provide their credentials prior to conducting surveys is described in Chapter 4.3 of the USFWS' (2009) Desert Tortoise Field Manual.

- To determine the full extent of impacts to tortoises, the Proponent's biologist should consult with the Palm Springs office of the USFWS to determine the action area for this project. The USFWS defines "action area" in 50 Code of Federal Regulations 402.2 and their Desert Tortoise Field Manual (USFWS 2009) as "all areas to be affected directly or indirectly by proposed development and not merely the immediate area involved in the action (50 CFR §402.02)." Thus, the "action area" would be larger than the footprint of the project. To facilitate

compliance with FESA and CESA, it is imperative that County/Proponent coordinate early with the USFWS and CDFW to determine what the action area is for this project and the full extent of surveys that should be performed.

- It is not clear from the NOP from which direction main access routes would occur. A jurisdictional waters analysis should be performed for all potential impacts to washes, streams, and drainages. As part of the permitting process prior to ground disturbance, a Streambed Alteration Agreement would need to be acquired, if deemed necessary by CDFW, particularly if there is to be access from the north crossing the Mojave River with any route improvements.

- The NOP states that water would come from on-site wells. There should be analysis in the EIR of the impacts of water withdrawal from these wells on the subsurface flows and groundwater that is part of the Mojave River aquifer. This water provides habitat for the fully protected and federal and state endangered Mojave tui chub (*Siphateles bicolor mohavensis*) with a population located a few miles downstream from the proposed Project. In addition, the water in the Mojave River basin has been adjudicated. Information should be provided in the EIR that demonstrates that the source(s) and uses of water for construction, operation, maintenance, and decommissioning of the proposed Project comply with this adjudication.

- If there are any loose, shifting sands within the impact areas of the panels, along the gen-tie lines, or improved access routes, focused surveys for Mojave fringe-toed lizards (*Uma scoparia*) should be performed (University of California Riverside, Center for Conservation Biology 2005). This species is known to occur in aeolian habitats within and adjacent to the Mojave River in the proximity of the Project. If suitable habitat occurs near to or downwind from the proposed Project, the Draft EIR should contain an analysis of effects of the Project on the distribution of aeolian habitats including long-term impacts to sand sources for these habitats. Results and pertinent mitigation measures, as needed, should be published in the Draft EIR.

- Protocol surveys for western burrowing owl (*Athene cunicularia*) (CDFG 2012) should be completed. In comparing Figure 2 in the NOP to the latest available Google Earth aerial images (dated 8/29/2014) it appears that most of the Project area was active agriculture in 2014. Assuming that some of these lands may now be fallow, there are likely to be suitable habitats for burrowing owl. Note that the protocol (CDFG 2012) requires that peripheral transects be surveyed at 30-, 60-, 90-, 120-, and 150-meter intervals in all suitable habitats adjacent to the subject property to determine the potential indirect impacts of the project on this species. If burrowing owl sign is found, CDFG (2012) describes appropriate minimization and mitigation measures that would be required.

- There are at least 10 special status plant species and 1 special plant resource (i.e., Creosote Bush Rings larger than 10 feet in diameter) found in the region of the Project area that should be sought during field surveys and their presence/absence discussed in the Draft EIR. Surveys must be completed at the appropriate time of year by qualified biologists (preferably botanists) using the latest acceptable methodologies (CDFG 2009). If the proposed Project would impact these species/plant resources, measures should be included in the DEIR to fully mitigate these impacts. The common and scientific names and status designations of these species are given in the following table:

Table 1. Special Status Plant Species Reported from Project Area		
Common Name	Scientific Name	State/Federal/CNPS* Designation
Barstow woolly sunflower	<i>Eriophyllum mohavensis</i>	None/None/List 1B.2*
Beaver Dam breadroot	<i>Pediomelum castoreum</i>	None/None/List 1B.2
Chaparral sand-verbena	<i>Abronia villosa</i> var. <i>aurita</i>	None/None/List 1B.1
Creamy blazing star	<i>Mentzelia tridentata</i>	None/None/List 1B.3
Creosote Bush Rings > 10 feet	<i>Larrea tridentata</i>	None/None/County Codes**
Emory's crucifixion thorn	<i>Castela emoryi</i>	None/None/List 2B.2
Mojave fish-hook cactus	<i>Sclerocactus polyancistrus</i>	None/None/List 4.2
Mojave menodora	<i>Menodora spinescens</i> var. <i>mohavensis</i>	None/None/List 1B.2
Mojave monkeyflower	<i>Mimulus mohavensis</i>	None/None/List 1B.2
Parish's phacelia	<i>Phacelia parishii</i>	None/None/List 1B.1
Spiny-hair blazing star	<i>Mentzelia tricuspidis</i>	None/None/List 2B.1

* Status designations are given in California Native Plant Society (2018).

** Creosote Bush Rings greater than 10 feet in diameter are protected by the San Bernardino County Development Code, Chapter 88.01 (Plant Protection and Management); Section 88.01.060 (Desert Native Plant Protection); Section 88.01.060(c) (Regulated Desert Native Plants); and Section 88.01.050 (Tree or Plant Removal Permits).

• CDFG (2010) lists hundreds of plant communities occurring in California, including those that are considered Communities of Highest Inventory Priority, or "CHIPs." Several known in the Barstow area are Mesquite Thickets and Desert Dunes, both of which occur within and adjacent to the Mojave River. Biologists completing surveys on behalf of the Proponent should document such communities where they occur and indicate how any impacts would be minimized and mitigated. CHIP communities that may occur in the region that should be addressed in the Draft EIR include the following:

Mesquite Bosque/Mesquite Thickets (Element Number 61.512.00)
Desert Dunes (Element Number 22.100.00)
Alkali Sacaton Grassland (Element Number 41.010.00)
Anderson's Boxthorn Scrub (Element Number 33.360.00)
Arrow Weed Thickets (Element Number 63.710.00)
Arroyo Willow Thickets (Element Number 61.201.00)
Big Galleta Shrub-Steppe (Element Number 41.030.00)
Desert Willow Woodland (Element Number 61.550.00)
Fremont Cottonwood Forest (Element Number 61.130.00)
Sandbar Willow Thickets (Element Number 61.209.00)
Spinescale Scrub (Element Number 36.350.00)
Spiny Hop Sage Scrub (Element Number 33.180.00)
Winterfat Scrubland (Element Number 36.500.00)

Using Figure 1 in the NOP, the Council has identified proximate Agassiz's desert tortoise Critical Habitat units in Figure 1 at the end of this letter. These include the Ord-Rodman Critical Habitat Unit located less than one mile south of the proposed Project and the Superior-Cronese Critical Habitat Unit located within several miles north of the Project. It is essential that the Draft EIR analyze potential direct and indirect impacts on these nearby tortoise Critical Habitat units resulting from the proposed Project. In particular, how will the Project facilities be constructed, operated, maintained, and decommissioned to minimize the attraction and subsidization of common ravens (*Corvus corax*) in the region, which would likely affect tortoises in these nearby

essential habitats? In addition, the DEIR should analyze how construction, operation, maintenance, and decommissioning of the proposed Project would affect the tortoise's ability to move between the populations in these critical habitat units. Connectivity is crucial for the survival and recovery of the tortoise, and the small size of the Ord-Rodman Critical Habitat Unit places a higher level of concern and importance to ensure connectivity among tortoise populations in other nearby Critical Habitat units. Mitigation should be included to promote connectivity between the Ord-Rodman and Superior-Cronese Critical Habitat Units.

The Draft EIR must analyze if this new use would result in an increase of common ravens and other predators of the desert tortoise in the region. There may even be a reduction of available resources by converting agricultural lands, particularly if still being irrigated, to solar fields. Future operations must include provisions for monitoring and managing raven predation on tortoises as a result of the proposed action. The monitoring and management plan must include reducing human subsidies for food, water, and sites for nesting, roosting, and perching to address local impacts. The Proponent must contribute to the National Fish and Wildlife Foundation's Raven Management Fund for regional and cumulative impacts. It is very important that for any of the gen-tie options the Project should use transmission towers that prevent raven nesting. For example, the tubular design with insulators on horizontal cross arms is preferable to lattice towers, which should not be used.

We expect that the Draft EIR will address how the proposed action may contribute to the spread and proliferation of nonnative invasive plant species; how this spread/proliferation would affect the desert tortoise and its habitats (including tortoise nutrition and the frequency and size of human-caused fires); and how the proposed action may affect the likelihood of human-caused fires and the resulting loss of tortoise habitat. We strongly urge the Proponent to develop and implement a management and monitoring plan using this analysis and other relevant data that would reduce the transport to and spread of nonnative seeds and other plant propagules within the Project area, eliminate/reduce the likelihood of human-caused fires, and promote the growth of native herbaceous plants that are nutritious food sources for the tortoise. The plan should integrate vegetation management with fire management and fire response.

The Council supports alternatives to reduce the need for additional solar energy projects in the Mojave Desert. That alternative is rooftop solar. The City of Los Angeles has implemented a rooftop solar Feed-in Tariff (FiT) program, the largest of its kind in America. The FiT program enables the owners of large buildings to install solar panels on their roofs, and sell the power they generate back to utilities for distribution into the power grid. This approach puts the generation of electricity where the demand is greatest, in populated areas. It may also reduce transmission costs, greenhouse gas emissions from constructing energy projects far from the sources of power demand and materials for construction, the number of affected resources in the desert that must be analyzed under the California Environmental Quality Act (CEQA), and mitigation costs. The Draft EIR should include an analysis of where the energy generated by this project would be sent and the needs for energy in those targeted areas that may be satisfied by rooftop solar.

Finally, with regard to cumulative effects, the Draft EIR must list and discuss all project impacts within the region including future state, federal, and private actions affecting listed species on state, federal, and private lands. Even though the project is not on public lands managed by the Bureau of Land Management (BLM), we ask that the relationship between this proposed private Project and the Desert Renewable Energy Conservation Plan (DRECP) be analyzed, as the Project area does not appear to be in a designated Development Focused Area (DFA) identified in the final Record of Decision by the BLM for the DRECP (BLM 2016). This analysis should also consider ongoing and future projects in the City of Barstow and its sphere of influence that would result in losses of desert habitats from the region.

We appreciate this opportunity to provide input and trust that our comments will further protect tortoises during authorized project activities. Herein, we ask that the Desert Tortoise Council be identified as an Affected Interest for this and all other County-authorized projects that may affect Agassiz's desert tortoise, and that any subsequent environmental documentation for this particular project is provided to us at the contact information listed above. As requested in the NOP, my phone number is 760-964-0012.

Regards,



Edward L. LaRue, Jr., M.S.

Desert Tortoise Council, Ecosystems Advisory Committee, Chairperson

Literature Cited

California Department of Fish and Game (CDFG). 2009. Protocols for surveying and evaluating impacts to special status native plant populations and natural communities. California Natural Resources Agency, Department of Fish and Game, 24 November 2009. Sacramento, CA.

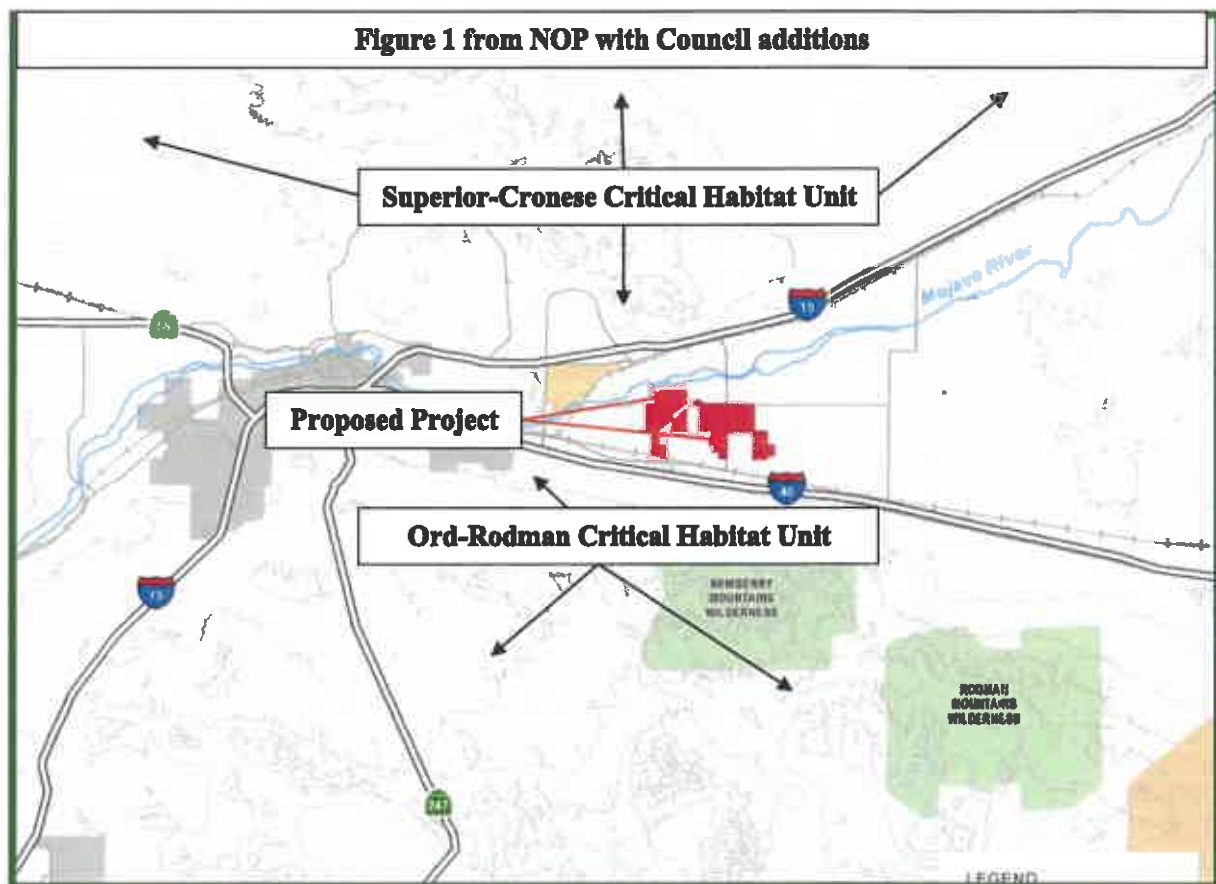
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- U.S. Fish and Wildlife Service. 2017. Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassizii*). USFWS Desert Tortoise Recovery Office. Dated 21 August 2017. Reno, NV.



Nieves, Tom

From: Smith, Walter N <Walter.Smith1@bnsf.com>
Sent: Wednesday, April 25, 2018 2:42 PM
To: Nieves, Tom
Cc: Sanchez, Jason L; Kent, Lena L
Subject: Daggett Solar Power Facility

Tom Nieves, Contract Planner
County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415

Mr. Nieves;

The proposed Daggett Solar Power Facility appears to be adjacent to BNSF Railway's Needles Subdivision for a portion of the project. BNSF would appreciate receiving copies of notices and updates about this project including, but not limited to, drafts of the Environmental Impact Report, project area studies and site plans. Updates can be sent to my email address or hard copies to the address below.

Thank you for your time;

Walter N. Smith
BNSF Railway
General Director Commuter Construction
740 E Carnegie Drive
San Bernardino, CA 92408
Walter.Smith1@BNSF.com
909-386-4910

Nieves, Tom

From: Wayne Snively <waynes_pe_63@yahoo.com>
Sent: Wednesday, April 25, 2018 11:00 PM
To: Nieves, Tom; Snoke, Luther; Sonick, Chrystale
Subject: Minneola Solar Project (P20180004), and Daggett Solar Project (P201700679)

Dear Mr. Nieves, Mr. Snoke, and Ms. Sonick:

Our Newberry Springs, Daggett and Yermo Communities oppose this large scale Minneola and Daggett Solar Project.

The SB County/Land Use Department has not had a follow up meeting in Newberry Springs to address our communities concerns to address our issues.

1. Water uses have not been addressed, nor arranged with Mojave Water Agency.
2. The SBC Planning Division should require a single area plan for these Solar Facilities that have zero impact to residential/rural neighborhood.
3. The existing solar project at Mountain View, Newberry Springs is a neighborhood eyesore. It has drifting sand to restrict travel on this road. Neighbors living close have a nightmare lifestyle as a result of all the sand. Health concerns are mounting.
;
4. The Community requests a meeting at the Newberry Community Center, or Family Center to review all comments, and voice additional points.
5. It is a shame that it appears the only way a community has a voice is through litigation.

In closing, when is it possible for a community to have input and refuse a project that is so all encompassing, therefore I request that all public comments are recorded and published for all our citizens to see at our next Public Meeting.

Sincerely,

Wayne L Snively,
47323 Autumn Leaf Road
Newberry Springs, CA 92365
760.257.9149



Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Brad Poiriez, Executive Director

2018 MAY -1 AM 8:48

April 25, 2018

Tom Nieves, Planner
San Bernardino County Land Use Services Department
Land Use Services
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187

Project: P201600323/CF

Dear Mr. Nieves:

The Mojave Desert Air Quality Management District (District) has received the Planning Project Notice for P201600323/CF, a proposal for a General Plan Amendment changing land use zoning district from RC, Resource Conservation to IC, Community Industrial and a Conditional Use Permit to recognize and legally establish an existing equipment rental/outdoor storage yard on a portion of 74 acres in Barstow.

We have reviewed the project and, based on the information available to us at this time, the District recommends the County require that the following dust mitigation measures be required for any relevant activities (enforceable by the District AND by the land use agency):

- Prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project;
- The following signage shall be erected not later than the commencement of construction: A minimum 48 inch high by 96 inch wide sign containing the following shall be located within 50 feet of each project site entrance, meeting the specified minimum text height, black text on white background, on one inch A/C laminated plywood board, with the lower edge between six and seven feet above grade, with the contact name of a responsible official for the site and a local or toll-free number that is accessible 24 hours per day:

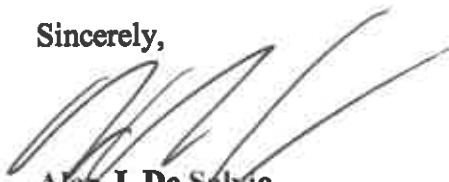
"[Site Name] {four inch text}
[Project Name/Project Number] {four inch text}
IF YOU SEE DUST COMING FROM {four inch text}
THIS PROJECT CALL: {four inch text}
[Contact Name], PHONE NUMBER XXX-XXXX {six inch text}
If you do not receive a response, Please Call {three inch text}
The MDAQMD at 1-800-635-4617 {three inch text}"

- Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines deposits.
- All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
- All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces, and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.

Additionally, the District requests that the County require the proponent to obtain District permits for any miscellaneous equipment involved that may not be exempt under District Rule 219, including, but not limited to, engine powered pumps.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,



Alan J. De Salvio

Deputy Director -- Mojave Desert Operations

Nieves, Tom

From: Linda DeLuca-Snively <californiadeluca@gmail.com>
Sent: Wednesday, April 25, 2018 10:02 PM
To: Nieves, Tom; Tom.Husaon@lus.sbcounty.gov
Subject: Fwd: Linda DeLuca-Snively shared 15 photos with you

From: Linda DeLuca Snively, 47323 Autumn Leaf Road, Newberry Springs, CA 92365 - 760.780.8741

Subject: Minneola Solar Project (P20180004) and Daggett Solar Project (P201700679).

Attention: Mr. Tom Nieves and Mr. Tom Hudson:

I have owned property and lived in Newberry Springs since 2004. The proposed solar projects will totally change the rural neighborhoods of both Daggett and Newberry Springs. Change is always inevitable, yet projects of this scope in our neighborhoods is massively invasive and downright not workable in my opinion. Kramer Junction's solar project is out in the middle of nowhere. Ivanpah's solar project is out in the middle of nowhere. These two proposed projects are in the middle of our neighborhoods where we live.

I have attached pictures that were taken today of the defunct small solar project on Mountain View, Newberry Springs. The small scale project has so totally negatively impacted the neighborhood. Larger projects with 700,000 solar panels twenty feet high, (width not presented) will be absolutely devastating.

The proposed huge scale has the potential to guarantee that Daggett and Newberry Springs will be ruined forever.

I question the validity of the EIR if it did not take into account the sand shifting, loss of property values, environmental and wildlife conditions and lastly and not least the health impact on the people of these two cities.

I strongly urge you to not approve this calamity. The lack of support by San Bernardino County government is appalling.

Linda DeLuca Snively

----- Forwarded message -----

From: Linda DeLuca-Snively (via Google Photos) <noreply-f7046bc82f220837b56bb7e0e9cabb24@google.com>

Date: Wed, Apr 25, 2018 at 8:26 PM

Subject: Linda DeLuca-Snively shared 15 photos with you

To: californiadeluca@gmail.com



ca-Snlvely: Sand on Mountain View Newberry Springs 4.25.2018





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MBCA

morongo basin conservation association

PO Box 24, Joshua Tree CA 92252
<http://www.mbconservation.org>

April 26, 2018

County of San Bernardino
Land Use Services Department
Tom Nieves, Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415

Tom.Nieves@lus.sbcounty.gov

Re: Daggett Solar Energy Project

Dear Mr. Nieves;

The MBCA appreciates this opportunity to comment on the Daggett Solar Energy Project.

1. Initial Study required for Informed scoping comments from stakeholders

We open our comments with the regret that Land Use Services chose not to provide an Initial Study as background for scoping comments. We understand from Ms. Rahhal that the choice to provide only the 2-page sketch of the 3,500-acre project was based on the early (and correct) decision that an EIR will be required. The 484-acre Ord Mountain Solar Project scoping was supported by a 102-page Initial Study. We request, in the future, that scoping for ALL solar projects, utility scale and smaller, be accompanied by an Initial Study. The purpose of CEQA is to inform the stakeholders, which was not accomplished with the brief description of this project.

2. Aesthetics: a-d – Significant impacts both individually and cumulatively that cannot be mitigated

The unincorporated community of Daggett is confined between the I-15 and the I-40 within the narrow end of a triangle that extends east to the Cady Mountains. See Figure 1

Cumulatively, the proposed 3,500-acre Daggett Solar Project is adjacent to the existing 300-acre Sunray Solar project and the proposed 1,200-acre Sunpower Solar 1 Project for a total of 5,000-acres.

The size of Daggett Solar (5.5 square miles) will significantly impact the scenic vista looking from all directions: north from National Trails Highway (Route 66) and the I-40 to the Calico Mountains; south from the I-15 to the Newberry Mountains Wilderness Area; west or east across the basin connecting the Cady Mountains and the Mojave Trails National Monument with Barstow. Historic Route 66, which travels through the town of Daggett (founded 1883) will closely parallel the projects for over 7 miles. The EIR should be thorough in evaluating the loss of the scenic vista and resources including the

historical and rural character of the community. The hundreds of thousands of industrial 20-foot high panels will be impossible to hide behind a perimeter chain link fence (of unspecified height) with 1 foot of barbed wire. Because of the Project size and the significant cumulative impact, visual analyses must be performed for Daggett Solar alone and then for the three together.

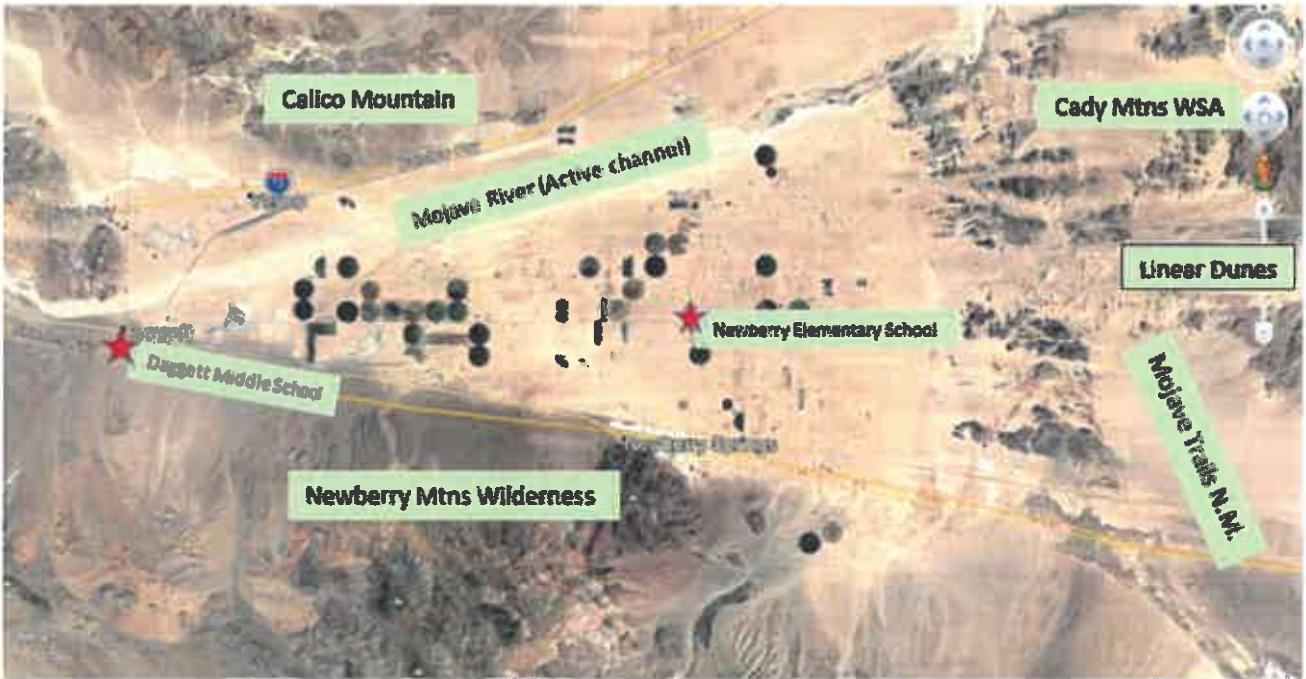


Figure 1: Daggett-Newberry Springs area showing mountain viewpoints, Wilderness, the Mojave River, and the location of the Newberry Elementary School.

3. Air-Quality: a-d – Significant Impacts that are possibly unmitigable
4. Geology and Soils: b – Substantial soils erosion will be significant and mitigation difficult

The Mojave Desert Plan Area is in federal and state nonattainment for the criteria pollutant PM₁₀. The area is under the jurisdiction of the MDAQMD. The closest monitoring station for the project area is in the City of Barstow and there may or may not be data that qualifies as PM₁₀ baseline for this project. The Soda Mountain Solar Project (BLM) further to the east and also on a sand transport path used the Victorville monitoring station for the 2- year baseline data. Victorville data from within the city is not applicable when accounting for incidents of PM₁₀ release during high wind conditions in the Daggett area. However, the Daggett Airport, which will be surrounded on three sides by the project, is a regional weather information center. Should it be approved the developer, NRG, should be required to install a PM₁₀ Base Air Monitor at the airport to record baseline data and data throughout the life of the project, for construction and operation.

Based on National Resource Conservation Service (NRCS) soil type data for the Mojave River area in San Bernardino County the whole of the Daggett Triangle is a sand transport path and subject to eolian dust during high wind events. See Figure 2. The County LUS and Code Enforcement should review their recent records for complaints related to the 22-acre Soltec Solar Project on Mountain View Rd. in Newberry Springs for the damage done to the downwind neighbor from blowing sand.

We are aware that for the electronics in the tracker units to operate correctly they must be installed on very level ground. The Daggett Solar application (provided following a Public Records Request) stated that 2,400,000 cubic yards of soil would be graded. What does that mean? Since there are 1,760-yards in a mile, the graded cubic yards of dirt, laid end to end, would stretch 1,363 miles, half way across the United States. It is important to know where this vast amount of dirt would be placed and what would insure that it does not release sand and dust during wind events.

Since the installation of solar facilities began around 2013 dust events during high winds have become a serious and immediate health and quality-of-life problem for communities like Lucerne Valley, Newberry Springs, Hinkley, and the Morongo Basin. Experience has shown that the mitigation measures required under the MDAQMD Fugitive Dust Rule 403.2 do not work in the Mojave Desert when constructing solar projects on slopes 1% or less.¹ What does work is the Great Basin Rule 433, adopted in 2016 following years of research and monitoring.² We suggest that the County LUS work closely with CA. Air Resources Board (CARB) and MDAQMD on implementing GB Rule 433 to insure that the communities of Daggett/Newberry Springs do not become a dust bowl and unlivable.

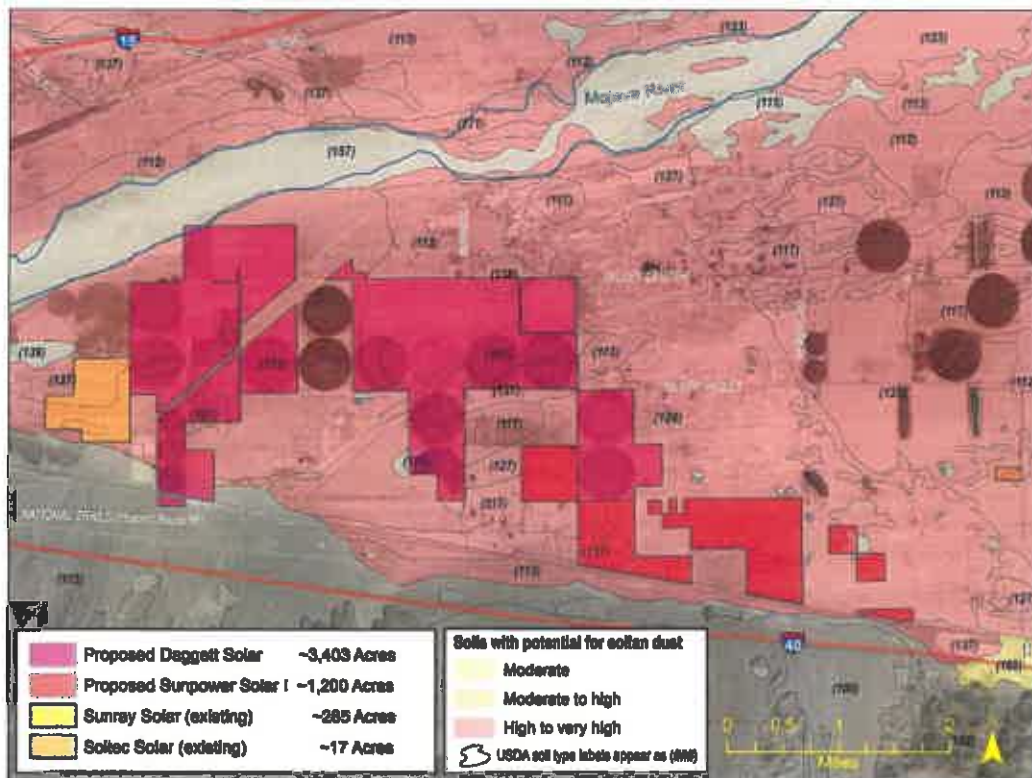


Figure 2: Map showing soils with the potential for eolian dust in the Daggett/Newberry Springs area. Soils analysis based on USDA REC Soil Classification. Map: Brian Hammer Professor Victor Valley College Agricultural and Natural Resources Department

1

https://d3n8a8pro7vhmx.cloudfront.net/mbca/pages/907/attachments/original/1501211030/LV_MAC_Presentation.pdf?1501211030 (accessed 4/26/2018)

2 <https://www.arb.ca.gov/drdb/gbu/curlhtml/r433.pdf> (accessed 4/26/2018)

5. Biological Resources: d - Significant impacts difficult to mitigate because of the project size

The whole 3,500 acres of the Daggett Solar Energy Facility, as proposed, is within the California Desert Linkage Network. See Figures 3 and 4. The Daggett Solar Facility would be a major impediment for

resident wildlife and movement over any time period.

Figure 3: Proposed and existing solar projects in Daggett/Newberry Springs shown in relation to the Desert Linkage Network.

Map: Brian Hammer
Professor Victor
Valley College
Agricultural and
Natural Resources
Department

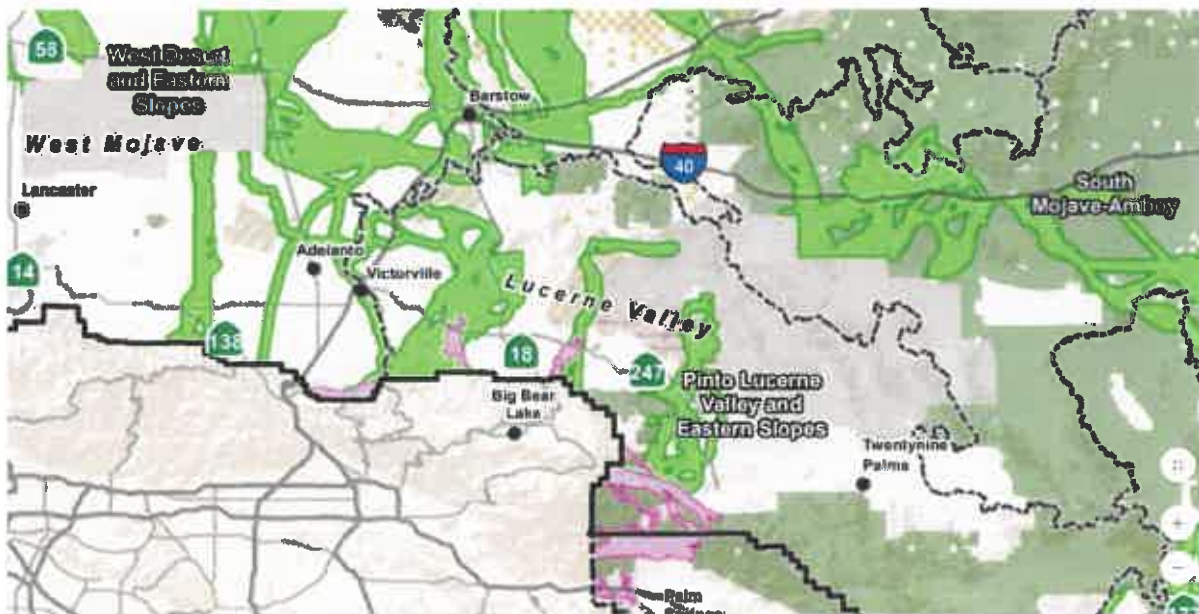
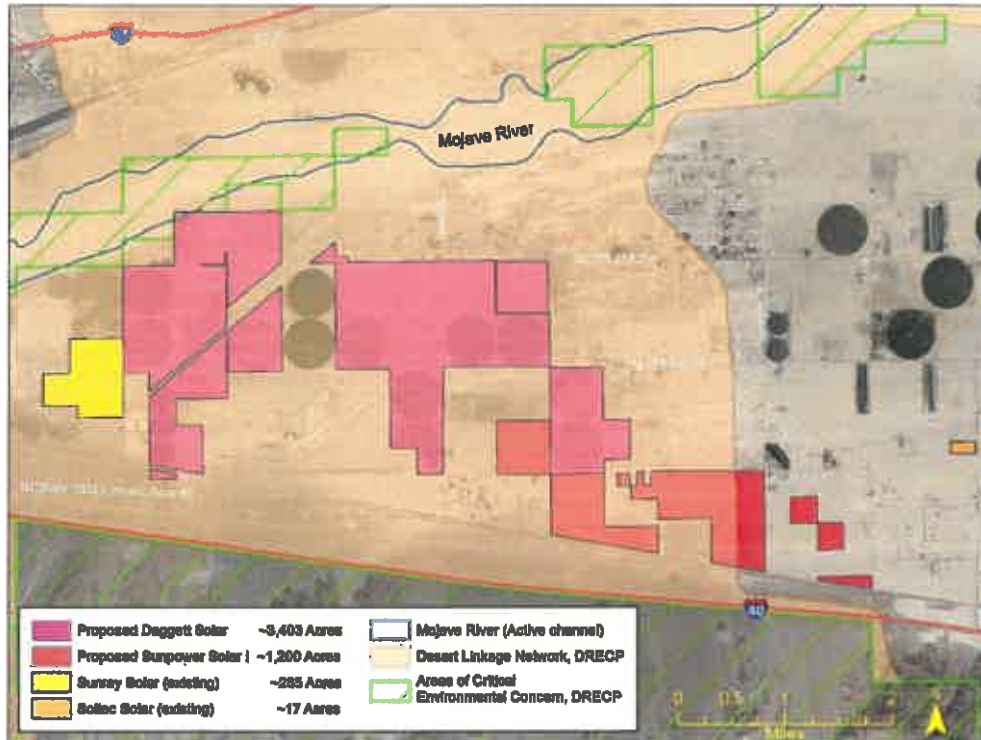


Figure 4: Section from Figure D-1 Landscape Linkages. DRECP LUPA 2016. Appendix D Conservation and Management Action Implementation Support Information and Maps.

6 Land Use Planning: a - The Project will have significant community impact

The Daggett Solar Project will physically divide the community of Daggett and it will also divide it from neighboring Newberry Springs. See Figures 1 and 2. There is no mitigation to overcome this impact.

7 Population and Housing: b and/or c – potentially significant and probably more accurate to file the population outcomes under environmental justice

There is no denying that the soils are subject to eolian dust. The size of the project could create unimaginable living conditions for anyone with existing health problems involving lungs and heart. People have moved to the desert because of the clean air and many residents in Daggett have owned their homes for decades. It is important to research this possibility by querying health clinics, attending local meetings and questioning residents. This is an economically disadvantaged community so people may need to move for their health. With Daggett Solar obliterating the natural vistas and skyline and creating poor air-quality, their homes may have little value, so they will be stuck.

8 Public Services: Schools

The Daggett Solar Project is upwind (east) of the Daggett Middle School and west of the Newberry Elementary School. The distance in both cases is only about 4 miles, this is nothing when the wind is blowing and sand and dust are on the move. The students are sensitive receptors that should be protected. The only reasonable mitigation should this project be approved, would be to relocate the schools, but to where?

9. Environmental Justice

In closing we note that the County has stated in official documents that solar energy should benefit the community where it is built. None of the solar energy produced in Daggett or Newberry Springs will be used by those living there, it will be transported to other locations, including out of state. What the residents will get is the loss of their quality of life, possibly their health, their investment in their homes and businesses, and a higher utility bill.

Thank you for this opportunity to comment.

Sincerely,



Pat Flanagan
Board member, Morongo Basin Conservation Association

Board

President ~ Sarah Kennington, Pioneertown

Vice President – David Fick, Joshua Tree

Secretary – Marina West, Landers

Treasurer – Steve Bardwell, Pioneertown

Member – Claudia Sall, Pioneertown

Member – Meg Foley, Morongo Valley

Member – Mike Lipsitz, Landers
Member – Ruth Rieman, Flamingo Heights
Member – Seth Shteir, Joshua Tree
Member – Laraine Turk, Joshua Tree

cc: Brad Poiriez, Mojave Desert AQMD, bradp@mdaqmd.ca.gov
Alan De Salvio, Mojave Desert AQMD, adesalvio@mdaqmd.ca.gov
Earl Withycombe, CARB, ewithyco@arb.ca.gov
Ted Stimpfel, Newberry Springs Community Alliance, newberrysprings@mail.com
Bob Berkman, CEQA Now, ctcdagget@mindspring.com
Paul Smith, SBCo. Planning Commissioner, pfslaw29@gmail.com

Nieves, Tom

From: Cindy Charlton <bunnycharlton@gmail.com>
Sent: Thursday, April 26, 2018 2:39 PM
To: Nieves, Tom
Cc: David Charlton; Paula Deel
Subject: Solar Fields

Dear Mr Nieves,

I am submitting my comments on the review of Policy 4.10.

While I find it absolutely appalling that I even need to write to you on this matter is upsetting enough, I will however be sure that it is not a rant.

Firstly, I am very concerned about the value of my property in Newberry Springs value being decreased with the addition of such large scale solar in our neighborhood.

Secondly, I have been reading up on San Bernardino Development Codes, Code 84.29.035 to be exact. In reading the code I demand an explanation of how (even with the deletion of Policy 4.10) large scale solar companies can be allowed to build in the locations of Daggett and Newberry Springs California.

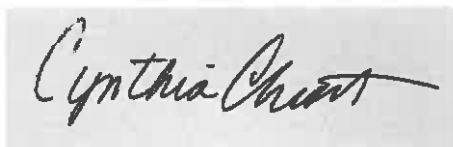
Furthermore, According to the table 85-2 there was no notice given to homeowners within the required distance to the project. If it was printed in a local newspaper that is not adequate as the Desert Dispatch is not delivered to our areas of Daggett and Newberry Springs, and is not even a paper anymore...only digitally on line.

It is also my understanding the AQMD needs to be involved with the air quality. I have yet to see or hear of AQMD researching the air quality over a period of time due the the high wind corridor effect on the area in question. As I write this letter to you, Harvard Road is closed and remains closed due to wind blown sand and has been since April 16th, 2018. This sand is a result of the building of Silver Lakes in Helendale, CA. And now it is the County of San Bernardino responsibility to clear each time it gets clogged over with blow sand.

I personally request that Mr. Lovingood and yourself be required to visit our area during a high wind storm to be part of the EIR. I would gladly escort you to the areas of most concern.

The large size of this project project is not compatible with the current San Bernardino Development Code.

Sincerely,



Cynthia Charlton
34670 Condor Rd

Newberry Springs, CA
760-979-7470

Nieves, Tom

From: Jack Unger <junger@ask-wi.com>
Sent: Thursday, April 26, 2018 3:50 PM
To: Nieves, Tom
Subject: Daggett Solar Power Project Public Scoping Comments

Dear Mr. Nieves,

As a resident of the project area, I'm submitting my environment concerns that need to be included and addressed in the Draft EIR for the proposed Daggett Solar Power Project.

1. Air Quality Deterioration - Wind-blown sand is already a significant hazard for residents of the Daggett/Newberry Springs area. Construction, operation and abandonment of the proposed project must inevitably worsen this already-serious problem.

2. Threatened and Endangered Wildlife Habitat Loss - Construction of this project threatens the native habitat and therefore the continued survival of a) the desert tortoise, and b) the desert kitfox.

3. Water Use and Aquifer Depletion - Water use and lowering water-table levels are already serious issues in the project area. Construction and operation of this proposed project will further stress the already-acknowledged water overdraft issues and must be sufficiently addressed in the EIR.

Thank-you for your attention to these issues.

--

Jack Unger
PO Box 117
Daggett, Ca. 92327
760-678-5033

Nieves, Tom

From: Paula Deel <deelplum2@gmail.com>
Sent: Thursday, April 26, 2018 3:43 PM
To: Nieves, Tom
Subject: EIR Daggett Solar Power Facility Project

April 26, 2018

Via email

County of San Bernardino
Land Use Services Department
Tom Nieves, Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415
Tom.Nieves@lus.sbcounty.gov

Subject: EIR Daggett Solar Power Facility Project

Dear Mr. Nieves:

In the EIR please be sure the following and how they may affect the communities of Daggett and Newberry Springs are adequately studied:

Aesthetics: Shorter (8') panels are less objectionable than 20' panels.

Air Quality/Geology and Soils: These are two serious items. If the earth is disturbed, it will blow. Predominate winds are west to east. Homes are east of the proposed project. How will the dust be controlled?

Hydrology and Water Quality: We always come back to the water. Proposed project is supposed to use less water than the existing alfalfa fields but property owners still own the pumping rights. Where will this water be pumped from? The already distressed east valley? How do you propose to prevent this? During construction water consumption will probably increase. If we go over our allowed use per the adjudication, we will be ramped down further. That is not fair.

Thank you,

Paula Deel

Nieves, Tom

From: Jim Klein <jim.klein@lardnerklein.com>
Sent: Thursday, April 26, 2018 3:13 PM
To: Nieves, Tom
Subject: Daggett Solar Power Facility
Attachments: CART66_whoopdidoosDSC_6911.jpg

Good afternoon,

As the lead contractor and author of the Needles to Barstow California Historic Route 66 Corridor Management Plan ([Download](#)), I wanted to make sure that you and the applicants were aware of the significance of the section of historic Route 66 adjacent to the proposed Daggett Solar Power Facility.

Please note that the road itself is one of the most significant stretches of pavement on Historic Rt. 66 (National Trails Highway) in California. Many refer to the "whoop-di-dos" found on this section named for the ribbon of asphalt that lies lightly across the desert landscape and its washes. Seven washes, all close together, in this photograph alone. The attached photograph was selected for the cover of the management plan and represents one of the most significant character defining feature of Historic Route 66 in California. For a complete description of the significance of Historic Route 66 as it traverses through the project area, please refer to the corridor management plan document including the appendices. Appendix III has a complete listing of historic resources including mapping and a reference to the "whoop-di-dos".

Page 67 of the CMP references the adopted San Bernardino County solar ordinance and potential viewshed and historic resource issues that are now coming forth. The ordinance specifically references that facilities not detract from communities, in paragraph 3 of § 84.29.035 "Required Findings for Approval of a Commercial Solar Energy Facility":

(3) The siting and design of the proposed commercial solar energy generation facility will be [either]: (A) Unobtrusive and not detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways

The ordinance specifically references historic resources in paragraph 11 of § 84.29.035

(11) The proposed commercial solar energy generation facility will be located so as to avoid or mitigate impacts to significant cultural and historic resources, as well as sacred landscapes.

The push pin on the air photo below represents the location of the photo attached, although the significant stretch is from the transmission line crossing and east. The proposed project will be highly visible from this significant stretch of Historic Route 66. In the CMP we had talked about priorities for preservation east of the transmission line corridor that runs diagonally to the west of the site, as the first place you actually get a sense of the historic road. This is it. The project will be highly visible as soon as the whoop-di-dos come into view traveling east.

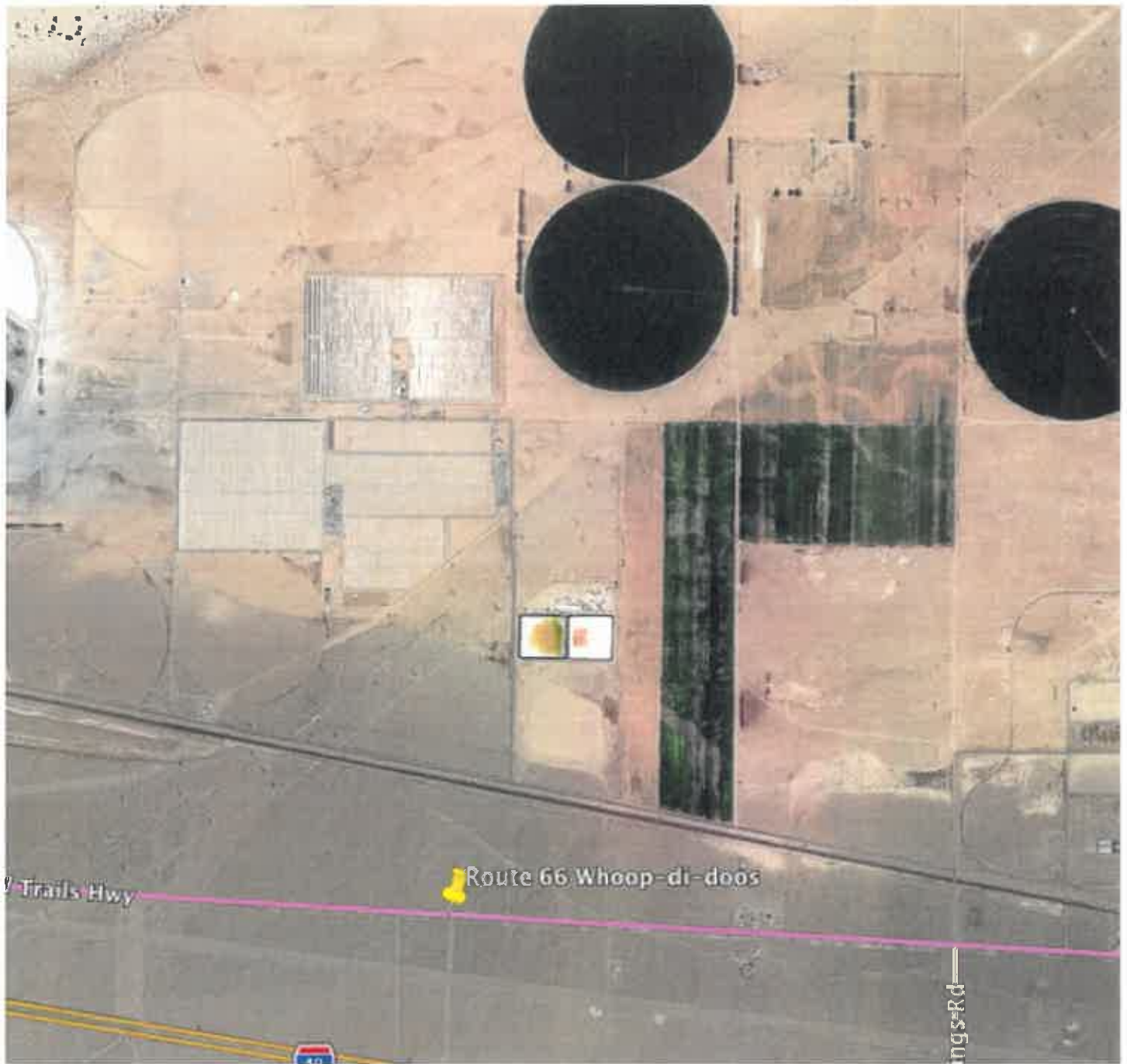
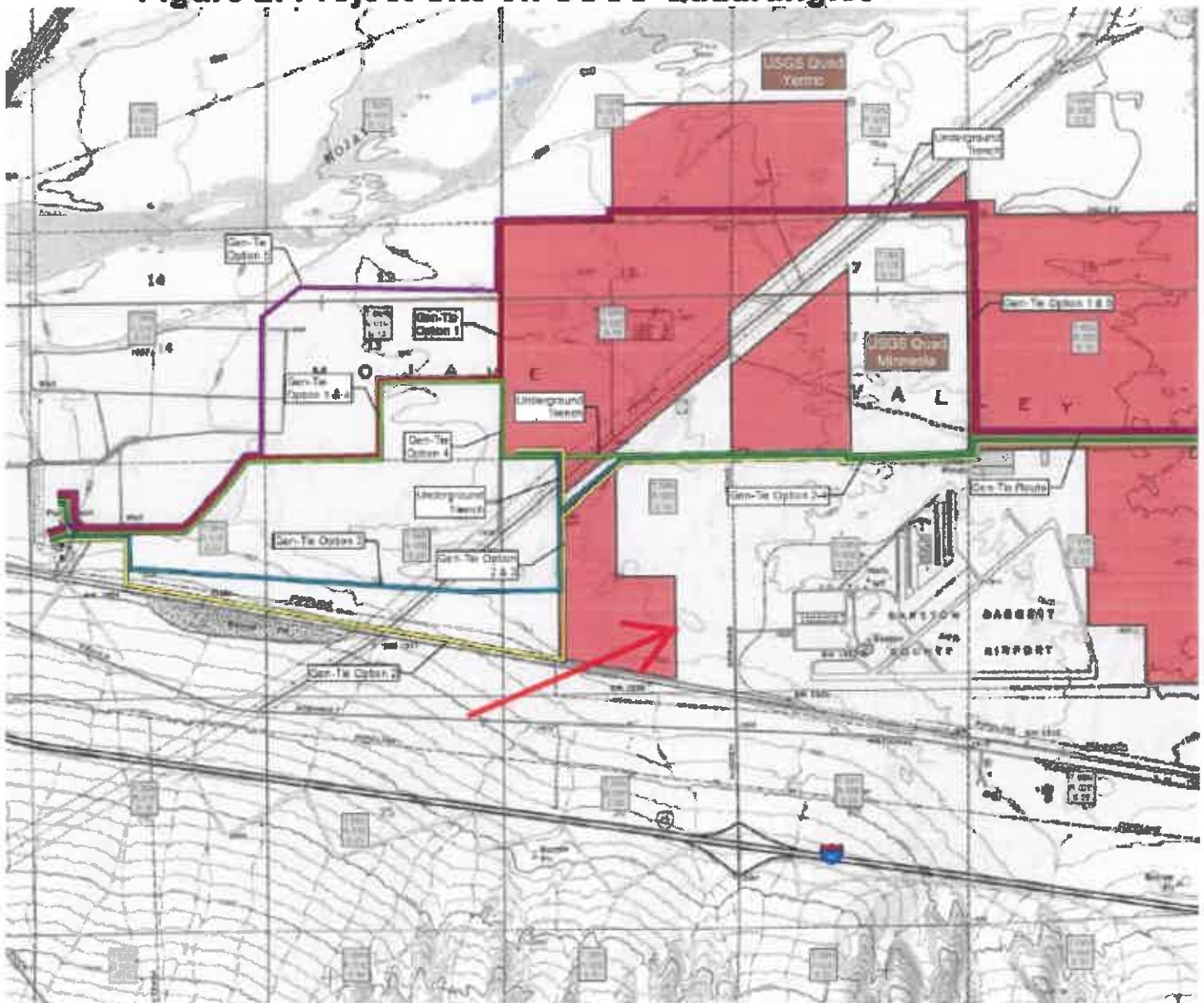


Figure 2. Project Site on USGS Quadrangles



From the point of view of protecting this nationally significant historic resource with direct economic benefits associated with heritage tourism, to San Bernardino County and especially for those small businesses in the surrounding communities of Barstow, Daggett and Newberry Springs, I ask that the applicant address these issues by reconsidering development of any solar facilities or gen-ties that are south of Silver Valley Road and east of the transmission line as the best way to protect this nationally significant historic and community resource.

Thank you for your consideration.

Jim Klein, ASLA Principal
Lardner/Klein Landscape Architects
815 North Royal, Suite 200
Alexandria, VA 22314
703-739-0972 (t)

703-739-0973 (f)

Jim.Klein@lardnerklein.com





April 26, 2018

**County of San Bernardino
Land Use Services Department
Tom Nieves, Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415**

Re Proposed Daggett Solar Power Facility- Project #P201700679

To whom it may concern,

As a partner with the County of San Bernardino in managing and conserving the historic California corridor of old National Trails Highway and Route 66, the California Historic Route 66 Association (CHR66A), strongly supports legitimate demands for responsible energy development that appropriately consider project impacts on scenic, cultural, and historic resources. In this sense, project impacts include all activities and facilities involved in the development, production and generation of energy.

We are in total agreement with San Bernardino environmental policy as outlined in The California Historic Route 66 Corridor Management Plan (CMP) published May, 2015, which was endorsed by the San Bernardino County Board of Supervisors. The CMP referenced the County's Solar Energy Development Ordinance §84.29.035 (December, 2013) that includes consideration of impacts to scenic, cultural, and historic resources and affirms their importance.

Paragraph 3 -"Required Findings for Approval of a Commercial Solar Energy Facility" specifically references that facilities not detract from such resources:

"Siting and design of the proposed commercial solar energy generation facility will be...

"Unobtrusive and not detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways."

Paragraph 11 of the same ordinance specifically references historic resources.

"The proposed commercial solar energy generation facility will be located so as to avoid or mitigate impacts to significant cultural and historic resources."

In defining the County's purpose, values, and standards of renewable energy and conservation framework in 2015, the County Land Use Services Department listed "Conservation of the scenic, recreational and cultural assets that define San Bernardino County for its residents and make it a destination for tourists" as one of core values and goals of San Bernardino County citizens.

We totally agree. The community of Daggett is one of the most historic sites along the old National Trails Highway, Santa Fe Railway and California Route 66 corridor and is at the top of our list for becoming a must-see stop for travelers across Interstate 40 and Route 66. It has a rich history that could become the heritage travel gem of the Mojave Desert that brings Route 66 motorists west into California instead of up to Las Vegas before heading back east.

CHR66A will work with project developers and the County of San Bernardino to assure that significant environmental impacts, especially visual impacts, on important historic resources in the Daggett are appropriately mitigated consistent with CEQA standards and the San Bernardino County Solar Energy Development Ordinance §84.29.035.

Critical historic resources in the Daggett area include Alf's Blacksmith Shop, Stone Hotel, Daggett Museum, historic Route 66 pavement, Barstow/Daggett Airport, and viewsheds from Interstate 40 and Route 66.

Glen Duncan
Vice President , CH66A

Vickie Paulsen

43843 Valley Center, Newberry Springs, CA 92365 • 760-447-2118 • words4fun@gmail.com

April 24, 2018

Mr. Tom Nieves
Contract Planner
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415

2018 APR 26 AM 10:44

FISCAL ADMIN



COMMENT ON THE EIR FOR THE DAGGETT SOLAR POWER PROJECT

Dear Mr. Nieves:

In addition to the practical arguments against industrial solar installations, there are several ordinances established by the San Bernardino County that disallow these projects no matter what the findings of an EIR. Private citizens, businesses, administrators and elected officials are obligated to abide by the County Code. In the question of whether or not to approve the Daggett and Minneola solar projects, the law must take precedence over both necessities and desires, for one person's (or business's) necessities might act to another's detriment.

I will list some of the ordinances that I interpret as disallowing these projects. The SPARC discussions in 1915-16 concluded that one of the top two criteria was:

"Renewable energy efforts should not negatively impact viewsheds, plant life, and wildlife."

These are all EIR concerns, and reflect Ordinance 84.29.035 [January 2014] which states in part [emphasis added]:

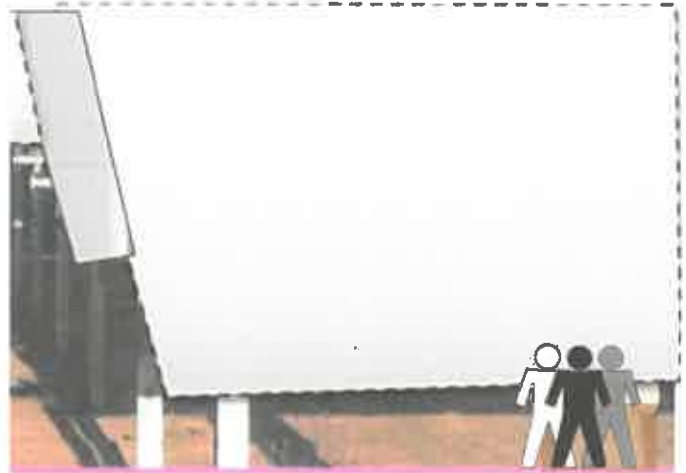
(a) the proposed commercial solar energy facility [hereafter known as PCSEF] . . . **will not lead to loss of the scenic desert qualities** that are key to maintaining a vibrant desert tourist economy . . .

Further, Ordinance 84.29.035(c)(1) states that the PCSEF should be

[A] Sufficiently **separated from existing communities** and existing developing rural residential areas so as to avoid adverse effects, or

[B] of a sufficiently **small size**, provided with adequate setbacks, designed to be **lower profile** than otherwise permitted, and sufficiently **screened from public view** so as to not adversely affect the desirability and future development of communities, neighborhoods, and rural residential use.

According to the PCSEFs own project descriptions, both will incorporate panels 20 ft. high. In its presentation to the Daggett meeting on April 11, James Kelly from NRG showed a picture of a man standing in front of a solar array that was probably 5 or 6 ft high (see below, left). This could have led the audience into thinking that the low height is what is being proposed. I have done a bit of low-level magic to give a rough idea of how high 20 ft is, assuming the man in the foreground is about 5' 10". (I had to make the men smaller, but the ratio is the same.)



Please note that any view of the mountains disappears. If my graphic doesn't convince you, then go outside of your own home and picture it surrounded by a wall 20 ft high. You will not like it. For us, it is most definitely a **loss of the scenic desert qualities** such as broad vistas of undisturbed land and distant mountains.

A glance at the Daggett project map shows how much Newberry Springs is impacted by this installation. Newberry begins at Minneola, which will become, on the west side, two miles of 20 ft high pv panels. Halfway north, the east side joins them from Silver Valley to Valley Center, forming one continuous mile-long corridor of glaring industrial pv panels on both sides. Allowing this to happen in our community would be an inconceivable breach of the public trust.

Many of us in Newberry use Minneola to reach our homes. The view we get in all directions is priceless. To experience the sun rising on the Calicos, or the setting sun creating deep shadows on the Newberry Mountains, is beyond price. I have international visitors who come expressly to see our unparalleled desert landscape. Unanimously, they love Newberry Springs for what it is - a small remote community with silence, clean air, sunshine, and long, unfettered views.



The Daggett NRG project covers 3500 acres, not a **small size** by any measure. In fact, it is more than twice the size of the Kramer Junction installation. I have been to Kramer Junction (below). It is gigantic and hideous, but the Daggett and Minneola projects (1200 acres) would dwarf it.



It is obvious that at 20 ft high, these panels are not designed to be **lower profile**, as required by County Code.

How can they possibly be **screened from public view**, as also required by County Code?

The Daggett and Minneola projects are not **separated** from our community at all, as required by the County Code. They are smack dab inside our gates.

Since California declared its goals of 33% RE by 2020 and 50% by 2030, solar companies have been trying to convince local governments that even more behemoth-sized industrial solar generation projects are necessary. However, as things stand now, the major utilities have already met or will soon meet the 33% goal, with the CPUC confident that the 50% goal will be reached by 2020.¹

¹ <https://cleantechnica.com/2017/11/21/california-meet-2030-renewable-energy-targets-2020/>

Damage to air quality, land and wildlife conservation, and the environment are concerns that will affect the Mojave desert for hundreds of years. To overlook their importance by rushing this process would be wrong. I urge you to give *adequate* time for us to answer any allegations brought by NRG justifying its claims. For one thing, air quality should be measured for at least a year, and preferably longer.

To approve Daggett Solar would be to inflict irreparable damage on our community. We cannot afford the time nor money to do all the studies that well-heeled NRG can fund, but we know the law. The County Code is a public document and it spells out what can and cannot be permitted. I urge you, as an administrator of the law, to follow what it requires.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrew".

Commenting as a private person
Director, Newberry Springs Community Services District
Director, Newberry Springs Economic Development Association

Newberry Springs Community Alliance

P.O. Box 11

Newberry Springs, CA 92365

newberrysprings@mall.com

April 26, 2018

Terri Rahhal, Planning Director
Tom Nieves, Contract Planner
County of San Bernardino
Land Use Services Department
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415

Sent via e-mail (PDF).
Terri.Rahhal@lus.sbcounty.gov
Tom.Nieves@lus.sbcounty.gov

Re: Scoping Public Input - Daggett Solar Project (P201700679)

Dear Ms. Rahhal and Mr. Nieves,

Please address each of the following questions and concerns in the Daggett Solar Project's (P201700679) Environmental Impact Report as part of our participation in the public scoping process. We are providing a brief narrative to most of our questions and concerns as a foundation.

This scoping communication is further being prefaced with a strong complaint that inadequate time has been provided to the public to properly participate in the scoping process. Despite multiple requests, vast amounts of data regarding the Project have not been made available to the public and the County of San Bernardino, as the Lead Agency, to date has denied multiple requests for a sixty-day (60-day) extension of the scoping period deadline for public comment. Furthermore, the County has biasly manipulated the County's Renewable Energy Conservation Element to allow the Project's filing before a determination of the before said element's Policy 4.10. The County has intentionally withheld that determination for nearly a year. The County has further used the stalled period to design a replacement Policy 4.10 alternative that highly favors establishment of utility-scale solar in Rural Living zoning. This is despite the County's recommended alternative being contrary to the County's General Plan and Development Code.

Hereinafter, "Project" shall reference Daggett Solar Project (P201700679), "County" shall reference the County of San Bernardino.

1. The County has taken an interpretation that Rural Living zoning permits utility-scale solar. There is a distinct legal difference between a residential/commercial Renewable Energy Generation Facility being permitted in a rural residential community and that of an industrial utility-scale solar development. As utility-scale solar facilities are industrial on steroids, by their nature, they are totally incompatible in rural neighborhoods. There seems to be a stretching of the definition to permit utility-scale in Rural Living which is mooted by other portions of the County Code. (Q.) What is the County's specific legal basis that utility-scale solar developments can be considered environmentally compatible and permitted in RL zoning?

2. Please provide a thorough nonpartisan study analysis of the Project's impact to the County's Historic Route 66 Scenic Highway and include a comprehensive analysis of the current and future economic impacts that the Project will have to the economies of the local communities that depend upon the open West vistas from Interstate-15 and Interstate-40, and include Calico, Daggett, and the nearby local Gateway communities to the Mojave National Preserve, Mojave Trails National Monument, Death Valley, and nearby tourist and recreational destinations. (Please note that Historic Route 66 was designated a state historic route in 1991, and the Route 66 segment along the Project is a candidate to become a National Scenic Byway and is also a candidate as an All-American Road, in part based upon its scenic viewshed. Furthermore, the Project fails to avoid modification of scenic natural formations (Development Code 84.29.035(c)(19).)

3. Please provide the comprehensive detail analysis given to each alternative solar site considered, including the available sites in the federal Desert Renewable Energy Conservation Plan (DRECP), and provide a detail explanation why each alternative site was reasonably rejected.

4. Photographs of the areas of the Project site illustrate dust and sand being picked-up in winds and reaching several hundred feet in altitude in a very short distance. Blowing dust/sand mitigation using stabilizers has been unsuccessful at the 22-acre Soitec facility which has been a Newberry Springs disaster. (Q1.) What environmental PM10/dust protections are being planned? (Q2.) What evidence is available that such mitigation measures should be relied upon in a Sand Transport Path?

5. The Project's site is located in the center of a Sand Transport Path. (Q.) Does the applicant have any nonpartisan studies, meteorological data, and PM10 studies addressing the sand transport issues impacting the Barstow-Daggett Airport and neighboring communities?

6. Blowing dust and sand emitting from the Project can be anticipated to cause damage and interference to operating aircraft engines, static aircraft, and airport operations at the Barstow-Daggett Airport. (Q.) What mitigation measures and financial guarantees against environmental, mechanical, and airport operation damages will be established for the life of the Project?

7. (Q.) How will the facility's developer and future operator(s) address the neighboring communities' cost of healthcare issues resulting from the anticipated environmental massive increases in PM10 emitting from the Project into the neighboring communities?

8. The federally protected fringe-toed lizard has been recently spotted along an area of the Mojave River. (Q.) How is the Project's natural habitat for this endangered lizard going to be protected?

9. (Q.) What steps are being taken to remedy pathway obstructions, such as fencing, to maintain wildlife migration through the Project site?

10. The developer has been investigating this Project for a known 4-years. A minimum 2-plus year air quality study is necessary for the Project site as a minimum baseline to meet and understand the environmental air quality problems of the site under CEQA. The nearest Mojave Desert AQMD monitors (Barstow Courthouse) are too distant and are not in the Sand Transport Path to be of any relevance. (Q.) What is being done to establish an air quality baseline and a nonpartisan air quality study for the Project?

11. The County's development goals and policies are environmentally rooted in sensible General Plan Vision Statements that regulate the implementation of development. A few codified County General Plan relevant portions are LU-2, LU-7, and LU-10. The Project's proposed siting fails to meet the criteria of the County's Development Code, Section 84.29.035, and the Land Use Element:

GOAL LU-1: The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.

POLICY LU-1.2: The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent land uses and community character.

GOAL LU-7: The distribution of land uses will be consistent with the maintenance of environmental quality, conservation of natural resources, and the preservation of open spaces.

GOAL LU-10: Encourage distinct communities with a sense of “place” and identity.

The County’s General Plan, Desert Region Goals and Policies of the Land Use Element:

GOAL D/LU-1: Maintain land use patterns in the Desert Region that enhance the rural environment and preserve the quality of life of the residents of the region.

POLICY D/LU-1.2: Limit future industrial development to those uses which are compatible with the Community Industrial Land Use Zoning District or zone, are necessary to meet the service, employment and support needs of the region, do not have excessive water requirements, and do not adversely impact the desert environment.

POLICY D/LU-1.3. Utilize Rural Living (RL) areas to buffer Resource Conservation (RC) areas from more intensive land uses.

- **Note: The Project VIOLATES all of the above, including loss of long-term local employment, adversely impacting local safety and health, adversely impacting the environment of the desert, viewsheds, water quality and water availability, wildlife, and property values.**

(Q.) With the state’s renewable energy power needs for the immediate future already being met, with many alternative sites being available under the DRECP, and with the Project causing many unmitigable damages, why is the County still processing the Project site as permissible?

12. Furthermore, in reference to the above points, under the Development Code policy for the Planning Commission - General findings for all Use Permits (Conditional and Minor), § 85.06.040(a) states, “The review authority shall first find and justify that all of the following are true before approving a Conditional Use Permit or Minor Use Permit application.” Under sub (4): “The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan.” Clearly, with the violations of the Project noted in the preceding paragraph, the Planning Commission cannot legally approve a Conditional Use Permit for the Project. (Q.) Why is this Project continuing to be processed if the Planning Commission cannot approve a Conditional Use Permit?

13. Daggett and Newberry Springs are severely economically disadvantaged communities. The dumping of the Project within Daggett and a planned second site in Newberry Springs will create an overall loss of jobs due to the loss of jobs from agriculture, removal of available land preventing future residential and commercial development, create a visual eyesore detriment to tourism, create dangerous air quality, harm wildlife, depreciate

the rural lifestyle and property values, and destroy the rural environmental setting that local residents have invested and built their homes to enjoy. The Project's negative environmental impact upon such a large area represents an act of Social Injustice, a Civil Rights violation of environmental and economic racism that may be addressed under federal Title 42, § 1983. The Project may also violate California Government Code § 65040.12 regarding environmental justice. (Note: Cal. Govt. Code § 65040.12(e) states, "For the purposes of this section, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.") The Project represents an unnecessary environmental disaster to the local citizens of challenged social and economic status. The Project's siting and nonconformity to Rural Living appear to be blatantly illegal under County Code and also a form of uncompensated Eminent Domain against the neighboring communities. (Q.) What compensation program addressing the above will be established for the communities and individuals for the environmental, economic, and other damages resulting from this Project's devaluing the desirability of adjacent communities and the devaluation of property values?

14. It is estimated that this and other County solar projects' future health damages to local residents from fugitive dust may reach future claims in excess of two-billion dollars (\$2-billion), primarily resulting from PM10 deaths and lung disease issues from the County's failure to protect the residents' health, safety, and welfare by approving the Project, and other projects, in known environmentally dangerous Sand Transport Paths. (Q.) What measures will the County acquire to cover the plaintiffs' awards and protect the County's solvency from this and other Sand Transport Path projects?

15. (Q.) What Power Purchase Agreements has the developer acquired for the Project to warrant construction and what are the specific power amounts involved in the contract(s) and all dates involved? Please provide copies of any Power Purchase Agreements.

16. Ratepayers in California are paying a premium, among the highest power rates in the United States, for the ability of solar power generation and transmission. (Q.) Will the power generated by the Project be used entirely within the state of California or be distributed outside the state as surplus power?

17. (Q.) What is the country of origin of the photovoltaic panels and the power storage equipment that will be used?

18. (Q.) Who is the manufacturer and what are the model numbers of the photovoltaic panels and the power storage equipment that will be used?

19. (Q.) Where can the Material Safety Data Sheet (MSDS) and the Product Safety Data Sheet (PSDS) be publicly acquired for the photovoltaic panels and the power storage equipment that will be installed for the Project?

20. (Q.) There is fear of chemical leaching and spills from equipment that will damage the environment. (Q.) What chemicals will be or were used in the construction of the photovoltaic panels and the power storage units for the Project?

21. (Q.) What ground treatment chemicals, such as herbicides, will be used?

22. Many of the approximate 15 alfalfa and hay fields being proposed by the Project for solar conversion are reportedly loaded with thousands of tons of hazardous sewage sludge compost. This sludge compost includes hazardous pharmaceuticals, heavy metals, and other hazardous wastes that were originally disposed of through urban sewers and later collected, marketed, and given away as sewage sludge compost. Urban waste compost is known to contain many thousands of hazardous elements. It is reasonable to state that many thousands of toxic elements have been spread on the agricultural fields that are to be used by the Project. Such compost has been spread for years on the Project's fields and will be tilled and exposed by the Project, laid bare without cover, with hazardous matter becoming airborne by high winds at the Project, spreading into neighboring communities. The vast majority of the hazardous elements require individual element testing for detection. They are otherwise not detected in routine heavy metal, bacteria, et cetera, testing. With many thousands of elements, test results from samples only a few feet apart can vary tremendously. (Q1.) What soil studies and what specific contamination elements will be specifically tested for at the Project's site? (Q2.) How many samples will be taken and from specifically where? (Q3.) What will the Project do to clean-up the toxic waste and prevent the hazardous toxic matter from spreading?

23. (Q.) Have Health Risk Assessments been done?

24. A recent UCLA study has concluded that Los Angeles has sufficient rooftop space for distributed generation, also known as distributed energy or

on-site generation (OSG), to meet all current and future power generation needs. OSG would prevent the need to desecrate the desert and save on costly transmission. A 2017 study by the Institute for Local Self-Reliance substantiates that OSG cost the ratepayer about the same as utility-scale power and OSG may be more beneficial. (Q.) If the purpose of utility-scale solar's desecration of the desert is to help curtail greenhouse gases, why isn't the County actively supporting the substitution of OSG that would save the County's desert and protect the health, safety, and welfare of its residents?

25. The Project is located in the Baja Subarea basin which is severely overdrafted and is under adjudication. Attempted measures have not been able to arrest further overdraft. The Project will have a tremendous thirst for water. (Q1.) Where will the water come from? (Q2.) How will the Project ensure that the Project will not further damage the water basin's water level and quality?

In conclusion, we feel that there is far more that needs to be addressed by us. However, the arbitrary shortness of the allocated scoping period, and the major fact that critical information about this significant Project has been hidden and denied to us, prevents us and others from fully understanding and participating in the CEQA process. The bias demonstrated against us by the County in the passage of the County's Renewable Energy Conservation Element, minus Policy 4.10, and the CEQA process of this Project, appears to be an unfortunate continuation of the discriminatory marginalization of the economically disadvantaged High Desert rural communities that the County has traditionally dumped on. We continue our request for a 60-day extension for the scoping period and the release of the Project's documentation for public display at a public facility in Daggett and in Newberry Springs.

Respectfully submitted,

TS

Ted Stimpfel, Executive Director
Newberry Springs Community Alliance

cc: Earl Withycombe, Cal. Air Resources Board, ewithyco@arb.ca.gov
Brad Poiriez, Mojave Desert AQMD, bradp@mdaqmd.ca.gov
Alan De Salvio, Mojave Desert AQMD, adesalvio@mdaqmd.ca.gov
Luther Snoke, Luther.Snoke@cao.sbcounty.gov
Bea Lint, 1st Dist. Field Rep., bea.lint@bos.sbcounty.gov

Christian Guntert, 1st Dist. Fld. Rep, Christian.Guntert@bos.sbcounty.gov
Mark Staggs, Daggett CSD, markstaggs760@yahoo.com
Newberry CSD, newberrycsd@gmail.com
Pat Flanagan, MBCA, patflanagan29@gmail.com
Bob Berkman, CEQA Now, ctcdaggett@mindspring.com

Nieves, Tom

From: Cindy Charlton <bunnycharlton@gmail.com>
Sent: Thursday, April 26, 2018 2:39 PM
To: Nieves, Tom
Cc: David Charlton; Paula Deel
Subject: Solar Fields

Dear Mr Nieves,

I am submitting my comments on the review of Policy 4.10.

While I find it absolutely appalling that I even need to write to you on this matter is upsetting enough, I will however be sure that it is not a rant.

Firstly, I am very concerned about the value of my property in Newberry Springs value being decreased with the addition of such large scale solar in our neighborhood.

Secondly, I have been reading up on San Bernardino Development Codes, Code 84.29.035 to be exact. In reading the code I demand an explanation of how (even with the deletion of Policy 4.10) large scale solar companies can be allowed to build in the locations of Daggett and Newberry Springs California.


Furthermore, According to the table 85-2 there was no notice given to homeowners within the required distance to the project. If it was printed in a local newspaper that is not adequate as the Desert Dispatch is not delivered to our areas of Daggett and Newberry Springs, and is not even a paper anymore...only digitally on line.

It is also my understanding the AQMD needs to be involved with the air quality. I have yet to see or hear of AQMD researching the air quality over a period of time due the the high wind corridor effect on the area in question. As I write this letter to you, Harvard Road is closed and remains closed due to wind blown sand and has been since April 16th, 2018. This sand is a result of the building of Silver Lakes in Helendale, CA. And now it is the County of San Bernardino responsibility to clear each time it gets clogged over with blow sand.

I personally request that Mr. Lovingood and yourself be required to visit our area during a high wind storm to be part of the EIR. I would gladly escort you to the areas of most concern.

The large size of this project project is not compatible with the current San Bernardino Development Code.

Sincerely,



Cynthia Charlton
34670 Condor Rd

Nieves, Tom

From: rose beardshear <rosebeardshear@gmail.com>
Sent: Thursday, April 26, 2018 6:32 AM
To: Nieves, Tom
Subject: Comments on Daggett Solar Power Project

The potentially significant environmental impacts associated with the installation of the Daggett Solar Power Facility Project are not only the obvious — land use and habitat loss, water use, and the use of hazardous materials in manufacturing, but also the aesthetics/visual and recreational resources that will be negatively impacted as well.

In May of 2015, the final draft of the California Historic Route 66 Needles to Barstow Corridor Management Plan (CMP) was released. The CMP is intended to serve as the basis for nominating Route 66 for National Scenic Byway or All American Road designation. On November 25, 2014, the California SHPO confirmed the segment of California U.S. Highway 66 from Daggett to Mountain Springs Road exit on I-40 (approx. 111 miles) is eligible for the National Register of Historic Places with a period of significance of 1926-1974. Installation of solar panels would negatively impact the intrinsic qualities along this future National Scenic Byway.

The setting of Historic Route 66 through the Mojave Desert is particularly significant. Travelers can still see and feel the vastness of the desert—the same way that the travelers experienced it in the early 30's and 40's. Route 66 introduces visitors to this vastness and to the many ephemeral qualities that shape the experience of travel through the Mojave Desert. Installation of solar panels would all but eradicate this significant experience.

The proposed Route 66 corridor includes the lands visible from the travel route referred to as the viewshed. This includes lands that can be seen 30-miles from the route which shape the travel experience and provide the context for Route 66 as a nationally and internationally significant historic resource. Strategy 2.3 on page 77 of the CMP recommends that San Bernardino County consider adopting BLM Visual Resource Management objectives for private lands within the viewshed of Historic Route 66. What happened to the recommendations made to the county to provide guidance to help developers achieve a visual standard along the Route 66 corridor?

I recommend that the contractors of this project negotiate with Pacific Gas & Electric to purchase land in Hinkley to install this project—far from any of the few residents that live there. Perhaps this would help PG&E redeem their good neighbor status—at least with the Daggett and Newberry residents, it would most definitely be a win-win for us.

Rose Beardshear
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Barstow, CA 92312
760-447-6295
rosebeardshear@gmail.com



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Curt Hagman, San Bernardino County

April 26, 2018

Tom Nieves, Contract Planner
County of San Bernardino
385 N. Arrowhead Avenue, First Floor
San Bernardino, California 92415
Phone: (909) 387-5036
E-mail: Tom.Nieves@lus.sbcounty.gov

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Daggett Solar Power Facility [SCAG NO. IGR9579]

Dear Mr. Nieves,

Thank you for submitting the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Daggett Solar Power Facility ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.¹ SCAG's feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Community Strategies (RTP/SCS) goals and align with RTP/SCS policies.

SCAG staff has reviewed the NOP of a DEIR for the Daggett Solar Power Facility in San Bernardino County. The proposed project includes a solar energy generation and storage facility on approximately 3,500 acres, generating up to 560 megawatts (MW) of energy with a storage capacity of 450 MW.

When available, please send environmental documentation to SCAG's office in Los Angeles or by email to au@scag.ca.gov providing, at a minimum, the full public comment period for review. Please note our new headquarters in Downtown Los Angeles is at 900 Wilshire Boulevard, Ste. 1700, Los Angeles, California 90017.

If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Anita Au, Associate Regional Planner, at (213) 236-1874 or au@scag.ca.gov. Thank you.

Sincerely,

Ping Chang
Ping Chang

Acting Manager, Compliance and Performance Monitoring

¹ Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2016 RTP/SCS for the purpose of determining consistency for CEQA. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a determination of consistency with the 2016 RTP/SCS for CEQA.

**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
DAGGETT SOLAR POWER FACILITY [SCAG NO. IGR9579]**

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS. For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the RTP/SCS.

2016 RTP/SCS GOALS

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <http://scagrtpscscs.net/Pages/FINAL2016RTPSCS.aspx>). The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

SCAG 2016 RTP/SCS GOALS	
RTP/SCS G1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCS G2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCS G3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCS G4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCS G5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCS G6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)</i>
RTP/SCS G7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCS G8:	<i>Encourage land use and growth patterns that facilitate transit and active transportation</i>
RTP/SCS G9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*</i>
*SCAG does not yet have an agreed-upon security performance measure.	

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG 2016 RTP/SCS GOALS	
Goal	Analysis
RTP/SCS G1: <i>Align the plan investments and policies with improving regional economic development and competitiveness</i>	Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference
RTP/SCS G2: <i>Maximize mobility and accessibility for all people and goods in the region</i>	Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference
etc.	etc.

2016 RTP/SCS STRATEGIES

To achieve the goals of the 2016 RTP/SCS, a wide range of land use and transportation strategies are included in the 2016 RTP/SCS. Technical appendances of the 2016 RTP/SCS provide additional supporting information in detail. To view the 2016 RTP/SCS, please visit: <http://scagrtoscs.net/Pages/FINAL2016RTPSCS.aspx>. The 2016 RTP/SCS builds upon the progress from the 2012 RTP/SCS and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that the SCAG region strives toward a more sustainable region, while the region meets and exceeds in meeting all of applicable statutory requirements pertinent to the 2016 RTP/SCS. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

DEMOGRAPHICS AND GROWTH FORECASTS

Local input plays an important role in developing a reasonable growth forecast for the 2016 RTP/SCS. SCAG used a bottom-up local review and input process and engaged local jurisdictions in establishing the base geographic and socioeconomic projections including population, household and employment. At the time of this letter, the most recently adopted SCAG jurisdictional-level growth forecasts that were developed in accordance with the bottom-up local review and input process consist of the 2020, 2035, and 2040 population, households and employment forecasts. To view them, please visit <http://www.scag.ca.gov/Documents/2016GrowthForecastByJurisdiction.pdf>. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts			Adopted County of San Bernardino		
	Year 2020	Year 2035	Year 2040	Year 2020	Year 2035	Year 2040
Population	19,663,000	22,091,000	22,138,800	2,197,400	2,637,400	2,731,300
Households	6,458,000	7,325,000	7,412,300	687,100	824,600	854,300
Employment	8,414,000	9,441,000	9,871,500	789,500	998,000	1,028,100

MITIGATION MEASURES

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. SCAG's Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016 (please see: <http://scagrtoscs.net/Pages/FINAL2016PEIR.aspx>). The Final PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site-specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

Nieves, Tom

From: Sanchez, Jason L <Jason.Sanchez@BNSF.com>
Sent: Thursday, April 26, 2018 12:49 PM
To: Nieves, Tom
Cc: Kent, Lena L; Blackshire, Marisa; Smith, Walter N
Subject: RE: Daggett Solar Power Facility
Attachments: Daggett Solar Power Facility 4-26-2018.pdf

Mr. Nieves:

In addition to the email below, please find the attached letter that further describes our concerns with the project.

Should you have any questions, please let me know.

Thank you,

Jason L. Sanchez
BNSF Railway
Manager Engineering
740 E. Carnegie Drive
San Bernardino, CA 92408
909-386-4470
Jason.Sanchez@bnsf.com

From: Smith, Walter N
Sent: Wednesday, April 25, 2018 2:42 PM
To: Tom.Nieves@lus.sbcounty.gov
Cc: Sanchez, Jason L <Jason.Sanchez@BNSF.com>; Kent, Lena L <Lena.Kent@bnsf.com>
Subject: Daggett Solar Power Facility

Tom Nieves, Contract Planner
County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415

Mr. Nieves;

The proposed Daggett Solar Power Facility appears to be adjacent to BNSF Railway's Needles Subdivision for a portion of the project. BNSF would appreciate receiving copies of notices and updates about this project including, but not limited to, drafts of the Environmental Impact Report, project area studies and site plans. Updates can be sent to my email address or hard copies to the address below.

Thank you for your time;

Walter N. Smith
BNSF Railway
General Director Commuter Construction
740 E Carnegie Drive

San Bernardino, CA 92408
Walter.Smith1@BNSF.com
909-386-4910



Jason L. Sanchez
Manager Engineering

BNSF Railway Company

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San Bernardino, CA 92408
(909) 386-4470 (office)
Jason.Sanchez@BNSF.com

April 26, 2018

Tom, Nieves
Contract Planner
County of San Bernardino
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415
Tom.Nieves@lus.sbcounty.gov

VIA EMAIL AND FIRST CLASS MAIL

SUBJECT: Proposed Daggett Solar Power Facility Project

Dear Mr. Nieves,

This letter is in response to the Notice of Preparation (NOP) of a Draft EIR and Scoping Meeting released on March 26, 2018 for the Daggett Solar Power Facility (Project). BNSF Railway owns and operates a Class 1 railroad adjacent and parallel to the proposed facility. More specifically, the Project is proposed to parallel BNSF's Needles Subdivision for many long stretches. After reviewing the NOP, BNSF has several concerns that it hopes will be analyzed and considered as part of the EIR process:

- 1) It is critical that any grading of the facility topography not change the water flow and create a discharge onto BNSF property;
- 2) The Project should not add glint or glare that would interfere with a locomotive engineer, machine operator or track inspector's ability to see signals or an obstruction on the track; and
- 3) If the Project will create additional traffic during construction or operation, please consider whether grade crossing improvements will be necessary to accommodate the same and mitigate any impacts to BNSF's operations.

Also, as indicated in Walt Smith's e-mail dated April 25, 2018, BNSF requests to be included in all future correspondence regarding the project, including any notice of release for the Draft EIR.

Should you have any questions regarding our comments above, please feel free to contact me.

Sincerely,

Jason Sanchez

Jason L. Sanchez



Lahontan Regional Water Quality Control Board

April 27, 2018

**File: Environmental Doc Review
San Bernardino County**

Tom Nieves
Land Use Services Department
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415
Tom.Nieves@lus.sbcounty.gov

Comments on the Notice of Preparation of a Draft Environmental Impact Report, Daggett Solar Power Facility, San Bernardino County, State Clearinghouse Number 2018041007

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the above-referenced Project (Project) on April 9, 2018. The NOP was prepared by San Bernardino County (County) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). Based on our review of the NOP, we recommend the following: (1) natural drainage channels and flow paths should be maintained through the Project site to ensure no net loss of function and value of waters of the state; and (2) a site-specific Storm Water Pollution Prevention Plan (SWPPP) should be prepared that identifies a combination of sediment and erosion control best management practices (BMPs) to effectively treat storm water runoff during the life of the Project. Our comments are outlined below.

WATER BOARD'S AUTHORITY

All groundwater and surface waters are considered waters of the State. All waters of the State are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the United States. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the United States.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained

PETER C. PUMPHREY, CHAIR | PATIY Z. KOLLODZINSKI, EXECUTIVE OFFICER

2501 Lake Tahoe Blvd., So. Lake Tahoe, CA 96150 | 15005 Amargosa Road, Bldg 2, Ste 210, Victorville CA 92394
e-mail Lahontan@waterboards.ca.gov | website www.waterboards.ca.gov/lahontan

or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at http://www.waterboards.ca.gov/lahtontan/water_issues/programs/basin_plan/references.shtml.

WATER QUALITY CONCERNS

Our comments on the Project are outlined below.

1. In general, the installation of Photovoltaic (PV) grid systems for these types of projects has the potential to hydrologically modify natural drainage systems. Of particular concern is the collection of onsite storm water runoff and the concentrated discharge of that storm water to natural drainage channels. Design alternatives that are compatible with low impact development (LID) should be considered. LID components include: maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge; managing runoff as close to the source as possible; and maintaining vegetated areas for storm water management and onsite infiltration. We recommend natural drainage channels and flow paths be maintained through the Project site to avoid no net loss of function and value of waters of the state as a result of Project implementation.
2. A Project-specific SWPPP and implementation of site-specific erosion and sediment control BMPs is an effective way to reduce potentially significant water quality impacts to a less than significant level. To that end, we recommend the development and implementation of a Project-specific SWPPP during both the construction and post-construction phases of the Project. The SWPPP should be applicable to all areas of the Project site, including the solar fields, access roads to and through the site, and the gen-tie line. Please note that temporary BMPs need to be implemented for the Project until such time that vegetation has been restored to pre-Project conditions or permanent BMPs are in place and functioning.
3. The DEIR should identify post-construction storm water management as a significant Project component, and a variety of BMPs that effectively treat post-construction storm water runoff, particularly maintaining native vegetation, should be evaluated as part of the Project. Based on our experience with other solar developments in the Mojave Desert, native vegetation is the most efficient and cost-effective post-construction BMP to treat storm water runoff. Because revegetating disturbed soils in the desert is particularly challenging due to low rainfall, extreme climatic conditions, and relatively slow growth rates, we strongly encourage Project proponents to maintain and mow existing vegetation rather than clear and grub the entire site during construction. For those projects where native vegetation is maintained, we have observed that the need to implement temporary BMPs is greatly minimized and the costs associated with

Implementation and maintenance of post-construction BMPs is significantly reduced.

4. The Project site is located within the Lower Mojave Hydrologic Area (628.50) of the Mojave Hydrologic Unit (628.00), and groundwater beneath the Project site is contained within the Lower Mojave River Valley Groundwater Basin (6-40). The beneficial uses of these water resources are listed either by watershed (for surface waters) or by groundwater basin (for groundwater) in Chapter 2 of the Basin Plan. We request that the DEIR identify and list the beneficial uses of the water resources within the Project area, and include an analysis of the Project's potential impacts to water quality and hydrology with respect to those beneficial uses.

PERMITTING REQUIREMENTS

A number of activities associated with the proposed Project may have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Board or Lahontan Water Board. The required permits may include the following.

6. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board. All unavoidable permanent impacts to waters of the State must be mitigated to ensure no net loss of beneficial use and wetland function and value. Water Board staff coordinate mitigation requirements with staff from federal and other state regulatory agencies. In determining appropriate mitigation ratios for impacts to waters of the State, we consider Basin Plan requirements (minimum 1.5 to 1 mitigation ratio for impacts to wetlands) and utilize 12501-SPD Regulatory Program Standard Operating Procedure for Determination of Mitigation Ratios, published December 2012 by the US Army Corps of Engineers, South Pacific Division.
7. Land disturbance of more than 1 acre may require a CWA, section 402(p) storm water permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.

We request that the draft DEIR recognize the potential permits that may be required for the Project, as outlined above, and identify the specific activities that may trigger these permitting actions in the appropriate sections of the environmental document. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>. Early consultation with Water Board staff regarding potential permitting is recommended.

Thank you for requesting our consultation. If you have any questions regarding this letter, please contact me at (760) 241-7305 (tiffany.steinert@waterboards.ca.gov) or Jan Zimmerman, Senior Engineering Geologist, at (760) 241-7376 (jan.zimmerman@waterboards.ca.gov). Please send all future correspondence regarding this Project to the Water Board's email address at Lahontan@waterboards.ca.gov and be sure to include the Project name in the subject line.



Tiffany Steinert
Engineering Geologist

cc: CA Dept. of Fish and Wildlife (AskR6@wildlife.ca.gov)
State Clearinghouse (SCH 2018041007) (state.clearinghouse@opr.ca.gov)

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State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3802 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 484-0459
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



May 1, 2018

Mr. Tom Nieves
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182
tom.nieves@lus.sbcounty.gov

**Subject: Notice of Preparation of a Draft Environmental Impact Report for the
Daggett Solar Power Facility State Clearinghouse No. 2018041007**

Dear Mr. Nieves:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for Daggett Solar Power Facility (State Clearinghouse Number: 2018041007), (Project). The Department is responding to the Environmental Assessment as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

Project Location & Description

Daggett Solar Power 1 LLC, a subsidiary of NRG Renew, LLC, (Applicant) proposes six (6) Conditional Use Permits to construct and operate a solar energy generation and storage Project on ~3,500 acres east of Daggett, CA in San Bernardino County. The proposed Project would be a photovoltaic solar (PV) energy facility with associated on-site substations, inverters, fencing, roads and supervisory control and data acquisition (SCADA) system of up to 650 Megawatts (MW). The project would also include up to 450 MW of energy storage and an overhead power line, referred to as a generation tie line (gen-tie line), which would connect the Project to its points of interconnection which are the existing Southern California Edison-owned Coolwater substations, located ~ 2

miles west of the Project site. The project would utilize existing electrical transmission infrastructure adjacent to the existing Coolwater Generating Station to deliver renewable energy to the electric grid. The project site is generally bounded by the town of Daggett ~0.5 mile to the west; the Mojave River, Yermo, and Interstate 15 to the north; Barstow Daggett Airport, Route 66, and Interstate 40 to the south; and Newberry Springs and Mojave Valley to the east.

Project Specific Comments and Recommendations

Following review of the Draft Environmental Assessment, the Department offers the comments and recommendations listed below to assist the Lead Agency County of San Bernardino in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). The Department is a Trustee Agency with responsibility under CEQA for commenting on Projects that could affect biological resources. As a Trustee Agency, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from Project activities (CEQA Guidelines, § 15386; Fish and Game Code, § 1802).

The Department recommends that the forthcoming DEIR address the following:

- 1- A complete assessment of the flora and fauna within and adjacent to the project area should be conducted, with particular emphasis upon identifying special status species including rare, threatened, and endangered species. This assessment should also address unique species, rare natural communities, and wetlands/dry lakes. The assessment area should be large enough to encompass areas potentially subject to both direct and indirect project effects.
 - a. The DEIR should include survey methods, dates, and results; and should list all plant and animal species detected within the project study area. Special emphasis should be directed toward describing the status of rare, threatened, and endangered species in all areas potentially affected by the project. All necessary biological surveys should be conducted in advance of DEIR circulation, and should not be deferred until after project approval.
 - b. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).
 - c. Species of Special Concern (SSC) status applies to animals generally not listed under the federal Endangered Species Act or the California Endangered Species Act, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and

known threats to their persistence currently exist. SSCs in the area should be identified during the environmental review process.

- d. A thorough assessment of rare plants and rare natural communities needs to be added to the DEIR, following CDFW's March 20, 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, which can be found at <http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>.
 - e. A detailed vegetation map should be prepared, preferably overlaid on an aerial photograph. The map should be of sufficient resolution to depict the locations of the project site's major vegetation communities, and view project impacts relative to each community type. The vegetation classification system used to name the polygons should be described.
 - f. A complete assessment of rare, threatened, and endangered invertebrate, fish, wildlife, reptile, and amphibian species should be presented in the DEIR. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys should be conducted at the appropriate time of year and time of day when the species are active or otherwise identifiable. Species-specific survey procedures developed and approved by CDFW and the U.S. Fish and Wildlife Service should be used.
 - g. CDFW's California Natural Diversity Data Base (CNDDB) should be searched to obtain current information on previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. In order to provide an adequate assessment of special-status species potentially occurring within the project vicinity, the search area for CNDDB occurrences should include all U.S.G.S 7.5-minute topographic quadrangles with project activities, and all adjoining 7.5-minute topographic quadrangles. The EIR should discuss how and when the CNDDB search was conducted, including the names of each quadrangle queried.
2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, should be included.
- a. The DEIR should present clear thresholds of significance which would be used by the Lead Agency in its determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect.

- b. CEQA Guidelines, § 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - c. Impacts associated with initial project implementation as well as long-term operation and maintenance of a project should be addressed in the EIR.
 - d. In evaluating the significance of the environmental effect of a project, the Lead Agency should consider direct physical changes in the environment, which may be caused by the project, and reasonably foreseeable indirect physical changes in the environment, which may be caused by the project. Expected impacts should be quantified (e.g., acres, linear feet, species that will be impacted or require a Take permit, volume or rate of water extracted, etc. to the extent feasible).
 - e. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this may include public lands, open space, downstream aquatic habitats, areas of groundwater depletion, or any other natural habitat that could be affected by the project.
 - f. Impacts to and maintenance of wildlife corridor/movement areas and other key seasonal use areas should be fully evaluated and provided in the DEIR.
 - g. A discussion of impacts associated with increased lighting, noise, human activity, changes in drainage patterns, changes in water volume, velocity, quantity, and quality, soil erosion, and/or sedimentation in streams and water courses on or near the project site should be added to the DEIR, with mitigation measures proposed to alleviate such impacts. Special considerations applicable to linear projects include ground disturbance that may facilitate infestations by exotic and invasive species over a great distance.
 - h. A cumulative effects analysis should be developed as described under CEQA Guidelines, § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts to similar plant communities and wildlife habitats.
3. A range of project alternatives should be analyzed to ensure that the full spectrum of alternatives to the proposed project are fully considered and evaluated. Alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be identified.
- a. If the project will result in any impacts described under the Mandatory Findings of Significance (CEQA Guidelines, § 15065) the impacts must be

analyzed in depth in the EIR, and the Lead Agency is required to make detailed findings on the feasibility of alternatives or mitigation measures to substantially lessen or avoid the significant effects on the environment. When mitigation measures or project changes are found to be feasible, the project should be changed to substantially lessen or avoid the significant effects.

4. Mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats should be thoroughly discussed. Mitigation measures should first emphasize avoidance and reduction of project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not feasible, off-site mitigation through habitat creation, enhancement, acquisition and preservation in perpetuity should be addressed.
 - a. CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
 - b. Areas reserved as mitigation for project impacts should be legally protected from future direct and indirect impacts. Potential issues to be considered include limitation of access, conservation easements, and monitoring and management programs. Only conservation easements are considered by the Department an adequate level of protection (in perpetuity) for mitigation lands.
 - c. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and/or seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for long-term conservation of the mitigation site.

State Threatened, Endangered, and Candidate Species

The Department has discretionary authority over activities that could result in the "take" of any species listed as candidate, threatened, or endangered, pursuant to the California Endangered Species Act (CESA; Fish and Game Code, § 2050 *et seq.*). The Department considers adverse impacts to CESA-listed species, for the purposes of

CEQA, to be significant without mitigation. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). Consequently, if a Project, including Project construction or any Project-related activity during the life of the Project, results in take of CESA-listed species, the Department recommends that the Project proponent seek appropriate authorization prior to Project implementation. This may include an incidental take permit (ITP) or a consistency determination in certain circumstances (Fish and Game Code, §§ 2080.1 & 2081).

Please note that the Department must comply with CEQA prior to issuance of an ITP for a Project. As such, the Department may consider the lead agency's CEQA documentation for the Project. To minimize additional requirements by the Department and/or under CEQA, the CEQA avoidance, minimization, mitigation, monitoring and reporting measures for issuance of the ITP.

The Department encourages early consultation, as significant modification to the proposed project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. Please note that the proposed avoidance, minimization, and mitigation measures must be sufficient for the Department to conclude that the project's impacts are fully mitigated and the measures, when taken in aggregate, must meet the full mitigation standard. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA ITP unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit.

Nesting Birds and Migratory Bird Treaty Act

Please note that it is the project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) also afford protective measures as follows: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

The Department recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures

may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the Department recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

Lake and Streambed Alteration Program

Fish and Game Code section 1602 requires an entity to notify the Department prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, the Department determines if the proposed project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your project that would eliminate or reduce harmful impacts to fish and wildlife resources.

The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

Further Coordination

The Department appreciates the opportunity to comment on the NOP of a DEIR for the Daggett Solar Power Facility State Clearinghouse No. 2018041007, and recommends that County of San Bernardino address the Department's comments and concerns in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, or wish to schedule a meeting and/or site visit, please contact

NOP/DEIR for the Daggett Solar Power Facility
State Clearinghouse No. 2018041007
Page 8 of 8

Wendy Campbell, Environmental Scientist, at (760) 258-6921 or email
Wendy.Campbell@wildlife.ca.gov.

Sincerely,



Scott Wilson
Environmental Program Manager
Inland Deserts Region

Silver Valley Realty

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January 24, 2018

Mr. Tom Nieves
Contract Planner
Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: DAGGETT SOLAR (P201700679) AND MINNEOLA SOLAR (P20180004) AKA THE
NEWBERRY SPRINGS SOLAR SLAUGHTER PROJECTS

Dear Mr. Nieves:

In regard the above two industrial solar projects my comments are:

- 1--This is a low income, low education rural community long targeted by the San Bernardino County Supervisors for adverse industry projects.
- 2--This community is economically disadvantaged and thus subject to economic racism at the whim of the County supervisors and in particular the First District Supervisor. We are a dumping ground for sewage sludge compost, a failed application for a toxic dump, trash-heap businesses and blight ignored by the County. Our Scenic Route 66, now named National Trails Highway, gets no respect from the County and neither do the viewscapes of the federal wilderness areas at the south edge of Newberry Springs: The Newberry Wilderness Area and the Rodman Mountains Wilderness Area. The County has the red carpet out for illegal freeway billboards in Newberry Springs and the adjacent Harvard area, in violation of federal spot zoning, and some changes specifically for a freeway billboard, in violation of scenic route designations, and in violation of the California Outdoor Advertising Act Business District requirement. Plus I-40 and I-15 are supposedly protected by the Bonus Act.
- 3--The Verdict a good-government publication by Judicial Watch, a Washington, D.C. non-profit, rates San Bernardino County as one of the three most corrupt governments in the United States (February 2017 issue).
- 4--Our First District Supervisor is in the process of raping the County General Plan to accomodate the above two industrial-scale solar projects. Who is going to stop him?
- 5--The airport at Daggett is located adjacent to the above two projects. The County has mapped the surrounding area as an AR 3 (Airport Safety Review Area 3). The airforce does low level training flights over the area. I would imagine they might have a problem with 125' transmission poles and a 75' tall substation.
- 6--Doesn't the CEQA law require serious consideration of alternative sites for a monster project, such as the above two? What were the alternative sites that were reasonably rejected? How about some sites not in the the midst of an existing community?

January 24, 2018

Mr. Tom Nieves
Contract Planner
Page 2

7-How do the two proposed solar projects comport with County General Plan Vision statements on Page I-9, and subsequent pages?

Continued "rural" character in many areas of the County, with buffering as needed adjacent to more urban areas (see Goal LU-2)

A sense of "place" and community identity in distinct communities where residents may choose to remain in unincorporated neighborhoods (see Goal LU-10).

Growth and development consistent with the maintenance of environmental quality (see Goal LU-7)

Communities that allow residents and visitors to enjoy the natural and local setting within reasonable limits of infrastructure....

LU POLICY 1.2 states: The design and siting of new development will meet locational and development standards to ensure Compatibility of the new development with adjacent land uses and community character.

The Minneola Solar project doesn't come close to meeting that policy.

LU Policy 1.4 states: Encourage preservation of the unique aspects of the rural communities and their rural character.

Suggest you take a drive out here and see if the Minneola Solar project meets that standard.

LU 11.1 POLICY states: Foster intergovernmental cooperation among federal, state and local agencies on key land use decisions.

Although I became aware of this nasty environmental invasion of our community in an indirect way last summer, I had no idea of its magnitude, until the just recent revelation. Obviously, the County has not given this community the courtesy of a heads up. The CS&J just found out about this assault evidently engineered by Supervisor Lovingood and friends. Our Community Services District upon learning of the County's adverse intentions just this week has called an emergency meeting next Tuesday at 6 PM. Perhaps you might care to attend.

LU 10.1 Policy states: Adopt community plans with goals, policies and programs to recognize unique characteristics, issues and opportunities for communities within the County. That is definately not happening in Newberry Springs.

GOAL D/LU 3 states: Ensure that commercial and industrial development within the region is compatible with rural desert character and meets the needs of local residents.

These two solar, industrial scale projects don't meet this standard.

January 24, 2018

Mr. Tom Nieves
Contract Planner, SBC
Page 3

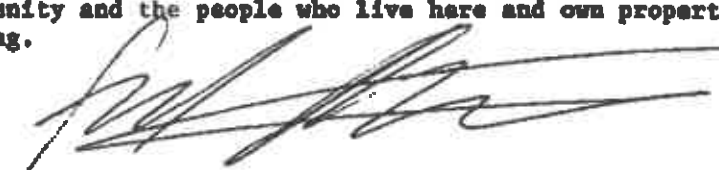
8—It is my understanding that Southern California Edison and all other California utilities have told the CPUC that they don't need or want any more solar project "procurement" until 2030 or so. They have more than they can use.

So, big question, do these two proposed solar projects have power purchase agreements with Southern California Edison? If not, can you explain the rationale of these applications, from that standpoint?

9—I don't blame the County Planning Division for the environmental racism that this community is subjected to. All the nastiness comes directly out of the District Supervisor's office. His obvious contempt for this community and the people who live here and own property here is astonishing.

Sincerely,

Fred Stearn



cc: mr. ken alex, director, governor's office of planning & research
cc: ms. kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
cc: mr. chuck bell, lucerne valley economic development association
cc: mr. robert vassar, president, newberry springs/harvard property owners assn.
cc: mr. ted stimpfel, newberry springs community alliance
cc: ms. vickie paulsen, newberry springs community services district
cc: mr. gavin erasmus, phd
cc: supervisor robert lovingood, san bernardino county 1st district
cc: mr. tom hudson, director, san bernardino county land use services dept.
cc: ms. terri rahhal, director, planning division, san bernardino county
cc: mr. robert berkman, president, ceqa-now, newberry springs chapter

P.S. to Mr. Nieves: Can you please provide the elusive assessor parcel numbers for the above two referenced solar energy projects?

2nd P.S. to Mr. Nieves: Fort Irwin National Training Center utilizes the County Airport at Daggett. Will you be contacting them for their comment about these projects' proposed 125' tall power poles, etc.? And will you be confirming that the project applicant's have valid purchase agreements with all property owners covered by their applications?

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February 2, 2018

Mr. Jeremiah Karuzas
Renewable Energy Lead, Bureau of Land Management
2800 Cottage Way, Room W-1623
Sacramento, CA 95825

SUBJECT: DRAFT RENEWABLE ENERGY CONSERVATION PLAN LAND USE AMENDMENT (DRECP),
INRE EXECUTIVE ORDER 13783

Dear Mr. Karuzas:

This community is now being threatened by a 1,200-acre solar energy industrial project, in San Bernardino County. The project is titled Minneola Solar (P20180004) and is being reviewed by the San Bernardino County Planning Division's contract planner Mr. Tom Nieves. In my estimation our First District Supervisor, Robert Lovingood, gave said project the quiet go-ahead early last year after his reelection. Said project violates the County siting standards for approving a commercial solar energy facility at County Development Code Section 84.29.035. But the project is nevertheless on the road to approval in my estimation.

We are a poor, economically disadvantaged rural community often targeted by County government as a dumping ground for adverse industries, sometimes described as environmental racism.

The advantage of opening up certain areas of BLM land for industrial scale solar development is that it takes our community out of the target zone.

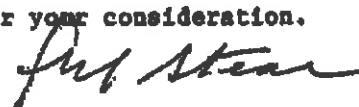
About seven years ago the Calico Solar Project was proposed about six miles east of our community of Newberry Springs. Population there I think is just one family residence. The project applicant did all the EIR/NEPA related studies, had a high-power transmission line and power substation at site, and yet for some reason did not get built. The area is referred to as Hector and has BNSF Railroad access and a freeway interchange on I-40 at Hector Road. My impression is that the entire then proposed project site was outside the recently created Mojave Trails National Monument.

So, why not encourage the Minneola Solar and perhaps the adjacent 3,500-acre Daggett Solar project proposal to redirect their applications to the Calico Solar site at Hector?

We have about 2,500 residents here that would benefit somewhat from a large solar project at Hector, whereas we will suffer if the Minneola Solar project is built here in Newberry Springs, as our County Supervisor Robert Lovingood, is intending.

Thank you for your consideration.

Sincerely,
Fred Stearn



cc: mr. tom nieves, san bernardino county contract planner
cc: mr. robert berkman, newberry springs chapter of ceqa-now, president
cc: mr. robert vasseur, president, newberry springs/harvard property owners assn.
cc: mr. ted stimpfel, newberry springs community alliance
cc: mr. tom hudson, san bernardino county, land use services, director
cc: directors, newberry springs (newberry) community services district

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February 3, 2018

Mr. Tom Nieves
Contract Planner
Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) IN VIOLATION OF COUNTY GENERAL PLAN
AND COUNTY DEVELOPMENT CODE. ALTERNATIVE LOCATIONS SUGGESTED.

Dear Mr. Nieves:

These written comments are in addition to my comments of January 24, 2018
inre County General Plan conflicts and environmental racism issues inre
said project proposal.

1--My understanding is that Supervisor Lovingood and Supervisor Ramos have
rejected in 2017 the inclusion of draft sections 4.10.1 & .2 & .3 in the
County General Plan Renewable Energy Element. There had to be a very compelling
reason that these two "dedicated" public servants failed to concur with County
land use professionals. Those reasons need to be investigated by an outside
agency. My suggestion: That someone in the County make that referral.

2--Alternative sites that would better meet professional planning location
standards would likely be at Hector, in and around Township 8 North, Range
5 East and 6 East, SBBM. There is high-power transmission line thereat
and a substation. A large amount of environmental studies at this location
were completed in about 2011 by the Calico Solar project, that never went
forward, possibly because no one would finance their unique solar energy
system; and they created a safety concern with the adjacent railroad, BNSF,
via rumored unsafe conduct inside the railroad right-of-way.

Also the Kramer Junction area seems to be a more suitable location for
industrial-scale solar development. Good access via Hwy 395 and Route 58.

3--The County General Plan is policy. The County Development Code is law.
Chapter 84.29 of the County Development Code is titled RENEWABLE ENERGY
GENERATION FACILITIES. The stated purpose of said chapter is at
Section 84.29.010, as follows "The purpose of this chapter is to establish
standards and permit procedures for the establishment, maintenance and
decommissioning of renewable energy generation facilities. These regulations
are intended to ensure that renewable energy generation facilities are designed
and located in a manner that minimizes visual and safety impacts on the
surrounding community."

Moving along we come to Section 84.29.035 titled REQUIRED FINDINGS FOR
APPROVAL OF A COMMERCIAL SOLAR ENERGY FACILITY. There are then stated
31 different siting requirements for a commercial solar energy facility.
An application must meet all 31 standards. This is the law that can't
legally be ignored, even in San Bernardino County.

February 3, 2018

Mr. Tom Nieves, contract planner

Page 2

Facts to consider: The proposed 1,200 acre Minneola Solar project scattered
4-- along a four mile stretch of the community of Newberry Springs, where about
2,500 people live on large scattered land parcels, with views of the surrounding
Wilderness Area mountains (Newberry Mountains, Gady Mountains?? and Rodman
Mountains). Our main east/west local road is National Trails Highway, a scenic
route designated as such in the County General Plan. In addition, is the
illegal freeway billboard that Supervisor Lovingood is undoubtedly responsible
for at Ord Street, on a land parcel that fronts National Trails Highway and
Interstate 40, in a non-business district area, and approved for a building permit
in January, 2017, based on a conditional use permit that had to expire no
later than 2012. This community has long been a dumping ground for the County.

In my estimation every one of the various industrial solar sites in the
Minneola Solar application will be visible from Scenic National Trails
Highway. Does that comport with General Plan and Development Code goals,
policies and laws?

5-Inre Section 84.29.035, the Minneola Solar application is clearly in violation
of (a), (b), (1) (A), (B), (2), (3), (4), (5), (6), (7) is questionable (8),
(9) not sure, (12) erosion of soil is guaranteed. If you doubt it, take a
look at the erosion off the approximately 20 acres of eyesore solar that
the County approved at Cottonwood Road and Mt. View Road. It was approved
for 7' tall panels and they built it with 27' tall panels. And no one
went to jail!!!! (16), (19), (20), (22) Guaranteed they won't comply with
this one, even if they agree to it. (23) This one won't be complied with
either, based on the solar mess still ongoing at Mt. View and Cottonwood
Roads. (28) Says NO if within 2 miles of a federal wilderness area,
if it becomes a predominant visual feature, or substantially impairs views
therefrom. This wipes out the entire Minneola Solar project, except for the
160 acres proposed in Section 22, inre the Newberry Mountains Wilderness Area
north boundary. Suggest you check this out with the the BLM before this
application goes any further. (29) Suggests you might want to check with
the U.S. Army at Fort Irwin, being as they utilize the airport at Daggett.

6-The County has a lousy record of enforcing conditions of approval at the
solar energy site they approved at Mt. View Road and Cottonwood Road. Take
a look at the piles of blow-sand on residential property to the east. And
inquire of those two properties how much they spent to haul away blow-sand
from the County approved and thereafter ignored solar energy facility.

7-In my opinion Supervisor Lovingood and others will not stop their
environmental racism tactics in this community, until this community files
an environmental racism complaint with the U.S. Department of Justice, Civil
Rights Division, inre the protections provided under Title 42, Section 1983.
We are largely an economically disadvantaged community, which gives us standing.

Sincerely,

Fred Stearn 

cc: mr. ken alex, director, governor's office of planning & research
cc: mr. robert berkman, ceqa-now president, newberry springs chapter
cc: mr. robert vasseur, president, newberry springs property owners assn.
cc: mr. ted stimpfel, newberry springs community alliance
cc: mr. tom hudson, director, land use services dept, san bernardino county
cc: directors, newberry springs (newberry) community services district
cc: mr. chuck bell, mdrc district

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February 9, 2018

Mr. Tom Nieves
Contract Planner
Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: MINNEOLA ROAD SOLAR PROJECT (P20180004). ADDITIONAL ISSUES TO
CONSIDER BEYOND THOSE SENT TO YOU ON JANUARY 24, 2018 AND FEBRUARY
3, 2018

Dear Mr. Nieves:

1--A strong argument for retaining within the County General Plan Renewable Energy Draft, Sections 4.10.1, .2 and .3, which would preclude industrial-scale solar projects in anticipated/on-going Community Plan areas, such as Newberry Springs, is a recent BLM press release.

On or about February 1st, 2018 the BLM press release stated it was opening a 45-day public comment period on 10.8 million acres of BLM managed land for possible changes to the DRECP "to seek greater opportunities for renewable energy generation."

It is fair to say that if that likely revision goes forward, it is quite likely that somewhere within that 10.8 million acres will be identified as a superior site for the Minneola Road Solar Project, which is being contemplated to be plopped down inside our community of Newberry Springs, which has all sorts of superior development opportunities, if the County would stop treating us as a "dumping ground" for adverse industry.

2--If there is anyone visionary enough to appreciate the unique potential of Newberry Springs, I have not detected that vision in the County Planning Division in the past 37 years. The students from Cal Poly Pomona School of Urban & regional Planning in their recent Newberry Springs study, recommending two enterprise zones in the community, have shown more vision than the entire County Planning Division vis-a-vis this community. So what happened to their impressive work and study? Down the "Rabbit-Hole." Instead the County slams us with illegal freeway billboards, unregulated compost, trash-heap tow yards, and illegal marijuana farms, all with a wink and a nod from the County management dream-team.

3--Blowing sand and dust will be one obvious negative impact on Newberry Springs from the Daggett and the Minneola Solar projects, both now being reviewed for approval by the County. My suggestion is that you contact the Mojave Desert Air Quality Management District immediately for some professional advice on how both projects will likely have a very hard time with Rule 403.2 in re fugitive dust control. The County enforcement of blowing sand & dust off the solar farm atrocity at Mt. View Road and Cottonwood Road in Newberry Springs is stark testimony that this County is NOT capable of enforcing fugitive sand blowing off a 20-acre site, much less the 1,200 acre Minneola Solar proposed locations.

Mr. Tom Nieves
Contract Planner
February 9, 2018
Page 2

4--You should also seek expert advice on anticipated blowing sand issues from the U.S Department of Agriculture in Victorville. The work has been done in large part in their publication SOIL SURVEY OF SAN BERNARDINO COUNTY, MOJAVE RIVER AREA, February, 1986.

Another publication that offers professional intelligence on this subject is the series of soil maps prepared for the Newberry Springs/Daggett areas, in 1985: 167-S/20004

5--And in conclusion, the County needs to spend more time protecting the health, safety and welfare of its citizens, and less time playing footsy with illegal billboards and unregulated sewage sludge compost and marijuana farmers, who are reportedly making up to one million dollars per year, tax free, at over 100 estimated sites in Newberry Springs.

6--When our County Supervisor is being referred to as Lex Luther, it's an indication that something is very wrong at 385 North Arrowhead Ave in San Bernardino. Something needs to change.

Sincerely,

Fred Stearn

cc: mr. ken alex, director, governor's office of planning & research
cc: ms. kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
cc: mr. tom hudson, director, san bernardino county land use services dept.
cc: ms. terri rahhal, director, planning division, san bernardino county
cc: ms. vickie paulsen, director, newberry springs community services district
cc: mr. chuck bell, lucerne valley economic development association
cc: mr robert vassar, president, newberry springs/harvard property owners assn.
cc: ms. pat flanagan, morongo basin, municipal advisory council
cc: mr. ted stimpfel, newberry springs community alliance
cc: mr. gavin erasmus, phd, attorney
cc: supervisor robert lovingood, fiart district, san bernardino county
cc: mr. robert berkman, president, ceqa-now, newberry springs chapter
cc: ms.lorrie steely, president, mojave communities conservation cooperative

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February 13, 2018

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Mr. Ken Alex, Director
California Office of Planning & Research
POB 3044
Sacramento, CA 95812-3044

SUBJECT: ENVIRONMENTAL IMPACTS RE TWO INDUSTRIAL SOLAR PROJECT PROPOSALS
IN NEWBERRY SPRINGS AND ADJACENT DAGGETT, COMPRISING 1,200 ACRES
AND 3,500 ACRES RESPECTIVELY, INCLUDING AN INTRUSION OF UNKNOWN
ACREAGE INTO NEWBERRY SPRINGS. (P20180004) & (P201700679)

Dear Mr. Nieves and Mr. Alex:

The following comments are in addition to those sent on January 24th, February 3rd and February 9, 2017 inre the potential environmental aspects of the above two project proposals.

Let me give you background as to why I lack trust in San Bernardino County's Land Use Development Department and our 1st District Supervisor Robert Lovingood, to follow the strict letter of the law in evaluating the potential environmental aspects of these two massive project proposals:

- 1--In the 1980's the County failed to enforce it's own Newberry Springs Water Conservation Ordinances, in spite of complaints of obvious violations by very large, illegal water pumpers. Details available upon request.
- 2--The County refusal to enforce the illegal dumping of about 100 truck loads of sewage sludge compost at Bedford Road and Fremont Road in 2013, which was a trespass on innocent land owners property, with a known perpetrator. All in violation of the public nuisance laws. 1st District Supervisor fully aware of the situation years ago. Nothing ever done. It's still there, blowing in the wind.
- 3--Thousands of tons of sewage sludge compost are being spread in this small, rural economically disadvantaged community, with ZERO County regulation. A proposed biosolids compost ordinance draft has been floating around the corridors of County government since at least 2015, but can't seem to get adopted.
- 4--There are estimated 100-plus outdoor marijuana grow sites operating here, with estimated incomes of about One million dollars yearly per site, which the County can't seem to find.
- 5--Our one industrial solar farm of about 20 acres, plopped down here in a residential neighborhood about five years ago, was approved by the Board of Supervisors for 7-foot tall panels, but got built with 27-foot tall panels!!! Not a peep from the County as to how that happened. And this monstrosity is permitted to spit fugitive dust and sand onto the neighboring homesites, without penalty from the County. And one neighbor affected just had a heart attack from all the anguish!

February 13, 2018

Mr. Tom Nieves, Contract Planner

Mr. Ken Alex, Director, Office of Planning & Research

6--Four patently illegal freeway off-site, 50' x 10' billboards were erected in and around Newberry Springs, in 2017, AFTER Supervisor Lovingood's re-election, all at locations where the Conditional Use Permit first issued in 2006 at the instigation of admitted felon former County Supervisor Bill Postmus, had to expire after one possible 3-year extension, in 2012. Lovingood and County staff refuse to engage in conversation on that caper.

7--There is an old town landfill along National Trails Highway, supervised by no one on railroad property since before World War II until sometime after that war, which the County claims to know nothing about. But there is a County No-Dumping sign about 100 feet away--the only such sign I know of within 20 miles. The railroad should be responsible for cleaning up that location, but the County doesn't care. They see us as a dumping ground.

If even half of what I'm saying here above is true, and all of it is true, what confidence would anyone have in the County of San Bernardino to professionally review the Minneola and Daggett industrial solar applications?

8--CEQA Section 21083.9 calls for public scoping meetings under certain conditions, which are clearly at hand here. In addition CALTRANS needs to be brought into the mix, as Interstate 40 could easily be affected by the fugitive dust and sand that can be expected, with our soil conditions and excessive winds, to cause dangerous driving conditions. Ask them how many times they have had to close down Interstate 40 due to low visability from wind-blown sand and dust in Newberry Springs. As I recall at least one person was killed in one of those events in late 1980's or early 1990's.

And the people responsible for the Daggett Airport, owned by the County, and users of the airport, including the U.S. Army need to be brought into the scoping process. At least one publicly advertised scoping meeting needs to be held out here, not in San Bernardino.

CALTRANS is doing a professional job of applying soil stablizer after working on the areas between Interstate 40 lanes between Barstow and Newberry Springs, and probably on eastward. Probably that stabilizer will need to be professionally maintained in future years, as it would need to be at industrial solar energy facilities in and around Newberry Springs.

9--By happenstance I was told of the Minneola Solar project proposal early last summer, by an informed source who implied it was a "done-deal". And yet our local government agency, the Newberry Springs (Newberry) Community Services District was in the "dark" about said project until this year. What does that say about our 1st District Supervisor and the County Land Use Services Department?

10--San Bernardino County has a long history of government corruption. In the February, 2017 issue of The Verdict, published by Judicial Watch, a good-government 501-C-3 based in Washington, D.C., San Bernardino County is listed as one of the three most corrupt governments in the entire country, and the most corrupt west of the Mississippi River!

February 13, 2018

Mr. Tom Nieves, Contract Planner

Mr. Ken Alex, Director, Office of Planning & Research

11-My sense is that most of the professionals working in the Land Use Services Department are very professional and caring people, but they can't stop what has been happening to Newberry Springs, because the Fish Rots From The Top Down.

I rest my case.

Sincerely,


Fred Stearn

cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutglueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: ms. kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
cc: mr. tom hudson, director, san bernardino county land use services department
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cc: mr. chuck bell, lucerna valley economic development association
cc: ms. lorrie steely, president, mojave communities conservation cooperative
cc: mr. robert vassar, president, newberry springs/harvard property owners assn.
cc: ms. pat flanagan, morongo basin municipal advisory council
cc: ms. ted stimpfel, newberry springs community alliance
cc: dr. gavin erasmus, phd, attorney
cc: supervisor robert lovingood. 1st district, san bernardino county

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February 23, 2018

Mr. Tom Nieves
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385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95812-3044

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). FIFTH SET OF COMMENTS ON ANTICIPATED UNMITIGATED ENVIRONMENTAL IMPACTS TO THE RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS

Dear Mr. Nieves and Mr. Alex:

Was just reading about the great Dust Storms of the 1930's in parts of New Mexico, Kansas, Texas and Oklahoma, resulting from the clearing of natural vegetation, low rainfall and sustained winds, averaging more than 10 miles/hour. Results included people dying of "dust pneumonia" similar to miners silicosis. Dust storms are increasing worldwide but can be avoided in some cases by professional land use planning. Newberry Springs is a high wind area.

"Professional" is the key word here. San Bernardino County has a history of the Board of Supervisors overriding professional staff recommendations and engaging in lawless land use decisions for their own personal benefit.

If San Bernardino County violates federal law in regard any approval of the above two 5,000-plus acre industrial solar energy projects in the heavy wind areas of Daggett and Newberry Springs, it will almost certainly be in violation of County, State and Federal laws, including the federal laws pertaining to PM-10 regulations. To wit: 42 U.S.C. s. 7401(a)(1) & s.7513a (a)(1)(C) and Federal Clean Air Act s.110(a)(1) & 189(a)(1)(C).

While it may be impossible to win an environmental case in the San Bernardino County Court system, in that this county has been identified as the most corrupt government agency of any level west of the Mississippi River by Judicial Watch, a good-government, Washington, D.C. non-profit, the federal courts will be available to the victims in this community, under various legal avenues, including the right to sue lawless individual government decision makers, under USC Title 42, Section 1983, et seq.

Under the above civil rights law, perpetrators will be held individually responsible for damages and legal fees.

The FBI has an anti-corruption task force in Riverside at 951-686-0335. The State of California and the U.S. government have whistle-blower protection laws. Someone in County government who has the facts on how these two nasty projects have been rolled out, would become a national hero, by making contact with the FBI.

Expert input on the PM-10 health issues have been submitted to the County by Patricia Flanagan, a member of the technical advisory committee to the Mojave Desert Air Quality Management District.

February 23, 2018
Mr. Tom Neives, Contract Planner
Mr. Ken Alex, Director
Page 2

It is no secret that the Board of Supervisors in this county have an unparalleled history of blatant corruption. But no one does anything about it. No insider has yet had the courage to do the right thing and connect with the FBI. All we can do is pray.

Thank you for your consideration.

Sincerely,

Fred Stearn

cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutglueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, phd, executive officer, lafco
cc: san bernardino county planning commission
cc: tom hudson, director, san bernardino county land use services department
cc: terri rahhal, director, san bernardino county planning division
cc: vickie paulsen, director, newberry springs community services district
cc: robert berkman, president, caqs-now, newberry springs chapter
cc: chuck bell, lucerne valley economic development assn.
cc: lorrie steely, president, mojave communities conservation cooperative
cc: robert vassar, president, newberry springs/harvard property owners assn.
cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: supervisor robert lovingood, 1st district, san bernardino county

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February 26, 2018

Mr. Tom Nieves
Contract Planner, San
Bernardino County
Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814-3044

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). SIXTH SET OF COMMENTS ON NEGATIVE ENVIRONMENTAL IMPACTS TO RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS. AND POSSIBLE CAUSES OF ACTION.

Dear Mr. Nieves and Mr. Alex:

This is my sixth set of comments on virtually certain negative environmental impacts of the proposed Minneola and Daggett solar projects, which are said to total somewhere around 5,000 acres, scattered here and there in Newberry Springs and upwind of us in adjacent Daggett.

The County has long viewed this community as a dumping ground for adverse industries, which presumably finance the election campaigns of county supervisors who are ethically challenged. They've been getting away with it for so long that they have lost all sense of decency.

1--Most of the proposed solar location sites are on existing or fallow alfalfa farm sites. The alfalfa farmers are being squeezed by watermaster rampdowns. Their history is dump and run. They left Chino with the bill for a \$110 million water basin clean-up for desalting contaminated groundwater. The fix has been designed by Michael Baker International. They get up to \$90,000 per year in government grants to buy farm toys and like to claim poverty. It seems likely that the farm lobby and Supervisor Lovingood have cooked up this latest smelly deal.

2--In recent years local alfalfa farmers, with a wink and a nod from San Bernardino County, have been spreading UNREGULATED sewage sludge compost on their hay crops. Good reason to believe that they are getting paid to accept it. The more they accept the more money they make. See Dump and Run in item #1 above.

Supervisor Lovingood, we may fairly presume, has been blocking the County Health Department's proposed Sewage Sludge Compost ordinance since about 2015.

3--Adverse health impacts from the proposed solar energy projects can model on the adverse health impacts from the approximately 20-acre solar energy project the County approved in Newberry Springs a few years ago on Mt. View Road. Blowing sand and fugitive dust, PM-10, in incredible amounts gifted to the residences to the immediate east. Divide 20 into 5,000 acres of industrial solar and we get a magnitude of 250!!!!

February 26, 2018
Mr. Tom Nieves, contract planner
Mr. Ken Alex, Director
Page 2

- 4--One of the victims of the Mt. View Road solar farm in Newberry Springs has an attorney putting together a lawsuit. He's doing research and might be a asset for a community lawsuit inre the pending industrial solar applications.
- 5--Another legalasset might be Tom Fitton, President of Judicial Watch, in Washington, D.C. It's a non-profit good government group that goes after government corruption. The February, 2017 issue of The Verdict, rates San Bernardino County government as one of the three most corrupt local governments in the entire United States. Mr. Fitton might make a recommendation as to how to bring justice to the intended victims of the two County supported industrial solar projects comprising about 5,000 acres.
- 6--Minneola Road on the border between Newberry Springs and Daggett, has a sign posted just north of valley Center Road that says "Drifting Sand". Doesn't that indicate that we already have a problem and that the County seems not to understand what causes "drifting sand."
- 7--In 1992 a group of homeowners in Newberry Springs filed a lawsuit against the County of San Bernardino due to property damage from blowing sand. See Desert Dispatch article of 4-26-93. The County filed a cross-complaint against our local alfalfa farmers & Southern California Edison, and paid for a Blow Sand Report by J & M Land Restoration, Inc. in Bakersfield and another report titled: Newberry Springs Sand Encroachment Study: Reconnaissance Report by Tabler & Associates in Niwot, Colorado prepared for the County of San Bernardino Air Pollution Control District (Purchase Order No. W3008M).

Will the environmental review of the two proposed solar projects be looking at those reports for background information? And will the County be seeking a professional report from some engineering firm from outside this county to do a sand blow report evaluation of the blow sand problems to be brought along with the two proposed solar projects?
- 8--Will you be recommending a cost-benefit analysis for the two proposed solar energy projects, to include road clearance sand removal costs, health related costs for affected people with related lung disease(PM-10), including medication, surgery, hospitalization and burial costs?
- 9--Have you given any thought to the fact that when the County becomes aware that local alfalfa fields go out of production, without revegetating the land with native ground stabilizing vegetation, that it is mindlessly contributing to the blown sand problem hereabouts? Is anyone claiming that proposed solar farms on land now in alfalfa production will also revegetate that land to stem the blow sand problem?
Isn't the County liable for neglect in the above scenario?

February 26, 2018
Mr. Tom Nieves, contract planner
Mr. Ken Alex, director
Page 3

10--Has the County yet engaged the Mojave Desert Air Quality Management District for professional opinions on the proposed 5,000 acres of land disturbance in a high wind blow-sand area?

11--Inre the two proposed solar projects and elsewhere in the County, a possible source of advice might be the former Attorney General of the State of Mississippi, Mr. Mike Moore, now in private practice in Flowood, Mississippi.

Mr. Moore organized the \$246 billion settlement between the tobacco industry and 50 states. He also negotiated the \$20 billion settlement for damages from the Deepwater Horizon spill. He is now focused on the opioid industry. But he might take a moment to give us a lead on an attorney to take on the County, the alfalfa farmers and the two solar companies.

12--From reading Staig Larsson novels, my impression is that there are a few prodigy computer wizards that can track anyone's off-shore bank accounts. Food for thought.

13--And in conclusion, I again repeat my belief that most people in the County Land Use Services Department are fair, honest and professional. Not so sure about Supervisor Lovingood and Supervisor Ramos.

Sincerely,
Fred Stearn



cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutglueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
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cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: supervisor robert lovingood, 1st district, san bernardino county

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February 28, 2018

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Mr. Ken Alex, Director
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SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). SEVENTH SET OF COMMENTS ON POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS ON RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS. AND POTENTIAL CAUSES OF ACTION.

Dear Mr. Nieves and Mr. Alex:

This is my seventh set of comments re the potential nasty environmental impacts of the proposed Minneola Solar and Daggett Solar projects. I am merely a concerned citizen, not a scientist.

1--Some years ago Southern California Edison maintained solar energy projects at or near some of the Daggett Solar Project's proposed sites, west of Minneola Road. The name of the sites were Solar 1 and Solar 2. I knew a supervisor at one of the sites, probably Solar 2, who said a hazardous material liquid called Thermadol (spelling uncertain) was being used as a heat transfer medium. He said there were regular spills of the Thermadol but that higher up company supervisors were not reporting or under reporting the liquid spills.

If the chemicals in the ground-contaminated Thermadol spills is to be disturbed by the proposed siting of new construction, wouldn't it be a good idea to do some soil sample analysis at the Solar 1 and Solar 2 former locations? And remove the contaminated soils?

2--A January 6, 2018 posting on RailfanLegal.org states ground under the abandoned solar sites (abandonment to happen the moment that the subsidy vanishes) has fairly high concentrations of arsenic, lead, and an assortment of other heavy metals leached out of the solar panels by rain....."

So if applicable in any way to the proposed Daggett and Minneola proposed locations, what's to prevent said heavy metals becoming windborn to downwind residents in Newberry Springs and airport employees at the County airfield just west of Minneola Road?

3--Regarding the proposed alfalfa field sites for the two proposed solar installations, in light of the heavy winds in this area and that combined with the knowledge of all the unregulated dumping of sewage sludge compost on said alfalfa fields, amounting to many, many thousands of tons, isn't it likely that when the ground cover of a field crop is removed that that sewage sludge compost is going to blow? Perhaps the solar farms could be required to concrete the entire area of their project areas? Or why not site them out of a documented heavy wind-blow area? Why encourage a public health hazard?

February 28, 2018
Mr. Tom Nieves
Mr. Ken Alex
Page 2

- 4--Can anyone guarantee that the electrical energy produced at these two very questionable locations in California is going to stay in California? If not, why are these two projects even being considered by the County?
- 5--A community plan was drafted for Newberry Springs/Harvard and County Planners spent about two years putting it together. The Draft text dated 12-7-84 consists of about 150 pages and the Draft EIR, dated February 1985 (SCH 84041614) is nearly 200 pages. Although all that work was completed, it was never adopted for the usual reasons in this County: MASSIVE CORRUPTION. The alfalfa farmers and the billboard industry were unhappy with the draft plan and the draft EIR. They killed it. Right? And we have been a dumping ground for the County Supervisors ever since. Lately, the County has cobbled together a preliminary Community Plan for Newberry Springs. If it has any beneficial substance to it, I am unable to recognize it. Dumping Ground, Phase II, seems to be the general idea.
- 6--I'm not up-to-speed on the State's DRECP which is designed to identify good sites for industrial solar development. But my impression is that said project has NOT identified Newberry Springs as a wonderful location.
- 7--I would like to insert a document by reference into the scoping process by the County Planning Division, in re the two proposed solar projects in and around Newberry Springs: The title is SAND TRANSPORT PATHS IN THE MOJAVE DESERT, LACK OF MONITORING STATIONS, SOIL ANALYSES, AND THE OUTDATED RULE 403.2 PUT COMMUNITIES AND THE ENVIRONMENT AT RISK, prepared by Ms. Pat Flanagan, Board Member MBCA, and Technical Advisory Committee Mojave Desert AQMD. Said study is about 30 pages and maps local sand sources and linear dunes as air quality problems in re the 5,533 acres involved in the Daggett and Minneola solar project proposals. If you don't already have this document, I've fairly confident Ms. Flanagan will send it to you upon request to her at Patflanagan29@gmail.com.

Sincerely,

Fred Stearn

cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutglueck, publisher, san bernardino county sentinel
cc: louis sahaun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
cc: tom hudson, director, san bernardino county land use services department
cc: terri rahhal, director, san bernardino county planning division
cc: vickie paulsen, director, newberry springs community services district
cc: robert berkman, president, ceqa-now, newberry springs chapter
cc: chuck ball, lucerne valley economic development association
cc: lorrie steely, president, mojave communities conservation cooperative
cc: robert vassar, president, newberry springs/harvard property owners assn.
cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: supervisor robert lovingood, 1st district, san bernardino county

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March 7, 2018

Mr. Tom Nieves
Contract Planner, San
Bernardino County
Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814-3044

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). EIGHTH SET OF COMMENTS ON POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS ON RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS. AND POTENTIAL CAUSES OF ACTION.

Dear Mr. Nieves and Mr. Alex:

This is my eighth set of comments re the potential nasty environmental impacts of the proposed Minneola Solar and Daggett Solar projects.

1--To elaborate on my first comment in my seventh set of proposed projects' comments to you: The correct spelling of there referenced "Thermadol" is Therminol a heat transfer agent manufactured by EASTMAN. Someone has given me a SAFETY DATA SHEET off his computer for Therminol, which says, among other cautions: Aspiration Hazard, Category 1. Hazard Statement(s): H304. May be fatal if swallowed and enter airways. There follows the chemical name and first aid measures for eye contact and skin contact. To remind you, my source, who worked at the(probably Solar 2)site between the Edison power plant and Daggett Airport said frequent Therminol spills were not properly reported and cleaned up.

The EASTMAN DATA SHEET is eleven pages explaining why it might be a good idea to further research how much Therminol remains in the soil at the proposed Daggett Solar site.

Can you contact the Eastman Chemical Company for further advice on the above issue?

2--Not sure if I may have mentioned this in earlier comments: The County General Plan at Page 11-46, under DESERT REGION GOALS AND POLICIES OF THE LAND USE ELEMENT at D/LU 1.2 states: Limit future industrial development to those uses which are compatible with Community Industrial Land Use Zoning District or zone, are necessary to meet the service, employment and support needs of the region, do not have excessive water requirements, and do not adversely impact the environment.

There are many other goals and policies of the General Plan Land Use Element that the Minneola and Daggett proposed solar projects are in conflict with. Isn't the General Plan the constitution for all County land use issues?

So, is the County planning to rezone the west end of Newberry Springs as Community Industrial?

March 7, 2018
Mr. Tom Nieves
Mr. Ken Alex
Page 2

3--The prevailing wind in Newberry Springs is west to east, so both the Daggett and Minneola fugitive dust, sand and PM-10 will be visiting residences in Newberry Springs, to the east of the project sites.

4--Attached is a map prepared by Brian Hammer, Professor, Victor Valley College, Agriculture and Natural Resources Department, dated 3/5/18. The map locates soils with high to very high potential for eolian dust in red. And it locates both the Daggett and Minneola proposed solar industrial projects in the "red" map areas. The map "X's" confuse the locations of the two solar sites, calling the Daggett site the Minneola site and vice-versa, an unimportant typo.

It would appear that the solar project proponents have not done their preapplication homework, or they simply don't care about the health hazards associated with project dust and sand blowing.

5--As far as I know no one here has been informed of all the assessor parcel numbers involved with the Daggett Solar project. Can you provide that information now?

6--Are you looking into wind speed information likely available from the County airport at Daggett, which happens to be in the very middle of the two proposed projects? Can you provide that information to the public at the future local scoping session on the two projects?

7--If the sand and dust that is predictable from these two projects cause health issues for surrounding residents, leading to large health expenses, and wrongful/negligent death claims, in perhaps class-action lawsuits, against the County and the project owners, isn't it likely that the owners might go into bankruptcy, leaving the County holding the bag? So, looking forward to that likely event, wouldn't it be smart to require the solar project owners to maintain bonds for the life of the project and perhaps a few years beyond project life? Something in the \$100 million range would seem a cautious approach, wouldn't it? And perhaps separate bonds for decommissioning expenses, after possible bankruptcy if solar subsidies disappear.

8--These two solar projects if approved by Supervisor Lovingood will devalue adjacent and nearby property in an economically disadvantaged community of Newberry Springs and surrounding towns. If the County ignores the issue of environmental racism, and its potential legal consequences, they would seem to be asking to be sued in federal court, under the provisions of Title 42, Section 1983, et seq. If that lawsuit is filed on behalf of this community versus the County in federal court, we wonder if the Supervisors realize that they can be held personally responsible for damages and attorney fees?

9--When are we going to hear about the alternative sites that the applicants considered seriously but then rejected in favor of two now proposed sites?

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Mr. Ken Alex
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10--In an e-mail dated 6-13-15 from Chuck Bell, President, Lucerne Valley Economic Development Association, sent to Ms. Tracy Creason, Senior Planner, Land Use Services Department, San Bernardino County, Mr. Bell references on the 6th page a report by (Miller) as recently submitted to the County supporting the premise that industrial solar projects reduce area property values when sited in residential areas.

Can you locate the above e-mail, take a look at it, and include it in the administrative record? If you can't find it, let me know, and I'll send you a copy.

11--Last summer I was advised by a party working on behalf of the Minneola Solar project that their attorney had been working with County officials or perhaps with just one official and my contact was under the impression that the Minneola Solar project was assured that their project would be approved. (This before any environmental review or legal review had even begun).

You likely don't know anything about who the unnamed County official or officials were, but if this ever goes to Court, you might let the word out that that name or names will surface in the "discovery" process.

12--Can anyone explain why the two project applicants have focused on an existing residential community, when alternative sites must be available where a full-scale EIR would not even be required?

That's all for now.

Thank you for your consideration of these issues.

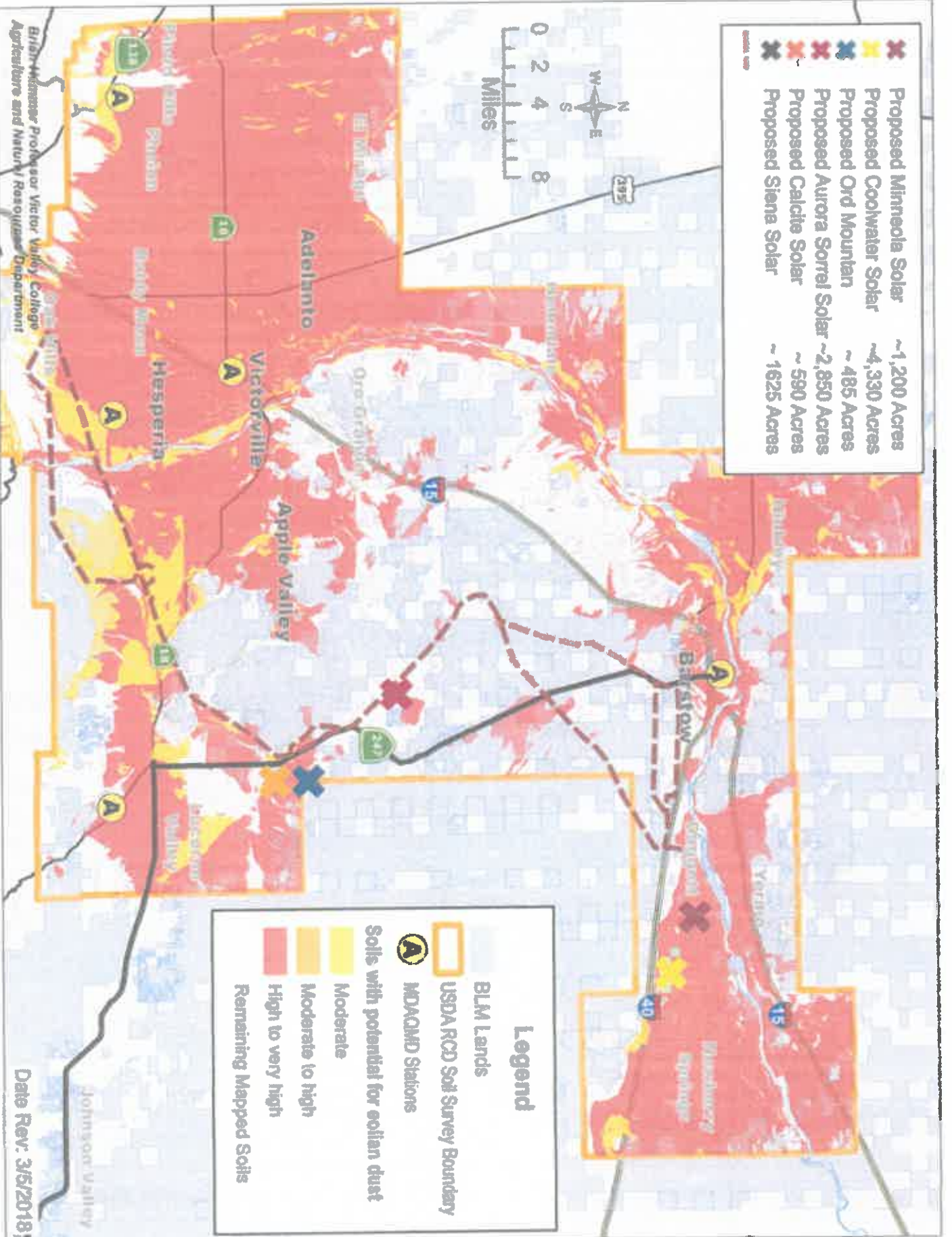
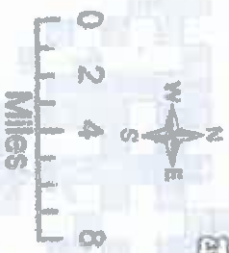
Sincerely,

Fred Stearn

enc: map referenced in item #4

cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutglueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
cc: tom hudson, director, san bernardino county land use services department
cc: terri rahhal, director, san bernardino county planning division
cc: vickie paulsen, director, newberry springs community services district
cc: robert berkman, president, ceqa-now, newberry springs chapter
cc: chuck bell, lucerne valley economic development association
cc: lorrie steely, president, mojave communities conservation cooperative
cc: robert vassar, president, newberry springs/harvard property owners assn.
cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: supervisor robert lovingood, 1st district, san bernardino county

- Proposed Minnesota Solar ~1,200 Acres
- Proposed Coolwater Solar ~4,330 Acres
- Proposed Ord Mountain ~485 Acres
- Proposed Aurora Sorrel Solar ~2,850 Acres
- Proposed Calcite Solar ~590 Acres
- Proposed Siena Solar ~1625 Acres



Blair-Harris Professor Victor Valley College
Agriculture and Natural Resources Department

Date Rev: 3/5/2018,

**Land Use Services Department
Planning**

Tom Hudson
Director

**SAN BERNARDINO
COUNTY**

March 20, 2018

Fred Steam
44244 National Trails Highway
Newberry Springs, CA 92365

**Re: Public Records Act Request-Documents pertaining to P20180004
and P201700679**

Dear Mr. Steam,

The Department is in receipt of your request dated March 8, 2018, and received in our office on March 8, 2018, requesting documents pertaining to P20180004 and P201700679.

The length of time it takes to conduct a records search largely depends upon the complexity of the request and the location where the records are stored. Please be advised that the Department has commenced a search for records responsive to your request and has made the following determination:

Due to the need to the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records generated by the request, a two week extension from the date of this correspondence is needed to gather the records. Once the Department has gathered together and ascertained what additional records, if any, may be responsive to your request, staff will determine what portion of them may be privileged and notify you when the documents will be available.

Please be advised that the Department is unable to provide an inventory list of records that are produced and/or withheld, and instead is only obligated to identify if the requested records are located and whether to disclose the records, withhold the records, or disclose the record in redacted form.

Should you have any questions or need an update regarding the status of your request, please do not hesitate to contact our office.

Sincerely,



Chrystale Sonick
Land Use Services Department

cc: Jason Searles, Deputy County Counsel

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March 8, 2018

Mr. Tom Hudson, Director
Land Use Services Department
San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: PUBLIC RECORDS ACT REQUEST INRE THE MINNEOLA SOLAR AND DAGGETT
SOLAR INDUSTRIAL SCALE SOLAR ENERGY PROJECTS, IN AND AROUND
NEWBERRY SPRINGS, APPLICATION #(P20180004) AND (P201700679).
REQUEST MADE UNDER AUTHORITY OF GOVERNMENT CODE SECTION 6250,
ET SEQ

Dear Mr. Hudson:

The definition of "public records" at Government Code Section 6252 (e) is as follows: "includes any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics...."

Section 6259 relates to certain public records improperly withheld.

Section 6252 (f) defines the word "Writing" to include electronic mail and facsimile, etc.

I am willing to pay up to \$500.00 for the below requested public records, to be mailed to me at above address, by certified mail. If you prefer I can send you the \$500 now and have you make any necessary refund at later date.

Can you provide an inventory list of whatever public records you will be providing and which, if any, you will not be providing?

After I receive the requested public records, I may then request certified copies of specific items.

My formal Public Records Act request is for all such records here described:

- 1--The formal applications for the Minneola and Daggett Solar Energy projects (P20180004) and (P201700679). Plus any revised application filings.
- 2--All County responses sent or provided to the two applicants.
- 3--All records concerned with any pre-application conferences any County official has conducted with any representative of either solar project applicant, including attendance sheets, notes, telephone records, e-mails, faxes, written communications, legal opinions/advice from County Counsel or others and meeting minutes, and copies of the Edison purchase agreements, if they even exist.
- 4--Any comment letters received from third parties, including elected officials on either of the two proposed solar energy projects (Minneola & Daggett).
- 5--Any communications the County has sent⁷⁰ or received from the California Energy Commission pertaining to either of the two proposed solar energy projects slated for the Newberry Springs area.

March 8, 2018


Mr. Tom Hudson, Director
Land Use Services Department
San Bernardino County
Page 2

That concludes my Public Records Act request. If you have any questions pertaining thereto, please give me a call.

Thank you for your assistance in this matter.

Sincerely,

Fred Stearn



cc: tom nievez, contract planner, san bernardino county
cc: ken alex, director, california office of planning & research
cc: drew bohan, executive officer, california energy commission
cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutglueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
cc: terri rahhal, director, san bernardino county planning division
cc: vickie paulsen, director, newberry springs community services district
cc: robert berkman, president, ceqa-now, newberry springs chapter
cc: chuck bell, lucerne valley economic development association
cc: lorrie steely, president, mojave communities conservation cooperative
cc: robert vassar, president, newberry springs/harvard property owners assn.
cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: supervisor robert lovingood, 1st district, san bernardino county

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March 9, 2018

Mr. Tom Nieves
Contract Planner, San
Bernardino County
Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814-3044

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679), NINTH SET OF COMMENTS ON POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS ON RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS. A REQUEST THAT THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH ASSUME DIRECT CONTROL OF THE PLANNING DIVISION REVIEW PROCESS FOR ALL INDUSTRIAL SOLAR ENERGY PROJECTS IN SAN BERNARDINO COUNTY DUE TO KNOWN ETHICAL ISSUES CONCERNING THE COUNTY BOARD OF SUPERVISORS

Dear Mr. Nieves and Mr. Alex:

It would appear to me that the Minneola Solar and the Daggett Solar projects, comprising about 5,000 acres of new industrial development in our economically disadvantaged community of Newberry Springs were actually very quietly approved by County Supervisor Robert Lovingood BEFORE the applications were formally submitted. This based on a conversation I had with an insider last summer.

It would appear that County Supervisor Lovingood has a very improper relationship with the billboard industry (four dramatically illegal freeway billboards were constructed in and adjacent to this community in 2017) along Interstate 40 and Interstate 15, with long-ago expired conditional use permits. And were in violation of the State and Federal siting requirements.

And it would seem likely that Supervisor Lovingood also has a very improper relationship with the cartel marijuana industry in Newberry Springs, now flourishing with reportedly over 100 illegal grow sites, mostly outdoors.

And County Code Enforcement has evidently been given a "hands off" direction from Supervisor Lovingood re marijuana growers, unlicensed junk yards and totally trashed out properties in Newberry Springs.

Judicial Watch, a good-government non-profit based in Washington D.C., in their February, 2017 issue of The Verdict, rates the three most corrupt governments in the United States. Supervisor Lovingood's San Bernardino County is rated in the top three government sewers. He's Chairman of the Board, which is a clue about the other four Supervisor's standards of performance.

Without State or Federal intervention, this community of Newberry Springs doesn't stand a chance of receiving fair play on the above issues from the County of San Bernardino.

We need HELP!

March 9, 2018
Mr. Tom Nieves
Mr. Ken Alex
Page 2

Hopefully, Mr. Alex has the authority to step into the improper San Bernardino County solar farm applications/reviews and violations of law....anticipated.

If some higher authority does not step in, it's only going to get worse.

Thank you for your interest and consideration of these issues.

Sincerely,

Fred Stearn

CC: FBI ANTI-CORRUPTION TASK FORCE

cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
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cc: robert vassar, president, newberry springs/harvard property owners assn.
cc: patricia. flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: SUPERVISOR ROBERT LOVINGOOD, 1ST DISTRICT, SAN BERNARDINO COUNTY

ADDED NOTE: I do not intend to cast any aspersions at County staff or the contract planner involved. The problem in this County is not at the staff level, in my opinion. The rot is at the Board of Supervisors.

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March 10, 2018

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Contract Planner, San
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Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT
(P201700679), TENTH SET OF COMMENTS ON POTENTIAL NEGATIVE
ENVIRONMENTAL IMPACTS ON OUR RURAL, ECONOMICALLY DISADVANTAGED
COMMUNITY OF NEWBERRY SPRINGS

Dear Mr. Nieves and Mr. Alex:

This is my tenth set of comments on the clear and obvious environmental danger the Minneola Solar and the Daggett Solar projects would impose on our small, rural, economically disadvantaged community of Newberry Springs.

- 1--If the CPUC's Office of Rate Payer Advocates (ORA's) recent determination is that no additional renewable energy procurements are needed until 2033, or the foreseeable future, why is San Bernardino ^{COUNTY} even entertaining applications from industrial solar companies? Isn't ORA's finding as stated above based on Southern California Edison and PG&E formal input?
- 2--Is it even legal to build environmental negative projects in California to provide electricity to out-of-state end users?
- 3--Why did not County staff, in last year's scoping of issues in Newberry Springs even raise the prospect of industrial scale solar development invading our community? Certainly, they were aware of the impending invasion, even if our Community Services District was not. Isn't it probable that Supervisor Lovingood instructed County planning staff to keep us in "the dark?"
- 4--Does the Countywide Vision Statement say "no industrial scale in community plan areas." Isn't Newberry Springs well into the creation of a Community Plan?
- 5--Doesn't the County General Plan Vision Statement say "We envision a model community which is governed in an open and ethical manner, where great ideas are replicated and brought to scale, and all sectors work collaboratively to reach shared goals."

Isn't Mister Lovingood's industrial solar plan for Newberry Springs in violation of the entire statement above? Model community? Open and Ethical manner? Great ideas? Shared goals?

Clearly, the Minneola Solar and Daggett Solar project proposals don't meet any of the Vision Statement definitions described above.

March 10, 2018
Mr. Tom Nieves
Mr. Ken Alex
Page 2

6--In light of the expected hazards from project adverse health impacts on area residents from solar project near-term and long-term blowing of fugitive dust and sand, shouldn't the County be requiring a Sand Transport Path study by the solar project applicants?

Won't expected project-related fugitive dust be coating the lungs of Newberry Springs residents, especially affecting asthmatics and the elderly, during high-wind events? This is a PM10 issue.

7--Shouldn't the applicants be required to install air quality monitors all over Newberry Springs and some adjacent areas, at sites recommended by the Mojave Desert Air Quality Management District? Are you soliciting technical advice from said district on the likely adverse impacts of Supervisor Lovingood's solar farms in Newberry Springs and surrounding areas?

8--What is the success record for the County's soil stabilization over the past few years at the environmental disaster 20-acre industrial solar energy facility at Mt. View Road and Cottonwood Road? This is the same project that the Board of Supervisors approved for 7-foot tall panels, that then got built to a height of 27 feet, based on an engineer's drawing that lacked an engineer's signature. No problem in San Bernardino County. The requirement for a "living fence" around the project perimeter to protect neighbors from sand blowing and visual eyesores, also somehow disappeared into the ether. The two families across the road have been victimized via the County's utter lack of interest in monitoring said solar project's fugitive sand and dust.

So why should anyone believe that any so-called sand blow and fugitive dust problems that will come along with the two proposed solar projects, of many times larger in scale, will be professionally addressed by San Bernardino County?

9--Another example of the County disregard for the health and welfare of the good people of this community: Supervisor Lovingood personally visited the site of about 100 truck loads of sewage sludge compost illegally dumped by a local alfalfa farmer on an innocent person's vacant land parcel at Bedford Road and Fremont Road. Everyone in Newberry Springs, or nearly everyone, knows who dumped the sewage sludge compost, without permission, and in violation of the public nuisance laws in State law. What action has the County taken against the dumper? ZERO. When did the above event occur? About four years ago!!!!!! Is the sludge compost still there? Last time I looked a few months ago, it was. We can expect the same lack of County concern for our citizens if and when the Minneola and Daggett projects are approved by Supervisor Lovingood. Someone downwind has developed a breathing problem, very likely caused or aggravated by the blowing sludge dust, which was evidently blessed by San Bernardino County, by its lack of action.

March 10, 2018

Mr. Tom Nievez

Mr. Ken Alex

Page 3

10--If the County wants to read up on a critical subject related to the Minneola and Daggett solar project applications, my suggestion is they assign someone to read SAND PATHS IN THE MOJAVE DESERT, SOUTHWESTERN UNITED STATES, 1995, Zimbelman, Williams and Tchakerian.

Another science publication that should be of interest to the County project review process is NRCS Plant Communities by the United States Department of Agriculture.

There are likely many scientific sources on the adverse impacts of PM10 on humans and animals. What does the County Public Health Department have to say on this subject?

Thank you for your interest and consideration of the above issues.

Sincerely,

Fred Stearn



cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
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cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: SUPERVISOR ROBERT LOVINGOOD, 1ST DISTRICT, SAN BERNARDINO COUNTY

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March 13, 2018

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Land Use Services Department
San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Ker Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814

Mr. Tom Nieves, Contract Planner
San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). ELEVENTH SET OF COMMENTS ON POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS ON OUR RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS

Dear Mr. Hudson, Mr. Alex and Mr. Nieves:

This is my eleventh set of comments on the devastating environmental impacts the Minneola Solar and Daggett Solar projects would have on our small, rural, economically disadvantaged community of Newberry Springs.

It is a mystery as to why the County has apparently encouraged these two industrial scale solar applications with their obvious overwhelming negative environmental impacts...impossible to mitigate.

To better understand the situation I have sent a Public Records Act request to Director Tom Hudson on March 8th with six specific records requests.

From the magnitude of the industrial solar projects proposed in Lucerne Valley and Newberry Springs my guess is that these projects have been in the private discussion phase for a very, very, long time. All without any notice to anyone that I know of in Newberry Springs, until just recently.

My questions or comments follow:

1--Inre Government Code Section 65040.12, it seems to require a revision to the California General Plan Guidelines at subdivision (c) which requires any County General Plan to ensure environmental justice: and would require that industrial facilities posing a significant health hazard to residential dwelling residents do not occur.

But isn't exactly that which is being proposed in Newberry Springs by Supervisor Lovingood?

2--Environmental Justice is described as "the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." Government Code 65040.12.

March 13, 2018

Mr. Tom Hudson, Director

Mr. Ken Alex, Director

Mr. Tom Nieves, Contract Planner

Page 2

3--Does San Bernardino County maintain that the two proposed industrial scale solar projects in Newberry Springs meet the standards for environmental justice, as required in the General Plan Guidelines? If so, how so?

4--The California Solar Initiative, SB 1, Chapter 132 (2006) AKA Million Dollar Roofs, set a goal of installing 3,000 megawatts of roof solar by 2017. How, if at all, has San Bernardino County participated in or encouraged meeting that standard?

5--In re environmental justice, does San Bernardino County have any evidence that it is in conformance with Federal Executive Order 12898 on the issue of environmental justice?

6--Are illegal freeway billboards and the local marijuana cartel operation in compliance with State and Federal environmental justice laws? We know the freeway billboards that went up here in 2017 are in violation of State and Federal law, as are the marijuana farms. These are subjects that County officials don't talk about. Seems like could be basis of a federal environmental justice lawsuit? No illegal billboards or marijuana farms permitted in Beverly Hills. Or industrial scale solar farms either!

7--To immediate east of Newberry Springs are the Cady Mountains, within the Mojave Trails National Monument. In recent decades they have been besmirched with blowsand accumulations, deposited from winds blowing from the west.

The defacement of the Cady Mountains by blowsand is an issue that the County needs to consider in it's appraisal of potential ill effects of the Daggett and Minneola Solar projects. Three likely sources for said blowsand occur to me: The Edison energy projects in Daggett, Mojave River sand moving due to water table drawdown due to alfalfa irrigation and fallowed fields not reseeded with native vegetation.

What does the BLM office in Barstow have to say on the issue of blowsand defacing the Cady Mountains? Will the County be contacting them?

8--How about the County or federal government suing the land disturber sources of the blowsand on the west face of the Cady Mountains? Instead of rewarding them for environmental abuse.

9--When the President of the Newberry Springs/Harvard Property Owners Association, Robert Vasseur on March 13th, at the San Bernardino County Board of Supervisors meeting, during the Public Comment Period, began to state his objections to proposed industrial solar's negative impacts on Newberry Springs, the 1st District Supervisor, Robert Lovingood, got out of his chair and walked out of the room. His arrogance is only possibly exceeded by his contempt for his constituents....and the law.

10--We are on the path to an irreversible environmental catastrophe in and around Newberry Springs.

March 13, 2018

Mr. Tom Hudson, Director

Mr. Ken Alex, Director

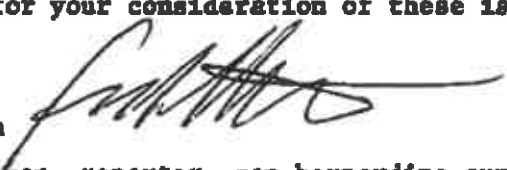
Mr. Tom Nievez, Contract Planner

Page 3

Thank you for your consideration of these issues.

Sincerely,

Fred Stearn



cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
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cc: chuck bell, lucerne valley economic development association
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cc: robert vassar, president, newberry springs/harvard property owners assn.
cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: SUPERVISOR ROBERT LOVINGOOD, 1ST DISTRICT, SAN BERNARDINO COUNTY

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March 15, 2018

Mr. Tom Hudson, Director
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San Bernardino, CA 92415-0187

Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814

Mr. Tom Nieves, Contract Planner
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385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). TWELFTH SET OF COMMENTS ON POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS ON OUR RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS

Dear Mr. Hudson, Mr. Alex and Mr. Nieves:

I have just come across a 1991 PM-10 draft report for the Searles Valley Planning Area, prepared by the San Bernardino County Air Pollution Control District and other agencies. It seems like the County would find it helpful in reviewing the Minneola and Daggett Solar projects.

We already have a wind related PM-10 issue here, which the two proposed industrial scale projects, in vicinity of 5,000 acres, will clearly aggravate.

Just leafing through the 1991 study, about one inch thick, it seems very likely that it's findings have some relevance to the Minneola Solar and Daggett Solar project applications. Some quotes of interest or paraphrases are:

- 1--A characteristic of California desert regions, tends to be windy as rapid daytime heating of the lower air accelerates surface winds during the warmest part of the day....(II.4)

In most instances, the native desert soil found in the region would not ordinarily blow if left undisturbed. Rather, wind erosion generally occurs as a result of human activities on the land....(II.6)

Based on studies at Owens Dry Lake, wind speeds from 20 to 25 mph can initiate wind erosion....(II.13)

- 2--Some interesting fugitive dust control strategy methods listed in TABLE IV-1: 15 measures are listed, including pave, vegetate or chemically stabilize certain areas.

And TABLE IV-2 has some suggested related Wind Entrainment suggestions.

And Page IV.12 has a list of fugitive dust control measures.

And Page IV.13 suggests a prohibition of unpaved roads, parking or staging areas.

And Page IV.21 suggests control measures during construction/demolition, continued on IV.22

March 15, 2018

Mr. Tom Hudson, Director

Mr. Ken Alex, Director

Mr. Tom Nieves, Contract Planner

Page 2

Moving on to verbage not in the above-referenced 1991 air quality study:

3--The problem in Newberry Springs is that the County has had a "who cares" attitude. We are the semi-official dumping ground for tens of thousands of tons of sewage sludge compost, the spreading of which is entirely unregulated. A 2015 draft ordinance to protect this community from sludge-hazard health related issues can't seem to get adopted by the Board of Supervisors, of which 1st District Supervisor Robert Lovingood is the chairman.

If there is anyone in County government who cares less about the health, safety and welfare of Newberry Springs residents than does Supervisor Robert Lovingood, I'd like to know who it is. Isn't he blocking the adoption of the draft sewage sludge compost ordinance? If not, who is?

4--We had a west wind event yesterday in Newberry Springs, stirring up a wall of dust and sand in one particular area most severely. If you guessed that said wind/sand/dust event was exactly over and across the proposed Minneola Solar location north of the BNSF railroad tracks you are correct! Visability seemed to be about zero when observed from a short distance away.

5--Re the sewage sludge compost that is blowing around Newberry Springs, referenced it Item #3 above, it should be noted that the State Water Resources Control Board has recently cited the Hawes composting facility with six violations, all since 2016 for receiving biosolids from the City of Barstow's Wastewater Treatment Facility that did not meet the Class A or B Pathogen Reduction standards.

So, is substandard biosolids compost, which local alfalfa farmers are likely getting paid to accept, floating around in the local air, totally unregulated apparently? Another Lovingood gift to the people of Newberry Springs?

6--A bit of positive news: County Code Enforcement is finally cracking down on the monster solar farm at Mt. View Road and Cottonwood Road, with some enforcement threats if they don't clean up their act. The new owners are hiding out in Canada and the County used a specialist attorney to find them.

7--This all raises the prospect of a preferred alternative site for the Minneola Solar and Daggett Solar development projects: How about Hawes as a less environmentally offensive site? I've never been there but am guessing it is more suitable than Newberry Springs or Daggett. Maybe the solar project developers can figure how to make electricity out of sewage sludge.

Thank you for your consideration.

March 15, 2018

Mr. Tom Hudson, Director

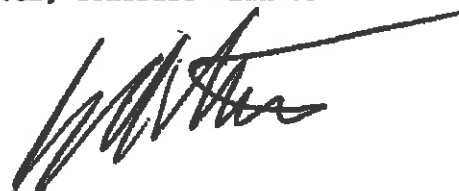
Mr. Ken Alex, Director

Mr. Tom Nieves, Contract Planner

Page 3

Sincerely,

Fred Stearn



cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
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cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
CC: SUPERVISOR ROBERT LOVINGOOD, 1ST DISTRICT, SAN BERNARDINO COUNTY

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April 12, 2018

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Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814

Mr. Tom Nieves, Contract Planner
San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). THIRTEENTH SET OF COMMENTS ON POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS ON OUR RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS

Dear Mr. Hudson, Mr. Alex and Mr. Nieves:

I attended the scoping meeting for the Daggett Solar Project yesterday in Daggett at 4 PM where Bob Stark from Michael Baker International, James Kelly from NRG and Tom Nieves, San Bernardino County contract planner, made a 22 minute presentation on the Daggett Solar Project. It was hard to hear as no microphone was utilized. Of the comments I could hear from the public, what I heard was:

- 1--Ted Stimpfel requested a 60-day extension of the public comment period and said RL zoning does not permit industrial projects. And he cited County Development Code Section 84.29.035: Required Findings For Approval Of A Commercial Energy Facility, which includes 31 mandatory findings before the proposed Daggett or Minneola Solar Projects can legally be approved by the County. He also raised General Plan 4.10, economic justice and public health issues, County culpability issues, failure to seriously examine alternative sites and a suggestion that a \$2 billion bond be posted by the applicant to cover future health related claims.
- 2--Eric ? from Fort Irwin raised concerns about project impacts on military aircraft using the Daggett Airport, right in the middle of the proposed Daggett Solar Project. He expressed concern about proposed 120' power line towers and glare as specific concerns. He wondered if the County had contacted the FAA. He was accompanied by several military personnel in uniform.
- 3--Paul Deel from Newberry Springs raised concerns about alfalfa farmer water pumping rights being transferred from the project site to pumping locations further east in the Baja water basin, thereby increasing over-drafting of the Newberry Springs water basin....He also raised the issue of a "heat island" being created at proposed solar energy development sites if gravel is used to control project site soil/sand from blowing. A heat island would add to global warming, he said.
- 4--Vickie Paulsen from Newberry Springs also raised County Development Code Section 84.29.035 as a legal obstacle to the proposed project. Damage to

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FISCAL ADMIN



April 12, 2018

Mr. Tom Hudson

Mr. Ken Alex

Mr. Tom Nieves

Page 2

community aesthetics in Newberry Springs was another concern, stating that solar panels up to 20 feet tall can't be mitigated inre aesthetics. At this point I observed the manager of the County Planning Division laughing in the rear of the room. The manager being Ms. Terri Rahhal.

5--Robert Berkman, from CEQA-Now, in Newberry Springs, wants an extended public comment period. He has just received a 517 page reply to a Public Records Act request, pertaining to the Daggett and the Minneola Solar projects, and needs additional time to review those 517 pages concerning the two proposed solar energy projects. He mentioned, as an example, that in that 517 pages just received, on page 5 of the Daggett Solar Project Land Use Application Questionnaire that 2,400,000 cubic yards will be cut and filled during construction. And how will that relate to the existing blowing sand and dust issues at the 22-acre solar energy farm on Mt. View Road in Newberry Springs, a site from which sand and dust has been blowing on the neighbors across the road for several years, uncontrolled by the site owner or the County of San Bernardino....He also cited SBC Development Code Section 84.29.035 as not being complied with. And dust related health issues.

6--Robin McMullen from Newberry Springs cited blowing sand from a farmer's field and sand buried houses at the north end of Newberry Road.

7--Cindy [?] from Newberry Springs asked the three people mentioned in paragraph #1 where they live. All lived, they said in far away places. Cindy suggested they put the proposed project in their home towns. At that point she probably could have been elected to public office in Newberry Springs. She said the Mojave River dynamics have changed due to local high winds and resulting blow sand. She wants more information on project water use.

8--Patricia Flanagan from a Morongo Basin conservation group said comments on the project should be sent to Mojave Desert Air Quality Management District. She said the proposed project impacts will exceed PM 10 standards. And that a one-year study is needed on wind speed and PM 10. We are a moderate to very high dust blow area. And 70 acre-feet of water will be needed for every 200 acres of project area. And the airport will be an issue that needs to be addressed.

9--Steve Brown from a tourism related group suggested that the National Park Service should be contacted re impacts on tourism along historic old highway 66, nearly adjacent to the proposed Daggett solar project proposal.

10--Marsha [?] from Daggett spoke of historic sites in Daggett and they needed to be preserved. Once again I observed County Planning Division Manager, Ms. Terri Rahhal giggling into her I-phone in the rear of the room.

April 12, 2018

Mr. Tom Hudson

Mr. Ken Alex

Mr. Tom Nieves

Page 3

11--Richard Selby, with a rural water association, said he is working with the Daggett CSD and asked what would be the community benefit to Daggett. He cited some ill impacts from a 224^{acre} solar project built in Lucerne Valley.

12--Rose Fisher, who works for BLM, but speaking just for herself, expressed concern for the negative impacts on old Highway 66, which is seeking a National Scenic Highway designation. Re economic impacts, she said ABnB visitors come to see the desert, NOT solar energy plants.

13--Robert Vasseur, from Newberry Springs, said the Cady Mountains used to be red rock, but are now much covered with blow sand. He sees negative impacts from industrial solar development in and around Newberry Springs.

14--Jack Unger, a pilot, dust and glare will be an issue for pilots at Daggett Airport, with dust being the main issue, on vision and with ingestion into airplane engines.

15--When the meeting concluded at about 5:15PM, I approached Tom Nieves, the County contract planner for the Daggett and Minneola Solar project applications. I said I had just received 517 pages that day from San Bernardino County in reply to my request for ALL public records, including comments, records concerning pre-application conferences, communications to or from the California Energy Commission, etc., etc., etc. And that a quick look through the 517 pages did NOT find the twelve submitted letters submitted by me to himself and to Mr. Tom Hudson, County Land Use Services Dept. Director, nor did I find much else of interest.

Mr. Nieves apologized and said he had not submitted certain documents into the County system, as he wasn't sure how to do that. He assured me that records he had control over would be sent to me. And other records.

16--As the ongoing Newberry Springs Community Plan process is a half-hearted effort to placate this community, it is my request that the 12-7-84 Newberry Springs/Harvard Community Plan Draft, completed after about two years of County professional staff effort, be referred to by Mr. Nieves, so he can get a better idea of Newberry Springs. Read that 100-plus page document, along with the separate Draft Environmental Impact Report, which argued against future alfalfa farming. And that was the fatal argument, in my opinion, causing both documents to be dumped in the trash.

17--And how could such an outrage occur to Newberry Springs, as cited above in Item #16? No surprise. It's the history of this County. Anyone remember when the FBI raided the San Bernardino County Planning Division with search warrants, during the Rail-Cycle fiasco? Crooked freeway billboard approvals. Which brings us to Item #18.

18--The Verdict is a publication by Judicial Watch, a good-government 501(c)3 in Washington, D.C. Their February 2017 issue, on page one, first paragraph, states: "...as every serious student of crime and punishment knows, the swamp is not one, but many. The swamp contains multitudes. It is Washington. It is New York. It is San Bernardino County...."

April 12, 2018

Mr. Tom Hudson

Mr. Ken Alex

Mr. Tom Nieves

Page 4

19--There is not a high level of confidence among the citizens of this community about the concern that high-level County officials have for the citizens of Newberry Springs, an economically disadvantaged community. In fact, based on the public comments yesterday re the proposed Daggett Solar Project, one might venture to say there is almost zero confidence.

20--I am informed that the wind speed in Newberry Springs this morning at Riverside Road, east of Newberry Road, at a personal weather station, is a measured high of 49 MPH. That location would be approximately due east, northeast, of the Daggett and Minneola Solar projects. Plenty of sand and dust in the air.

Thank you for your interest and consideration of the above issues.

Sincerely,

Fred Stearn

cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
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cc: robert berkman, president, ceqa-now, newberry springs chapter
cc: chuck bell, lucerne valley economic development association
cc: lorrie steely, president, mojave communities conservation cooperative
cc: robert vasseur, president, newberry springs/harvard property owners assn.
cc: patricia flanagan, morongo basin conservancy association
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: SUPERVISOR ROBERT LOVINGOOD, 1ST DISTRICT, SAN BERNARDINO COUNTY

cc: mojave desert air quality management district

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2018 APR 19 AM 9:17
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April 16, 2018

Mr. Luther Snoke, Interim Director
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Sacramento, CA 95814

Mr. Tom Nieves, Contract Planner
San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: MINNEOLA SOLAR PROJECT (P20180004) AND DAGGETT SOLAR PROJECT (P201700679). FOURTEENTH SET OF COMMENTS ON POTENTIAL NEGATIVE ENVIRONMENTAL IMPACTS ON OUR RURAL, ECONOMICALLY DISADVANTAGED COMMUNITY OF NEWBERRY SPRINGS AND ADJACENT COMMUNITY OF DAGGETT.

Dear Mr. Snoke, Mr. Alex and Mr. Nieves:

1--On March 8th, I made a Public Records Act request to the County, in re the above two industrial solar energy project proposals. On April 11th I received 517 pages in response. That County response was clearly incomplete, which I spoke to you ^{Mr. Nieves} about at the Daggett Solar scoping meeting on April 11th. You said you would provide missing public records.

There were zero public comment letters in the 517-page reply, including my previously submitted 13 project comment letters. All 13 are missing. Also not included in the 517 pages were anything in response to my request for records concerning pre-application conferences, including attendance sheets, notes, telephone records, e-mails, faxes, written communications, legal opinions/advice from County Counsel or others and meeting minutes, and copies of the Edison purchase (or PG&E) purchase agreements.

I also had asked for any communications the County has had with the California Energy Commission in re the two projects. If the Daggett project was proposed to the County in 2014, are we to believe that there has been no communication since then between the County and the Energy Commission?

2--Among the 517 pages is a November, 2017 written communication from DUDEK to the County Planning Division, concerning the Minneola Solar I, LLC project. It contains seven pages of text and is UNSIGNED.

Under AESTHETICS AND VISUAL QUALITY topic on first page, it makes some very questionable and misleading statements in re the scenic highway status of National Trails Highway, adjacent to the proposed solar project sites.

It informs the County that National Trails Highway is NOT designated as a federal or state scenic highway. And then there is a misleading comment referring to OS 5.2 and 5.3, without stating the source of OS 5.2 and 5.3.

April 16, 2018

Mr. Luther Snoke, Interim Director

Mr. Ken Alex, Director

Mr. Tom Nieves, Contract Planner

Page 2

General Plan OS 5.3 states Historic route 66 from Oro Grande to the Arizona state line, excepting those those areas within incorporated cities, is a scenic route. That fact was NOT clearly admitted by DUDEK.

3--Please take a look at the County Planning Commission meeting minutes for the January 5th, 2012 meeting of that body. Look at the Open Space Element comments on pages 8 and 9. James Squire briefed the purpose of adding our local section of Historic Route 66 to the General Plan list of scenic routes. And his recommendation was subsequently approved by the Planning Commission and the County Board of Supervisors.

Mr. Squire advised the County Planning Commissioners that adding our local segment of Historic Route 66 to the list of County scenic routes would mean; for projects along the route:

- A special viewshed analysis may be required.
- Structure placement shall be compatible with and shall not detract from the visual setting or obstruct significant views.
- Development will be designed to blend into the natural landscape.
- Right-of-way access drives shall be minimized.
- The removal of native vegetation shall be minimized.
- Screening requirements.
- Utilities will be done underground where possible.
- Off-site freestanding signs will be limited to 18 square feet.

4--The Newberry Springs Community Plan Draft Hazards Overlay Map prepared for a community plan that was never adopted, for no official reason, was completed in 1984 by County Planning Staff. Draft EIR was also prepared.

It shows Airport Hazard Zone extending for slightly over one mile east of Minneola Road, inre the County Airport at Daggett, which is utilized by the U.S. Army and others. And it extends about three miles to the east of Minneola Road....Airport Safety Zone #1 extends about 3/8 of a mile east of Minneola Road and about 2.5 miles west of Minneola Road.

Isn't much of the Minneola Solar and Daggett Solar project proposals inside one or the other of the two Airport Safety Zones?

SEE
ATTACHED
4-17-18
CORRECTION

5--I have reason to believe that Supervisor Lovingood's office has been closely associated with these two projects for a long time and I find it hard to believe that the County has no records concerning any such association or contact documenting those presumed contacts. Can you give me a written statement that no such records exist, if that is the case?

April 16, 2018

Mr. Luther Snoke, Interim Director
Mr. Ken Alex, Director
Mr. Tom Nieves, Contract Planner
Page 3

6--DUDEK's comments on page 5 of their November, 2017 memorandum, make reference to RE Policy 4.1 and 6.1.3 in the General Plan, concerning avoiding air quality issues and dust mitigation issues.

Perhaps if the County would conduct a guided tour of the solar energy project on Mt. View Road, consisting of 22 acres, DUDEK and NGR might get a first-hand education as to what they might be dealing with concerning sand and dust mitigation. You could also take them on a guided tour of the sand-buried homes at the north end of Newberry Road.

7--Someone has sold NGR and Sun Power a bill-of-goods. Who?

8--There is some speculation that ROLLING STONE or another publication is considering or committed to an exposé article. Have you had any inquiries along those lines?

Thank you for your consideration of these issues and I look forward to hearing from you.

Sincerely,

cc: joe nelson, reporter, san bernardino sun
cc: steve hund, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
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cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: alan desalvo, director, operation, mojave desert air quality management district
cc: supervisor robert lovingood, 1ST DISTRICT, SAN BERNARDINO COUNTY

P.S. The off-site freeway-adjacent billboard (50' x 10') constructed in 2017, with long-expired conditional use permit, and in violation of the California Outdoor Advertising Act and the federal Highway Beautification Act and the federal Department of Transportation Bonus Act, and located on a land parcel that fronts Historic Route 66 is also in violation of County General Plan OS 5.3, referenced above in item's #2 and #3. Said illegal billboard is on Ord Street on APN 0528-161-11 adjacent to I-40. A mass of illegal billboards along I-15 have served to identify Yermo, the town, as undesirable. Are we next?

April 17, 2018

Mr. Luther Snoke, Interim Director, Land Use Services Dept, SBC
Mr. Ken Alex, Director, California Office of Planning & Research
Mr. Tom Nieves, Contract Planner, San Bernardino County

SUBJECT: CORRECTION OF TYPO

Inre my April 16, 2018 letter re the Minneola Solar and Daggett Solar project proposals, there is a mistake on page 2, Item #4, 2nd paragraph, 3rd sentence, which should read "And it extends about three miles west of Minneola Road." And it is referenced as Airport Safety Zone #3, on the County prepared map.

Sincerely,

Fred Starn



April 17, 2018

Mr. Luther Snoke, Interim Director, Land Use Services Dept, SBC
Mr. Ken Alex, Director, California Office of Planning & Research
Mr. Tom Nieves, Contract Planner, San Bernardino County

SUBJECT: CORRECTION OF TYPO

Inre my April 16, 2018 letter re the Minneola Solar and Daggett Solar project proposals, there is a mistake on page 2, Item #4, 2nd paragraph, 3rd sentence, which should read "And it extends about three miles west of Minneola Road." And it is referenced as Airport Safety Zone #3, on the County prepared map.

Sincerely,

Fred Stearns



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April 19, 2018

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Mr. Tom Nieves, Contract Planner
San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

SUBJECT: MINNEOLA SOLAR PROJECT (P2018004) AND DAGGETT SOLAR PROJECT
(P201700679). FIFTEENTH SET OF COMMENTS ON POTENTIAL NEGATIVE
ENVIRONMENTAL IMPACTS ON OUR RURAL, ECONOMICALLY DISADVANTAGED
COMMUNITY OF NEWBERRY SPRINGS AND ADJACENT COMMUNITY OF DAGGETT.

Dear Mr. Snoke, Mr. Alex and Mr. Nieves:

1--From Mr. Nieves, I am still awaiting an unexpurgated reply to my March 8th Public Records Act request for everything and anything the County has in re the above two proposed industrial solar energy projects. We discussed the missing public records at the end of the April 11th scoping session on the Daggett solar project, in Daggett. Mr. Nieves conceded that some public records were missing from the 517 pages provided. For example how about the meeting notes from the Minneola project resulting from the conferences that the Sun Power attorney had with high-level county officials, as referred to by a real estate broker representing Sun Power, in a telephone conversation with me last summer?

2--I sometimes wonder if anyone in County Planning Division management is the least bit familiar with the County General Plan. Or do they see it as an inconvenience without the force of law? Some months ago, when I spoke with Planning Division Manager, Ms. Rahhal, about the Newberry Springs Planning Study by six students from Cal Poly Pomona's School of Urban & Regional Planning, and their recommendation for creation of two enterprise zones in Newberry Springs, Ms. Rahhal snickered. Her snicker was as at Policy ED 4.2.

And yet, isn't that exactly what the County General Plan sets as Goal ED 4?

But it's not a Goal, apparently, if the County has unofficially designated a community as a "dumping ground" due to it's being economically disadvantaged, as is Newberry Springs, and probably Daggett. Isn't Lucerne Valley also designated economically disadvantaged, based on federal census data?

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FISCAL ADMIN

April 19, 2018

Mr. Luther Snoke, Interim Director

Mr. Ken Alex, Director

Mr. Tom Nieves, Contract Planner

Page 2

3--General Plan Economic Development Policy ED 15.3 says "Encourage economic development within community planning areas that is sensitive to their respective visions of a rural lifestyle." So how does over 5,000 acres of ugly industrial solar energy development in Newberry Springs and Daggett meet that standard?

4--As for special General Plan standards for the desert region: Take a look at Goal D/ED 1: "Promote economic development that is compatible with the rural desert character of the Desert Region."

That is followed by Policy D/ED 1.1, which states: "Support commercial development that is of a size and scale that complements the natural setting, is compatible with surrounding development and enhances the rural character."

And that's in reference to COMMERCIAL development, so shouldn't the standards for industrial development be tighter and more restrictive?

5--In the County General Plan Goals and Policies of the Land Use Element, we find Goal LU 1. "The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents." Isn't this a problem?

Policy LU 1.2 says siting of new development should be compatible with adjacent land uses and community character. But it's not compatible.

GOAL LU 10. says "Encourage distinct communities with a sense of "place" and identity." Seems like this could become a legal obstacle.

6--General Plan Desert Region Goals and Policies of the Land Use Element says, at D/LU 1.2 "Limit future industrial development to those uses which are compatible with the Community Industrial Land Use Zoning District or zone, are necessary to meet the service, employment and support needs of the region, do not have excessive water requirements, and do not adversely impact the desert environment." Another hurdle.

7--GOAL S 4. says "THE COUNTY WILL MINIMIZE DAMAGE DUE TO WIND AND WATER EROSION WHERE POSSIBLE." Policy S 4.1 says "Map high wind areas as part of the hazard overlay." Then we have a PROGRAMS caption, under which it says:

1--Conduct detailed mapping of potential blows and hazard areas for use as a hazard overlay.

2--Map potential wind erosion areas on the basis of soil characteristics for use as a hazard overlay.

Has any of the above been done for the proposed Minneola and Daggett solar project areas? Can you provide said hazard overlay maps?

8--GOAL S 4.2 says "Apply the provisions of the Revised Erosion and Sediment Control Ordinance countywide." How will that impact the two solar projects? Please provide a copy of said ordinance and consider this a Public Records Act request for same. I will pay up to \$10.00 to have the ordinance mailed to me. And any wind and soil erosion maps that you have.

April 19, 2018

Mr. Luther Snoke, Interim Director

Mr. Ken Alex, Director

Mr. Tom Nieves, Contract Planner

Page 3

9--County General Plan Air Quality Goal 4 states "The County will ensure good air quality for its residents, businesses, and visitors to reduce impacts on human health and the economy."

If the County has had zero interest, until just recently, in the fugitive sand and dust blowing off the one industrial solar project in Newberry Springs, over the past few years, which is 22 acres in size, why would anyone expect the County to be much concerned about sand and dust created by 5,000 acres, plus, of industrial solar development, upwind from Newberry Springs?

10--Air Quality Policy CO 4.3 says "The County will continue to ensure through coordination and cooperation with all airport operators....an air transportation system, which generates the minimum feasible pollutants."

Other than some people from Fort Irwin, who apparently heard about the two solar project proposals centered around the Daggett Airport accidentally, what input has the County Airport Department provided to the County Planning Division? I didn't find one word from them, or the Airforce, or the FAA or Fort Irwin, in the 517 page response to my Public Records Act request.

11--So far, I can't find anything in the General Plan on the subject of social justice. But no doubt there is some federal law, case and statute, that will argue with the invasion of these two industrial solar projects into economically disadvantaged communities.

Sincerely,
Fred Stearn



cc: joe nelson, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahaun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer
cc: san bernardino county planning commission
cc: terri rahhal, manager, san bernardino county planning division
cc: vickie paulsen, director, newberry springs community services district
cc: robert berkman, president, ceqa-now, newberry springs chapter
cc: chuck bell, lucerne valley economic development association
cc: lorrie steely, president, mojave communities conservation cooperative
cc: robert vasseur, president, newberry/harvard property owners association
cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: alan desalvo, director, operations, mojave desert air quality management district
cc: SUPERVISOR ROBERT LOVINGOOD, 1ST DISTRICT, SAN BERNARDINO COUNTY

Silver Valley Realty

44244 NATIONAL TRAILS HIGHWAY
NEWBERRY SPRINGS, CA 92365

Fred Stearn, Broker
License #00703464

(760) 257-3560

April 30, 2018

VIA EMAIL

Mr. Luther Snoke, Interim Director
Land Use Services Department, San Bernardino County
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Tom Nieves, Contract Planner
San Bernardino County
Land Use Services Department
385 North Arrowhead Ave, First Floor
San Bernardino, CA 92415-0187

Mr. Ken Alex, Director
California Office of Planning
& Research
POB 3044
Sacramento, CA 95814

SUBJECT: FOLLOW-UP REQUEST FOR PUBLIC RECORDS WITHHELD BY SAN BERNARDINO
COUNTY INRE THE MINNEOLA AND DAGGETT SOLAR PROJECTS IN AND AROUND
NEWBERRY SPRINGS, APPLICATIONS (P20180004) AND (P201700679)

Dear Mr. Snoke, Mr. Alex and Mr. Nieves:

On March 8, 2018 I sent a polite letter to the then-director of the County
Land Use Services Department, Mr. Tom Hudson, with five specific requests
for public records of all types related to the above two projects.

On April 11th I received approximately 517 pages in response to my Public
Records Act request. It is obvious, clear and undisputed by Mr. Nieves,
in a conversation with me on April 11th, at the solar project scoping session
in Daggett, that various requested public records were NOT provided to me,
because, he said, he did not know how to enter them in the "system." Whatever
that means. Nineteen days later and still no corrected, updated PRA reply!

Government Code Section 6259 of the Government Code states it is ILLEGAL
to withhold legally requested public records. Clearly the County is in
violation of that section of law. Undisputed by Mr. Nieves.

At first I thought that the farcical County behavior inre the two industrial
projects, proposed in violation of the County General Plan and the County
Development Code, was the result of political pressure, but I'm beginning
to think otherwise. Could it rather be GROSS incompetence at upper management
levels of the County Planning Division? Is it perhaps time for new leadership
at the Planning Division? Until we know who authorized the four flatly illegal
billboards in 2017, hereabouts on I 40 and I 15, I can't be sure. Or maybe
it's a mix of political mischief and gross incompetence.

Mr. Snoke, will you kindly send me the March 8th requested, but subsequently
unprovided public records inre the Daggett and Minneola Solar projects?

April 30, 2018
Mr. Luther Snoke, Interim Director
Mr. Ken Alex, Director
Mr. Tom Nieves, Contract Planner
Page 2

I will pay up to \$100 to have the missing, improperly withheld, public records mailed to me at the above address.

I have restrained myself from commenting too much on the level of competence of various actors, but see if anyone down there can make sense of the following:

On Sunday, April 29th, 2018, during a not so uncommon windblow event, on Temescal Street in vicinity of Mt. View Road, in Newberry Springs, which is due east of the two genius-proposed industrial solar projects, referenced above, Mr. Robert Berkman got a rather startling reading at 2:58PM on his Purpleair Monitor.

And the Air quality index reading for short-term PM 2.5 particulate matter was:

403!!!!!!!

If the bigwigs at the County Planning Division don't understand the significance of the 403 number, perhaps you could call Mr. Alan DeSalvio at the Mojave Desert Air Quality Management District.

In case you didn't know, the prevailing wind hereabouts blows west to east.

A thought just flashed into my brain: To stop the PM 2.5 adverse-health dust from impacting downwind residents and school children, what about a wall of 100-foot tall billboards stretched across the impact area, with one row west of the County Daggett Airport, another at Minneola Road and another row across Harvard Road and a final row of 100-foot tall billboards stretched along Newberry Road. To be mitigations proposed in the Final Environmental Impact Report. This also might help increase production at the marijuana farms.

Very sincerely,

Frederic Stearn

cc: joe nelson, reporter, san bernardino sun
cc: steve hunt, editor, daily press
cc: mark gutlueck, publisher, san bernardino county sentinel
cc: louis sahagun, environmental reporter, los angeles times
cc: kathleen rollings-mcdonald, executive officer, lafco
cc: san bernardino county planning commission
cc: terri rahhal, manager, san bernardino county planning division
cc: vickie paulsen, director, newberry springs community services district
cc: robert shaw, director, newberry springs community services district
cc: chuck bell, lucerne valley economic development association
cc: lorrie steely, president, mojave communities conservation cooperative
cc: robert vasseur, president, newberry springs/harvard property owners assn.
cc: patricia flanagan, morongo basin municipal advisory council
cc: ted stimpfel, newberry springs community alliance
cc: gavin erasmus, phd, attorney
cc: alan desalvio, director, operations, mojave desert air quality management district
cc: SUPERVISOR ROBERT LOVINGOOD, 1ST DISTRICT, SAN BERNARDINO COUNTY

Daggett Solar Power Facility EIR Scoping Meeting Summary

The County of San Bernardino (County) held a Project Scoping Meeting on April 11, 2018 from 4:00 pm to 7:00 pm at the Daggett Community Services Center at 35277 Afton Street, Daggett, CA 92327. The meeting provided the opportunity to provide input on the range of environmental issues to be addressed in the Draft Environmental Impact Report (DEIR). The DEIR is being prepared to address California Environmental Quality Act (CEQA) requirements for the County's consideration of the proposed Project. Approximately 40 members of the public were in attendance, as well as County staff, Michael Baker staff, and applicant representatives.

Attendees were asked to sign-in and were provided a comment sheet and a speaker card. A presentation was provided, followed by an opportunity for attendees to make oral comments. Attendees were encouraged to provide written comments, either via the comment sheet, or by submitting comments during the scoping review period.

This document summarizes oral and written comments relevant to the scope of the DEIR which were provided at the meeting and are generally organized by topic. Numerous attendees voiced general opposition to the project. These comments and others related to non-CEQA issues (e.g. effect on property values) are not incorporated into this document as they do not relate to the scope and content of the EIR.

Air Quality/Dust/Sand

- PM10 and PM2.5 have the potential to be exceeded and should be monitored on-site.
- The whole area of Daggett has a very high content of very fine sand/soil which is a problem with future winds and sand storms.
- The bushes that are currently in place serve to mitigate dust. Removing them would trigger dust storms and would exacerbate current dust problems.
- The project would cause homes to be vacated due to dust storms.
- Health hazards related to dust should be addressed.
- The consequences of cutting/grading soil could be devastating because once the main soil/top layer is removed, sand erosion cannot be stopped. This is true for both Newberry Springs and Daggett.
- Dust in air craft engines will be damaging to the aircraft.

Biological Resources

- Current extreme wind/dust patterns are changing the pattern of the nearby river. The implementation of the project could exacerbate this current condition.
- Clearing the project area from native plants will drive snakes, squirrels and other animals into neighboring homes.
- It is requested that water usage statistics for other comparable solar farm projects be made available and compare them to water use projections for the proposed project.

Historical Resources

- Daggett historical society is concerned about the project since Daggett is overall a historical area. For example, the Daggett ditch extends through the community. Additionally, Daggett provided electricity to the first mines in the area. All of these features could be jeopardized with the project disturbing such a large area.
- The Route 66 Historical Society should be consulted because the project would have the potential to disturb historical areas and the Route 66 Corridor.
- The Santa Fe Spur Rail Road Line is of WWII historical significance and could be damaged.
- There are portions of the airport that are historical in nature.

Aesthetics/Views/Community Character

- Solar panels have potential to block views, considering that solar panels can be up to 20 feet high.
- Considering the potential height of the solar panels, it is not believed that that any type of fence will be able to block the solar panels from being visible.
- Fences, proposed buildings, and certain structures would completely block neighbors' scenic views.
- Rural character is treasured. Project would impact community character.
- Glare of solar panels is not good for pilots and residents.

Environmental Process

- No Initial Study was prepared; it is believed that not enough time was given to assess and provide comments on the potential impacts. Thus, a 60-day NOP review extension is requested.
- It is requested that an extension to the usual 45-day review period be given to provide comments on the forthcoming EIR.
- 120 ft. tall transmission towers could affect the military facility and operations of the helicopters. The airport/military base would like to be integrated in the process.
- FAA and DOD should be consulted in this process.
- The Daggett Historical Society and the Route 66 association should also be consulted.

Land Use and Planning

- This industrial project should not be located in residential areas (i.e., the project site) which is surrounded by residential properties. The project should be located on the opposite side of Interstate 15 (I-15) where no one lives and consequently, the project and eventual sand storms would not affect anyone.
- The project description should state that the project is located near the Mojave Desert National Monument.

Traffic and Circulation

- Traffic accidents already occur on highway 40 due to sand storms. The project would only worsen that situation.

Water Resources

- Water supply/groundwater/drought concerns were presented by the California Rural Water Association.

Attachments:

Sign-in Sheets

Completed Comment Forms

Sign-In Sheet
 Daggett Solar Power Project
 Scoping Meeting
 April 11, 2018



Name/Organization	Address	Phone	E-mail
Saluyntus DESD	P.O. Box 344 Daggett Ca.	760-718-8372	Saluyntus@yahoo.com
Mark Stagg DESD	901 Army and 6th street	760-937-9155	markstagg@yahoo.com
Boe Staff	Boe Staff	760-784-9853	boe.staff@shosbcounty.ca.gov
Christian Gyunter	Victorville, CA	760-475-4276	christian.gyunter@shosbcounty.ca.gov
Allen Miller	Daggett	760-910-6276	222105@aol.com
Bueller Stagg	NBS		buellerstagg@aol.com
Eric Negrete	Font Main	760-380-3767	eric.a.negrete.a.j@gmail.com
Lee Hiett DESD			
Tom Stinauer	NBS		newberry@springsemail.com
Ralph Laks	4949 Topnotch Ave	732-522-0730	laks@atlatl.com
Jeff Gastero	32935 Dunedinos, CA 92535	760-2520929	jeff@weaponsedge.com
Vickie Paulsen	43843 Valley Center	760-447-2118	wordy4fun@gmail.com
Fanl Smith	173950 Elm Ave		plclan@yahoo.com
Paul Deel	POB 328 NBS	760-257-3664	deelplum2@gmail.com
Paul Deel	S S	S	deelplum1@gmail.com
Jack Unger	POB 117 Daggett	760-678-5033	jinger@qsk-wi.com

Sign-In Sheet
 Daggett Solar Power Project
 Scoping Meeting
 April 11, 2018



Name/Organization	Address	Phone	E-mail
Peter Whitman	3441 S.M. Pkwy #4181	(949) 280-9181	PETER.WHITMAN@AMPA.A, COM
FRED STEAR	POB 356 Newberg Spg	760-257-3566	NONE
Richard Gjosson Army	Fort Irwin	931 551 6697	Richard.Gjosson.mil@mail.mil
Stephen Dennis	Fort Irwin	808-673-8259	Stephen.A.dennis4.mil@mail.mil
Dave Key	Fort Irwin	760-963-3966	DAVE.C.KEY.CIV@mail.mil
Kirst Marci Higginson	Daggett	760-590-5004	cincedeer@yahoo.com
Nicholas Webster	Daggett	760-718-8820	Nicholas123@yahoo.com
Ron C. Breckels	Newberg Spg, CA	1-760-257-3322	
Jean Breckels	" "	" "	
Andrew Rich	Fort Irwin	(951) 392-9714	andrewrich515@gmail.com
Robert Vasseur Reberget Property Owners	Newberg Spg.	(660) 887-2705	VASSEUR, robert@yahoo.com
ROSE KEMP	7805 Daggett 90327	(760) 500-0911	studebakerrose@yahoo.com
DAGGETT CHAMBER	PO Box 445 New 92365	760-792-7327	SHETAZ711@yahoo.com
Koby Merrill			
Steve Brown	PO Box 2171, Joshua Tree	760-870-1722	publisher@sinrmpers.com
Cindy Charlton	34670 Condor Rd Wps CA 92345	760-979740	BunnyCharlton@gmail.com
ERIC NEANSTE			A.NEANSTE.CIV@mail.mil

County of San Bernardino
Public Scoping Meeting
Daggett Solar Power Project
April 11, 2018



We welcome your comments and suggestions in regards to **environmental** issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Comments:

The development of this project will be sure to bring many jobs to the area of daggett. Energy consumption is always an important issue that benefits from the construction of renewable energy. If this project comes to fruition I encourage the employment of skilled union workers to limit the impact to the surrounding area and maximize the benefit to a much larger community of people.

Charles Baillet

Name (please print)

IBEW L.V. 477

Organization

106 W. Pennsylvania Ave apt 607 Redlands CA 92374

Mailing Address

(909) 810-8169

Telephone No. (daytime)

lakeleyvas@gmail.com

E-mail address

Written comments on the environmental document can be provided at the scoping meeting, or written comments may be provided directly to the County of San Bernardino, Land Use Services Department. Comments provided by e-mail should include the name and address of the sender. Please send all written and/or e-mail comments to one of the following:

County of San Bernardino
Land Use Services Department
Tom Nieves
Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415
Phone: (909) 387-5036
Email: Tom.Nieves@lus.sbcounty.gov

Public Scoping comments must be received no later than 4:30 p.m. by April 26, 2018.

To mail: fold, seal, and affix stamp

County of San Bernardino
Public Scoping Meeting
Daggett Solar Power Project
April 11, 2018



We welcome your comments and suggestions in regards to **environmental** issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

U.P. Tracks

Comments:

- Daggett Ditch! First electricity
Extends from Nebo Base East Through Daggett.
Continuing East to Minnedo Rd.*

U.P.

• Santo Fe Spur Line to the Airport-

• Historical Parts of the Air Port.

• Terminate the Solar Project.

Name (please print)

Marcia Higginson

Organization

Daggett Historical Society

Mailing Address

P.O. Box 361 Daggett Ca 92327

Telephone No. (daytime)

760-590-8004

E-mail address

circledeer@yahoo.com

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We welcome your comments and suggestions in regards to **environmental** issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Comments:

The only thing worth value for me to say to those who have power in this decision is "Please put the shoes on the other feet."

I imagine that you have lived somewhere for 30 years. You have raised all of your children there. You have spent thousands upon thousands of hours making your property beautiful and most of all have enjoyed the beautiful desert. Only to have it

GAYE BURCH

Name (please print)

Organization

families of Newberry

Mailing Address

34653 Sandi Lane

Telephone No. (daytime)

760 254 3817

E-mail address

gayeburch199@gmail.com

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I UNDERSTAND THAT FOR THE SAKE OF MONEY YOU WANT TO BUILD ON EXISTING DISTURBED LAND BECAUSE OF WILDLIFE... BUT TAKE AWAY NATURAL LANDSCAPE AND WATERED FIELDS... THE LIVING DESERT WILL SUFFER. PLEASE DO NOT DO THIS.
== OUR COMMUNITY WILL DIE!

Public Scoping comments must be received no later than 4:30 p.m. by April 26, 2018.

→ all changed and stripped away by strangers. This solar plant will change the beauty, the wildlife will have nothing, and the desert will forever be changed for the worse. What if it were your back yard.

To mail: fold, seal, and affix stamp

County of San Bernardino
Public Scoping Meeting
Daggett Solar Power Project
April 11, 2018



We welcome your comments and suggestions in regards to *environmental* issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Comments:

Solar project will be ~~disastrous~~ ^{disastrous}. It will be a disaster for our communities. The environment will be ruined- Plants will be removed leaving the natural animals without food and protection. Not to mention the ugliness of the plant solar mirrors. Please find another location where it is not going to ruin human life where we live.

Name (please print)

Veronica Shaw

Organization

Retired Teacher from Silver Valley Unified School District

Mailing Address

P.O. Box 280, Newberry Springs, CA 92365

Telephone No. (daytime)

(760) 265-0333

E-mail address

auntronnieshaw@gmail.com

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Public Scoping comments must be received no later than 4:30 p.m. by April 26, 2018.

2018 APR 25 AM 8:37

FISCAL ADMIN

To mail: fold, seal, and affix stamp

County of San Bernardino
Public Scoping Meeting
Daggett Solar Power Project
April 11, 2018



We welcome your comments and suggestions in regards to *environmental* issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Comments:

The Daggett Solar Power Project is
an environmental disaster for
the community of Daggett, Yermo, and Newberry
Springs - especially for Newberry Springs.
We are east of the project. We will get all
the windy dust bowl in our houses. No benefit from
the project will remain - only sand blowing in
yards and homes.
The bottom line - people live here, Please
find another location in our vast desert where no one lives.

Name (please print)

Veronica Shaw

Organization

Property Owners

Mailing Address

P.O. Box 280

Telephone No. (daytime)

(760) 265-0333

E-mail address

auntronnieshaw@gmail.com

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2018 APR 25 AM 8:37

FISCAL ADMIN

County of San Bernardino
Public Scoping Meeting
Daggett Solar Power Project
April 11, 2018



We welcome your comments and suggestions in regards to *environmental* issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Comments:

The Solar Daggett Plant Project will be disastrous.
As a property owner this solar project will decrease our property value. Many of us have chosen to live here in the High Desert to be in a calm environment - Country - not City. Where we have poured our hearts and souls - not to mention pensions. The wind factor is bearable now - but with much land graded - the sand storms coming eastward will bury us - Case in point: the existing solar plant on Mountain View here in Newberry Springs - people east of it complain of sand piles on their property. Please move this plant of solar

Name (please print)

Veronica Shaw

Organization

Property Owners

Mailing Address

P.O. Box 280

Telephone No. (daytime)

(760) 265-0333

E-mail address

guntronnieshaw@gmail.com

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Email: Tom.Nieves@lus.sbcounty.gov

Public Scoping comments must be received no later than 4:30 p.m. by April 26, 2018.

2018 APR 25 AM 8:36

FISCAL ADMIN

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County of San Bernardino
Public Scoping Meeting
Daggett Solar Power Project
April 11, 2018



We welcome your comments and suggestions in regards to *environmental* issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Comments: SOLAR PROJECT WILL BE DISASTROUS. - so upset, I can't spell (2)
As a representative of the Focus Newsletter and NSEDA
We take pride in our community and being
part of the famous Route 66. We are wanting
to keep the Rt. 66 Corridor in its natural
state - attracting visitors to enjoy the scenery
and its natural habitat - plants and animals
and humans living peacefully together - naturally.
Please reconsider and move the Solar Daggett Project
to another location where people don't live.

Name (please print)

Veronica Shaw

Organization

Focus Newsletter and part of NSEDA (Newberry Springs
Economic Development Assoc.)

Mailing Address

P.O. Box 280, Newberry Springs, CA 92365

Telephone No. (daytime)

(760) 265-0333

E-mail address

auntronnieshaw@gmail.com

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County of San Bernardino
Public Scoping Meeting
Daggett Solar Power Project
April 11, 2018



We welcome your comments and suggestions in regards to *environmental* issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Comments:

Solar Plant Project Will Be DISASTROUS.

As a member of the Senior/Family Center
I am concerned with the air quality that will
decrease once the land is graded and sand will
be blowing non-stop. A lot of seniors - retired
people live in these communities and many have
respiratory-breathing problems. This proposed solar project
would make breathing clean air impossible.

Re- the Mountain View solar Plant

Please relocate this Daggett Solar project some place where humans
don't live.

Name (please print)

Veronica Shaw

Organization

Family Center N.S.S.A. Newberry Springs Service Assoc.

Mailing Address

P.O. Box 280, Newberry Springs, CA 92365

Telephone No. (daytime)

(760) 265-0333

E-mail address

auntronnie.shaw@gmail.com

Written comments on the environmental document can be provided at the scoping meeting, or written comments may be provided directly to the County of San Bernardino, Land Use Services Department. Comments provided by e-mail should include the name and address of the sender. Please send all written and/or e-mail comments to one of the following:

County of San Bernardino
Land Use Services Department
Tom Nieves
Contract Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415
Phone: (909) 387-5036
Email: Tom.Nieves@lus.sbcounty.gov

Public Scoping comments must be received no later than 4:30 p.m. by April 26, 2018.

2018 APR 25 AM 8:35

FISCAL ADMIN

To mail: fold, seal, and affix stamp

City of San Bernardino
Scoping Meeting
Solar Power Project
018



Provide your comments and suggestions in regards to **environmental** issues that should be included in the Environmental Impact Report (EIR) for the proposed Daggett Solar Power Project.

Any type of construction causes an impact on the environment.

What I want to know is, how are the winds going to be controlled that the sands will cause, who is going to pay/help people who get "sanded" in by this, who is going to help those affected by the wind, sand, dust & other particulates by respirating problems and most importantly, the wild life who will be affected by this.

(Please print)

Name

ZOE WATKINS

Address

45705 Twin Lakes Dr Newbury Spg 92365

Phone No. (daytime)

442 347 5125

E-mail Address

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