

San Bernardino County
February 17, 2016 Resolution

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

February 17, 2016

**FROM: ROBERT A. LOVINGOOD, Vice Chairman and First District Supervisor
Board of Supervisors**

**SUBJECT: RESOLUTION STATING POSITION ON THE PROPOSED LAND USE PLAN
AMENDMENT IN PHASE I OF THE DESERT RENEWABLE ENERGY
CONSERVATION PLAN**

RECOMMENDATION(S)

Adopt **Resolution No. 2016-20** establishing the County of San Bernardino's position on the proposed land use plan amendment in Phase I of the Desert Renewable Energy Conservation Plan, as published by the Bureau of Land Management in November 2015.

Public Comment: Neil Nadler, Lorrie Steely

(Presenter: Supervisor Robert A. Lovingood, First District, 387-4830)

BOARD OF SUPERVISORS COUNTY GOALS AND OBJECTIVES

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.
Pursue County Goals and Objectives by Working with Other Agencies.**

FINANCIAL IMPACT

Approval of this resolution does not require the use of additional Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

The Bureau of Land Management (BLM) is preparing to publish a Record of Decision regarding its adoption of a Land Use Plan Amendment (LUPA) necessary to implement the Desert Renewable Energy Conservation Plan (DRECP) as it pertains to federal lands. The County submitted a letter of protest to the BLM in December 2015 requesting an extension of the review time frame, but has received no response to date. This resolution will reiterate the County's concerns with the BLM's expected action, while noting that staff will continue to work with the BLM to address the issues raised.

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w/ resolution
cc: BOS-Vice Chairman & 1st District
Supervisor-Lovingood
CAO-Snoke
File - Supervisors w/ resolution
jll 2/18/16

ITEM 3

Record of Action of the Board of Supervisors

APPROVED
COUNTY OF SAN BERNARDINO
Board of Supervisors

MOTION	<u>MOVE</u>	<u>AYE</u>	<u>AYE</u>	<u>SECOND</u>	<u>AYE</u>
	1	2	3	4	5

LAURA H. WELCH, CLERK OF THE BOARD

BY 

DATED: February 17, 2016

**RESOLUTION STATING POSITION ON THE PROPOSED LAND USE PLAN
AMENDMENT IN PHASE I OF THE DESERT RENEWABLE ENERGY
CONSERVATION PLAN
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County staff has been actively involved in reviewing and commenting on the DRECP since its inception in 2010. On February 10, 2015 (Item No. 1), the Board of Supervisors (Board) approved and delivered comments on the DRECP to the California Energy Commission expressing the County's concerns. Later that spring, BLM advised the County of its intent to proceed to finalize and adopt the DRECP as it relates only to BLM lands. County staff informed BLM that the County's ability to evaluate and comment on this process, including the BLM's proposed LUPA and environmental document, were constrained by the fact that the County's Renewable Energy Element was still in progress and not yet complete. Furthermore, the process of preparing the Renewable Energy Element includes extensive public involvement that will be essential to formulating County land use policies for renewable energy, as well as County commentary on the LUPA. The Board recently executed an amendment to the County's 2008 Memorandum of Understanding with the BLM that included a commitment from BLM to amend its DRECP LUPA to match the County's objectives and land use designations.

The recommended resolution calls attention to the commitment from BLM and the County's expectation that any necessary revisions to the LUPA will be forthcoming once the County completes its Renewable Energy Element.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Michelle Blakemore, Chief Assistant County Counsel, 387-5455) on February 12, 2016; Finance (Luther Snoke, Administrative Analyst, 387-4345) on February 12, 2016; and County Finance and Administration (Katrina Turturro, Deputy Executive Officer, 387-5423) on February 12, 2016.

RESOLUTION NO. 2016-20

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ESTABLISHING THE COUNTY'S POSITION ON THE PROPOSED LAND USE PLAN AMENDMENT IN PHASE I OF THE DESERT RENEWABLE ENERGY CONSERVATION PLAN

On February 17, 2016, on motion of Supervisor Lovingood, duly seconded by Supervisor Hagman and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, in November 2015, as "Phase I" of a multi-agency "Desert Renewable Energy Conservation Plan" (DRECP), the Bureau of Land Management (BLM) published a proposed land use plan amendment ("LUPA") and final environmental impact statement; and

WHEREAS, San Bernardino County (COUNTY) has expressed numerous concerns regarding utility scale renewable energy development adjacent to County unincorporated communities and rural areas; and

WHEREAS, COUNTY is currently preparing its own General Plan Renewable Energy Element to guide decision making via a standards-based approach to the siting of renewable energy projects; and

WHEREAS, the preparation of the Renewable Energy Element involves extensive public outreach which is not yet complete; and

WHEREAS, an evaluation of the Development Focus Areas (DFAs) contained in the LUPA cannot be completed without having first completed the Renewable Energy Element, including the public review process; and

WHEREAS, COUNTY and BLM entered into a Memorandum of Understanding (MOU) for processing environmental reviews in March 2008 that allows "the BLM and COUNTY to achieve consistency by collaborating on the development and review of joint environmental documents where feasible, and maximizing coordination between the two jurisdictions"; and

WHEREAS, COUNTY and the BLM have entered into an amendment to the 2008 MOU in December 2015, in which the BLM consented to initiate, if needed, an Amendment to the DRECP LUPA land use designations in order to match the COUNTY's objectives and land use designations; and

WHEREAS, COUNTY is in good faith relying on BLM's commitment to initiate and process the aforementioned amendment;

NOW, THEREFORE, BE IT RESOLVED that:

COUNTY will continue to act as a cooperating agency in the review of renewable energy projects under BLM jurisdiction, pursuant to the 2008 MOU; and

COUNTY indicates its general and tentative support for five (5) of the Development Focus Areas (DFAs) identified in the BLM DRECP LUPA (North of Kramer Junction, Trona, Hinkley, El Mirage, and Amboy), recognizing that further COUNTY evaluation of all BLM DFAs will continue in the preparation, public review and ultimate adoption of its Renewable Energy Element; and

The final analysis of the five (5) DFAs may confirm, modify or eliminate the tentative support stated herein; and

COUNTY continues to express its strong concern about DFAs in other areas of the County; and

Project-specific comments will be prepared by COUNTY for any future proposed renewable energy projects in all BLM DFAs; and

COUNTY will, upon adoption of the Renewable Energy Element, engage BLM and recommend LUPA revisions consistent with the process contained in the MOU.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: SUPERVISORS: Robert A. Lovingood, Janice Rutherford, James Ramos
Curt Hagman, Josie Gonzales

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

I, **LAURA H. WELCH**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of February 17, 2016. Item 3 jll

LAURA H. WELCH
Clerk of the Board of Supervisors

By Jennifer Chuma
Deputy

