

## **LUCERNE VALLEY ECONOMIC DEVELOPMENT ASSOCIATION (LVEDA)**

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Date: 12/12/15

**RE: PROTEST – FINAL DRECP** (Supplement to our joint protest sent separately)

### **QUALIFICATIONS**

The Lucerne Valley Economic Development Association's (LVEDA) is a non-profit 501(c)(3), grass roots organization formed pursuant to the following Mission Statement: "Provide a forum for discussion and action on important community issues – promote infrastructure improvements – work with [San Bernardino] County and developers to promote development that is both "economic" and compatible with our rural lifestyle, environment and resource availability." LVEDA members live, own homes and businesses, recreate (which includes hiking, horse-back riding, camping and hunting) in and otherwise enjoy the Lucerne Valley's unique desert rural character, high conservation values, diverse and intact ecological setting (which includes important wildlife connectivity zones) and impressive visual resources. Members of LVEDA would be directly and adversely affected to the extent that: (1) the irreplaceable aesthetic, recreational, environmental, conservation and visual resources and values of Lucerne Valley are destroyed or lessened by the extensive utility-scale renewable energy and transmission development that the FEIS seeks to streamline and incentivize (the FEIS seeks to steer such development onto DFAs, and to permit such development on Unallocated Lands, that are located in Lucerne Valley); (2) the value of their properties is reduced by such development; and (3) their health is compromised

due to the effects of the environmental disturbance engendered by such development. LVEDA's interests in the proposed plan amendments and the FEIS are detailed in its comments which include: public comments on the Draft DRECP and Draft Environmental Impact Statement (DEIS) made by members of LVEDA at meetings for the Draft DRECP and DEIS on the following dates at the following locations: September 6, 2013 in Lucerne Valley, California and October 29, 2014 at Victorville, California.

All of the comments and references previously submitted by LVEDA are incorporated herein by reference. (Note: BLM's disappointing and evasive responses to our comments on the Draft indicate an agenda-driven policy that basically says: "We are going to do this thing anyway". After many years of working with and respect for BLM – I can only hope that said responses came more from the CEC - or its consultants which are remote from the reality of this place - in spite of all the "cooperation" one of its CEC Commissioners and staff said they would engage in – but didn't).

And we certainly hope it wasn't BLM's decision to dump this on us during the holidays with only a 30 day "protest period" – a ploy that one might consider to be a 'ram it through with the least amount of resistance'.

#### S. B. COUNTY'S PROTEST

We concur with San Bernardino County's protest asking for additional time to digest this voluminous Final DRECP/EIS. The 30 day review (protest) period is insufficient for us to fully review the entire document – the maps are difficult to read and do not include roads and other normal map characteristics to better identify locations of DFA's/Variance Lands/Unallocated Lands/potential land exchanges, etc. In addition, the Final DRECP contains issues, land classifications and programs not included in the Draft – thus constituting new material/decisions that, pursuant to NEPA and FLPMA, would normally require comments and BLM responses prior to submittal of "protests". This document should be an addendum to the draft – not a "final".

## INADEQUATE RESPONSE TO COMMENTS

By providing so many acres of DFA's, Variance/Unallocated/Exchanged Lands for industrial/commercial scale solar/wind - BLM and the involved parties, particularly the CEC - did not heed the thousands of comments on the Draft strongly favoring 'point of use' rooftop/parking lot/backyard solar energy, with installations increasing every day, which currently constitutes more than a third of solar generation. The document totally overstates the amount of RE acreage required to meet California's (even its 50%) goal.

## GROUNDWATER IMPACTS

Lucerne Valley is one of the 15 'over-drafted' groundwater basins mentioned in the Final DRECP where DFA's/Variance/Unallocated/Exchanged lands are designated. We are also an adjudicated basin with water rights currently apportioned. The EIS' analysis of groundwater in over-drafted basins doesn't reflect the reality of the water consumption required for large-scale solar construction and the net impact on the basin and its residents. As an example – two recent solar projects with a total of @ 200 acres on private land in Lucerne Valley used approximately 50 acre' for construction purposes alone – with a construction supervisor admitting that the use should have been close to 70 acre' to avoid blowing dirt, visits from County Code enforcement and the Mojave Desert Air Quality Management District, plus any fines that were imposed. Most of the terrain designated for development in our region has similar soil and erosion characteristics as the two locations cited above – with similar construction water requirements. The EIS should asses the 'worst case' analysis by (ie:) dividing the designated DFA acreage by 200 – and multiplying that by 50 - 70 acre' – to come up with at least an approximate amount of acre feet of water potentially required – just for construction – not even for panel washing, maintenance, dust control, etc. for operation. Bottom-line; even if a project obtains the necessary water from a local water rights holder – said consumption would contribute to the overdraft of our adjudicated basin.

## MARGINAL POWER FROM NORTH SLOPE PARCELS

The EIS does not quantify the net effect on energy efficiency (or lack thereof) of potential solar power generated on the DFA's south of Hwy 18 in Lucerne Valley – up against the solar shadow of the San Bernardino Mountains – particularly during winter months of low angle sun rays. It's unlikely that any serious developer of large-scale industrial solar power would find that enough megawatts could be produced in that area to provide a decent investment return.

## DFAs/UNALLOCATED LANDS ON NORTH SLOPE – S. OF HWY 18

Note: The lack of road identifications, etc. on the maps – plus the confusing legends - make it difficult for us to describe the legal descriptions of specific parcels - thus forcing us to be somewhat generic in our responses.

Aside from the fact that these north slope DFA's, etc. would not provide the optimum solar power due to the fall/winter shading from the 7000' S. B. Mountain range – most BLM parcels south of Hwy 18 – between Crystal Creek Rd. and the Mitsubishi Cement plant have been identified for a land exchange since 1998. LVEDA proposed a land exchange for specific parcels from BLM to private land along the railroad spur. BLM provided a map and a list of parcels that would be included in the exchange – then designated “unclassified/available for disposal”. We worked on this effort for many years with BLM's support but it had no staff available for an administrative-produced exchange. The Lucerne Valley Community Plan designates these BLM parcels for 'Industrial Zoning' to be activated when and if they become privatized – for industrial development making products utilizing cement, limestone and aggregate from our local, adjacent cement, limestone and sand/gravel plants – plus the advantage of the rail spur for import and export of product – less truck traffic on our highways. Lucerne Valley - a State-designated “Severely Economically Disadvantaged Community” - is in dire need of these types of jobs, and with the resulting increased property values and property taxes would provide significantly more economic benefit to Lucerne Valley and its environs than solar plants – which produce few if any local jobs for operation – and solar, etc. facilities are exempt from County property taxes.

Following is a list of said BLM parcels previously designated for the exchange:

½ of Sec. 4. 1/3 of Sec. 5. Sec. 6. 1/3 of Sec. 8. ½ of Sec. 10. Total of 1,788.68 acres. (Again, the poor quality of the maps make it difficult to determine which parcels are designated DFAs/Variance/Unallocated – however we oppose any solar development on these BLM parcels along or in the vicinity of the rail spur).

#### DFA – WEST SIDE OF HWY 247 – LUCERNE DRY LAKE

BLM parcel # \_\_\_\_\_ - T5N – R1W is currently used by rocketry groups for major events under BLM permit – a location that would be difficult to replace due to the large open-space and single party (ie: federal) ownership necessary for this use. These participants shop in Lucerne Valley during the events. Displacing these groups would adversely affect our economy – they are significantly more beneficial to us than a solar plant that non-local, union workers build – with marginal need for operation personnel – plus exempt from property taxes on the solar-related improvements.

#### BLM/STATE LAND EXCHANGES

If it wasn't for skimming the Appendices, we wouldn't have found the section on land exchanges. If it was mentioned in the "final" – we didn't see it – but of course there is a lot of stuff we and others didn't see because there is too much to read and digest within a 30 day period.

Again, the Land Exchange map isn't adequate for determining what specific exchanges will occur – but the section does include a listing of BLM and State Lands parcels proposed for the exchange. Bottom Line: It looks like – State Lands in northwest Lucerne Valley off 'Lucerne Cutoff' Road being converted to BLM – and BLM lands in and around Old Woman Springs in Johnson Valley converted to State Lands – with proposed BLM lands becoming DFAs – and State Lands committed to solar energy development. We support the concept of consolidating both BLM and State Lands for a lot of reasons – but we oppose any solar/wind projects in these two areas. We can find other uses of State Land sections to fund the State Retirement System.

