

Daggett Solar Project EIR Deficiencies

PROJECT “FAILS” (See Attorney Letter)

10 Things Wrong with the EIR

- SAN BERNARDINO COUNTY DEVELOPMENT CODE
- AIR QUALITY
- WATER TABLE ISSUES
- FIRE SAFETY and FIRE PROTECTION
- HAZARDOUS MATERIALS
- BIOLOGICAL RESOURCES
- CULTURAL RESOURCES
- AIRPORT GLINT AND GLARE
- GREENHOUSE GASES
- PROJECT ALTERNATIVES

Reject This Project

- We acknowledge that the Supervisors can adopt, revise or reject this EIR.
- We're going to demonstrate that the EIR is substantially deficient.
- We believe that it's unlikely that all the deficiencies can be mitigated.
- We respectfully request that the Supervisors reject this project.

MAJOR DEFICIENCIES of Daggett Solar Power Proposal

- Air Pollution
- Water Table Depletion
- Battery Storage Hazards
- CEQA Violations
- California SB-1000 Violations
- San Bernardino County Development Code Violations

AIR

- The Project anticipates grading over half a million (560,000) cubic yards of soil.
- We live immediately downwind.
- Before the first bulldozer blade goes into the ground, this is the world of windblown dust and sand that we **already live in.**

Sand Transport Paths and Sand Rivers



Sand Transport Paths and Sand Rivers



Sand Transport Paths and Sand Rivers



Sand Transport Paths and Sand Rivers



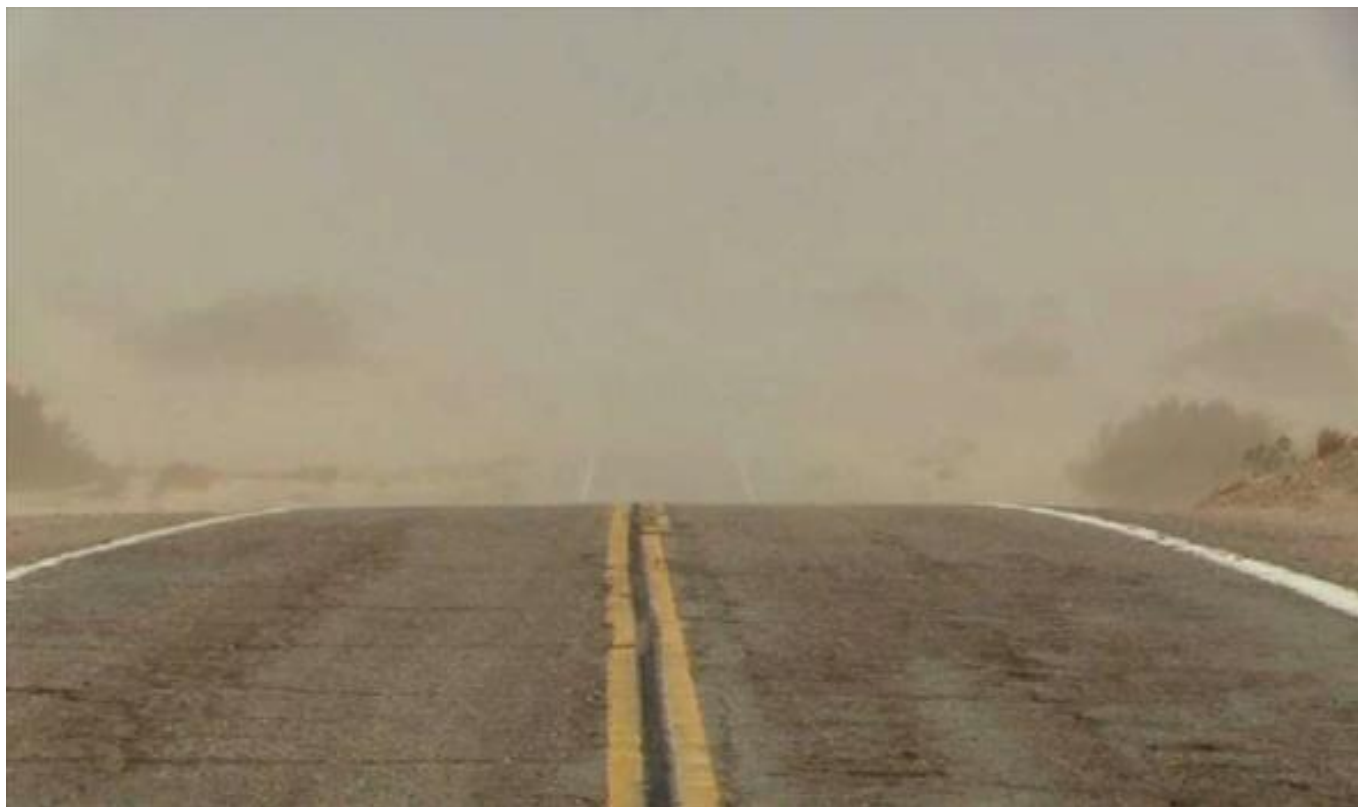
Sand Transport Paths and Sand Rivers



Sand Transport Paths and Sand Rivers



Sand Transport Paths and Sand Rivers



Sand Transport Paths and Sand Rivers



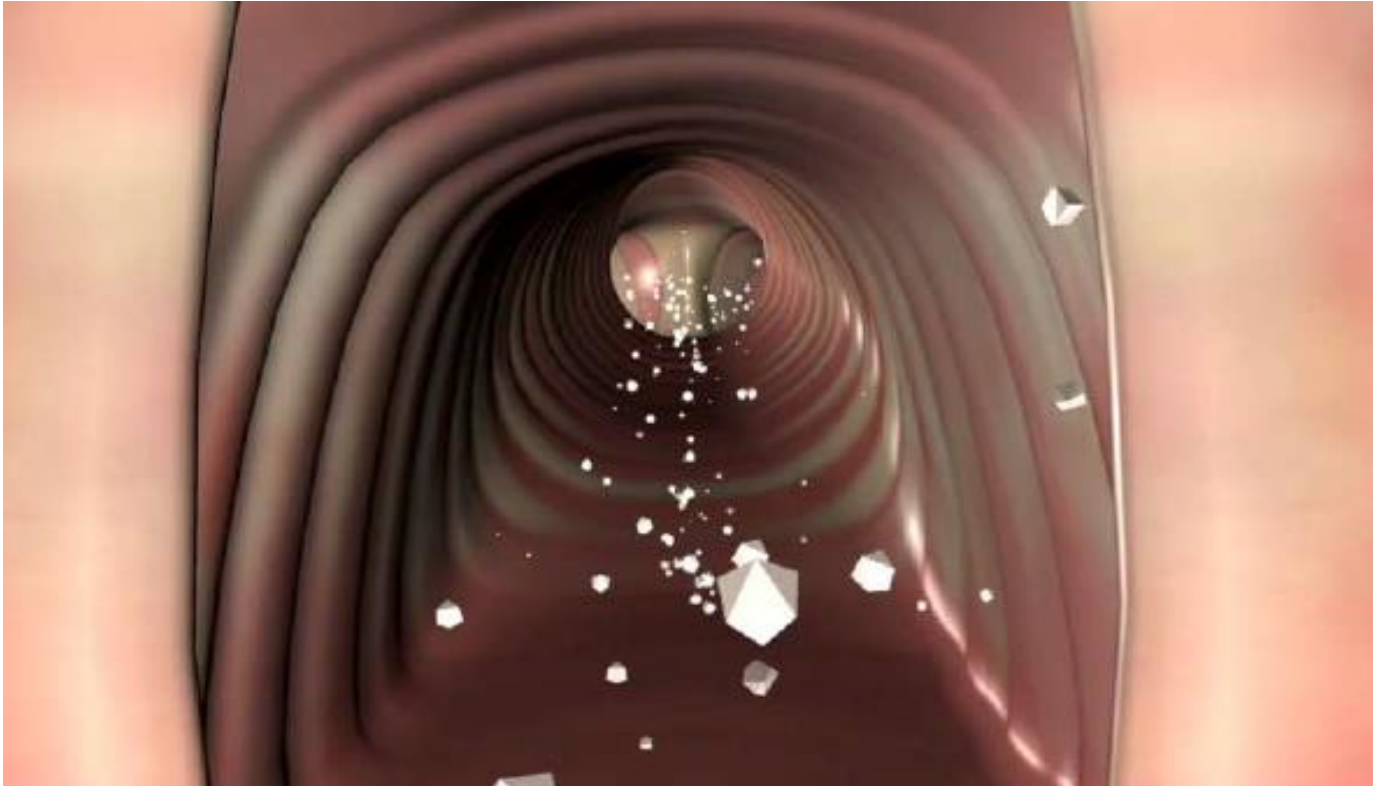
Sand Transport Paths and Sand Rivers



Silica Crystals are Inhaled



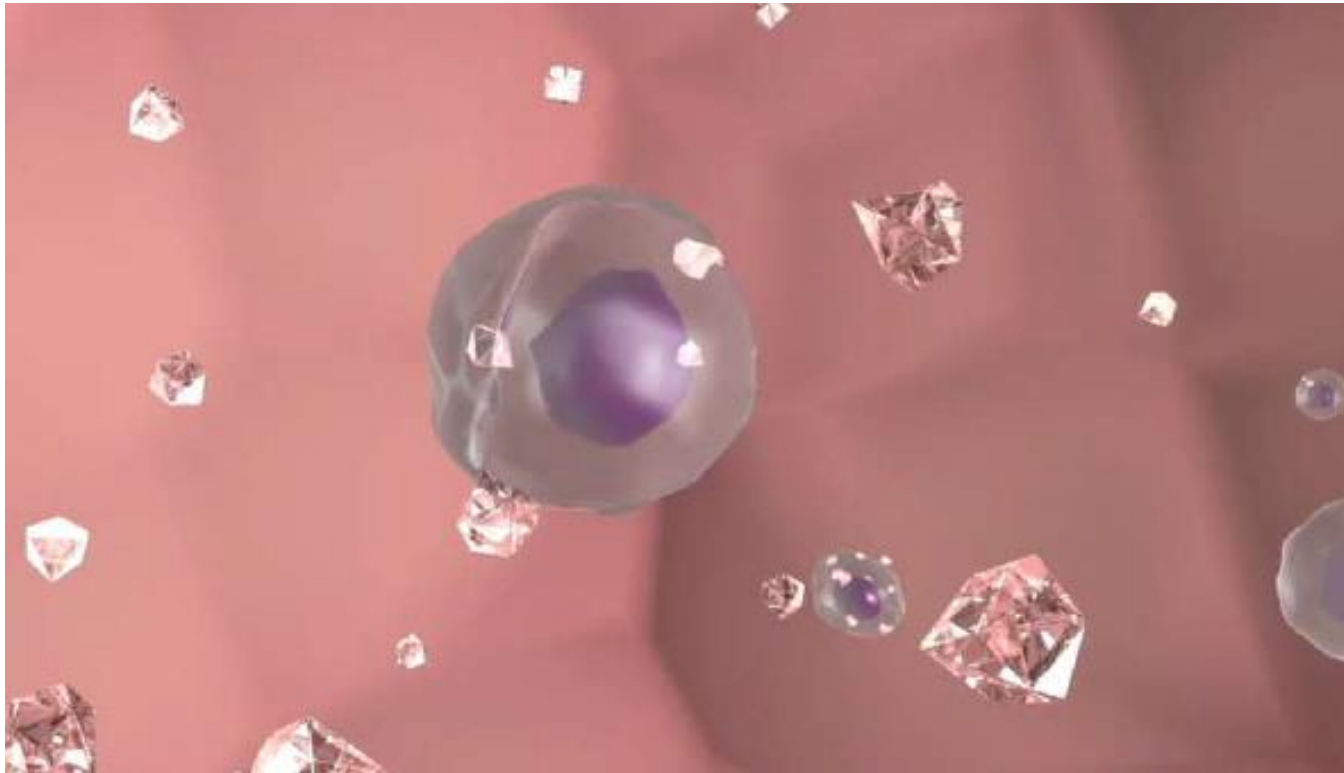
Crystals Go Deep Into the Lungs



Crystals Go Deep Into the Lungs



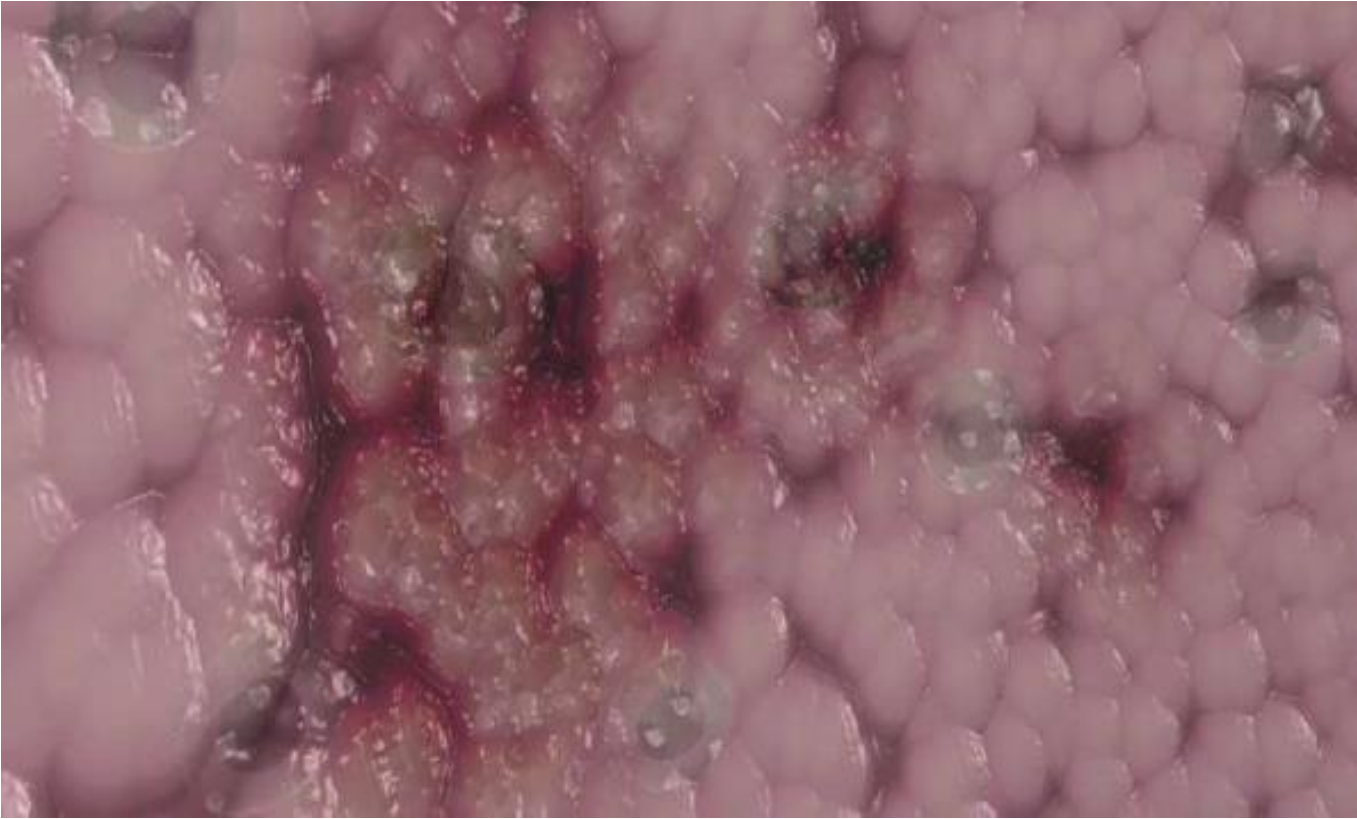
Macrophages Engulf the Crystals



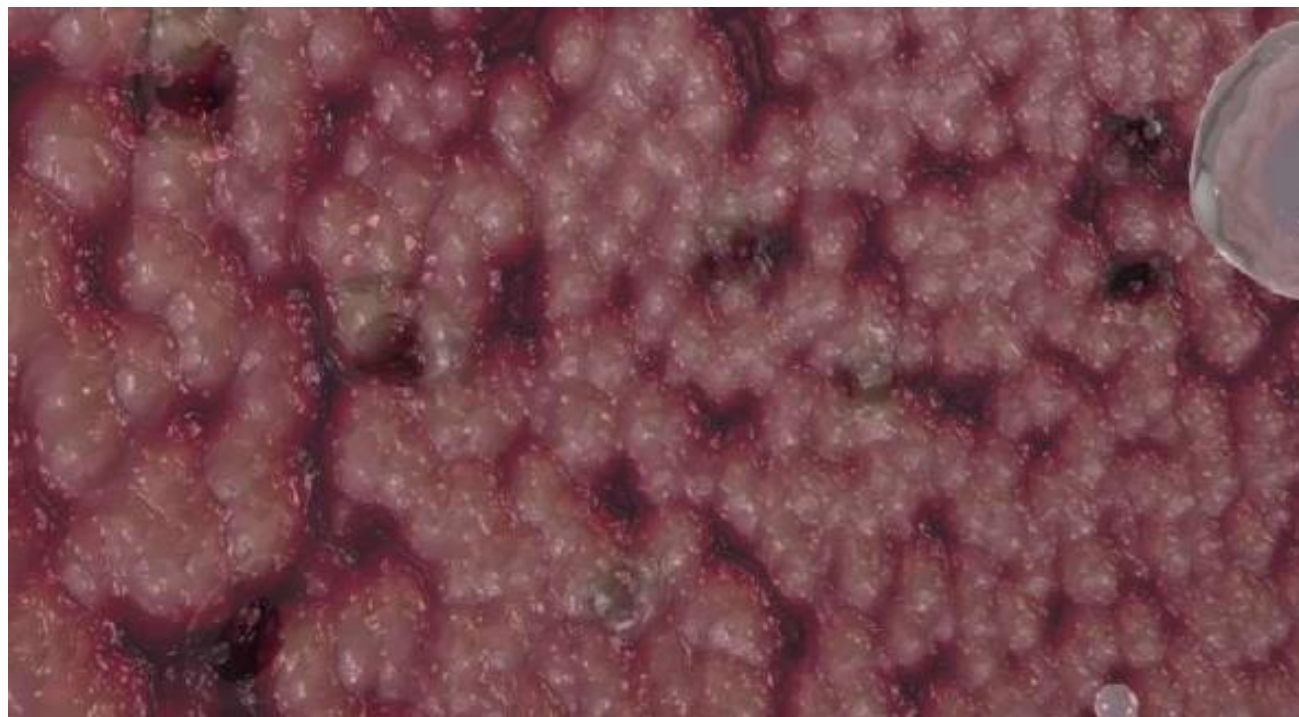
Macrophages Carry the Crystals into Cell Walls



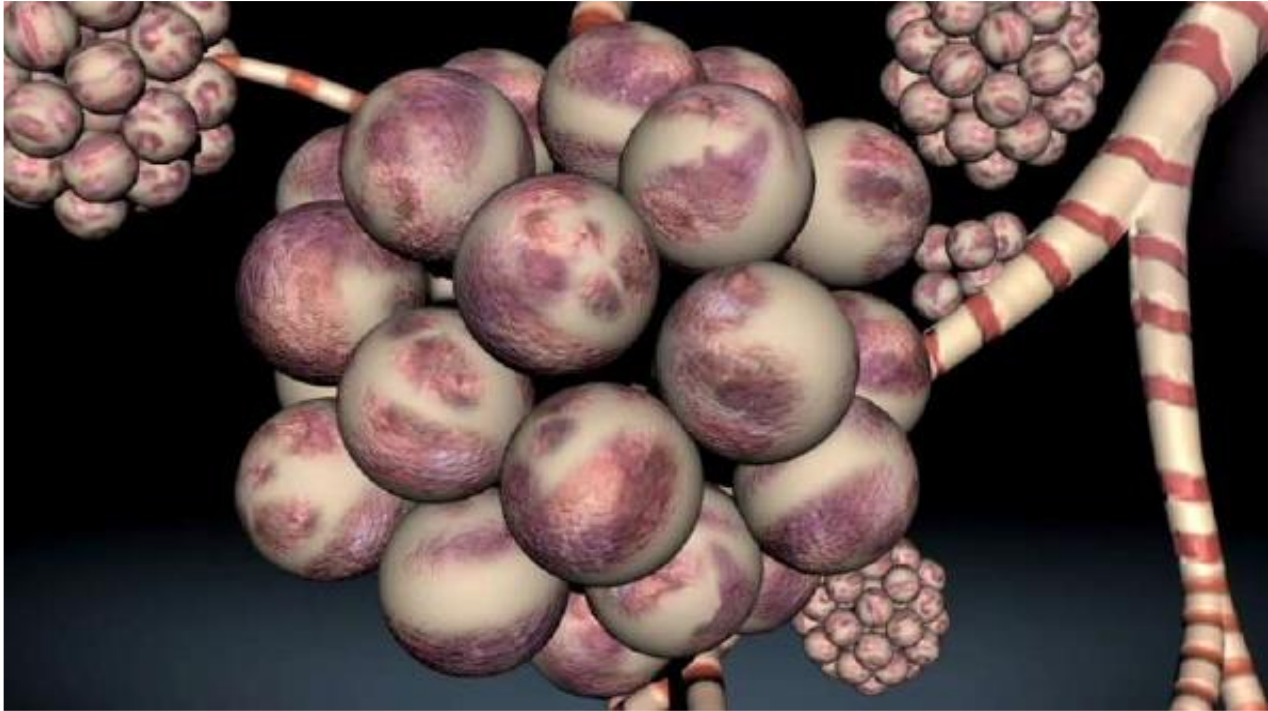
Scar Tissue is Formed



Scar Tissue is Formed



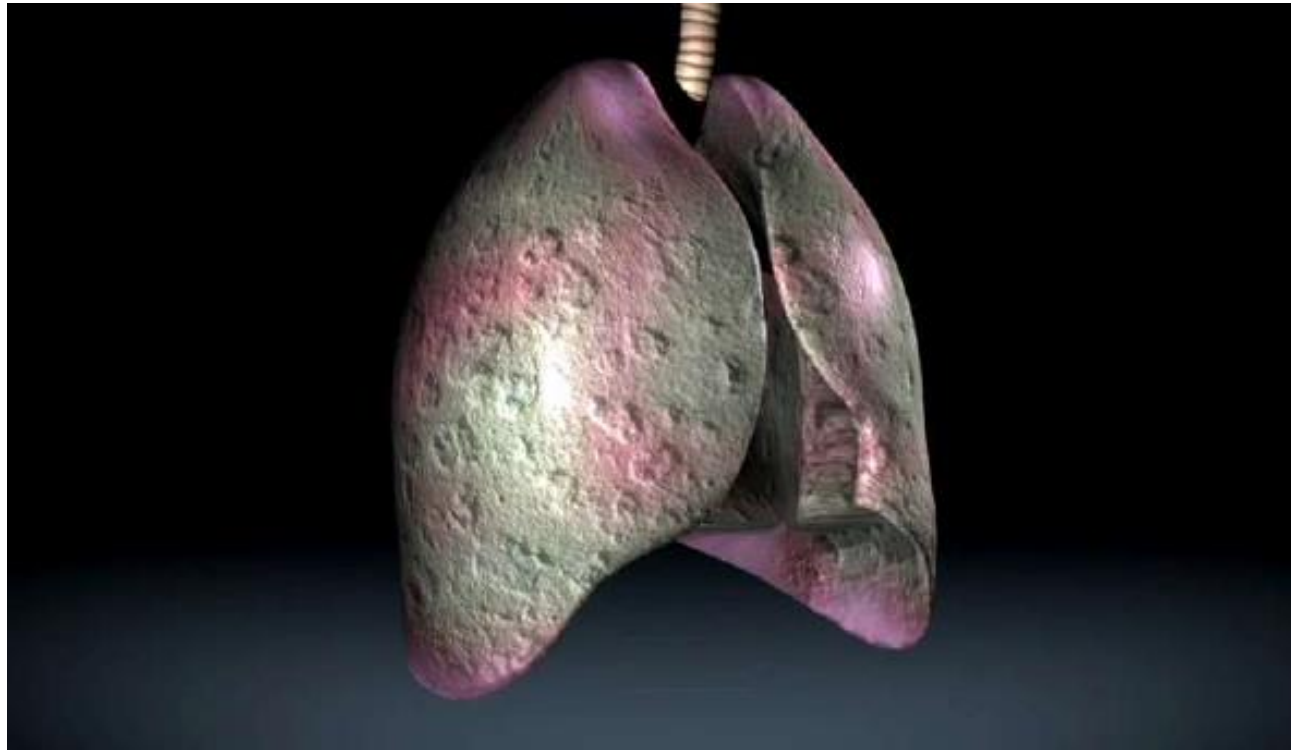
Scar Tissue is Formed



Scar Tissue is Formed



Breathing Becomes Labored



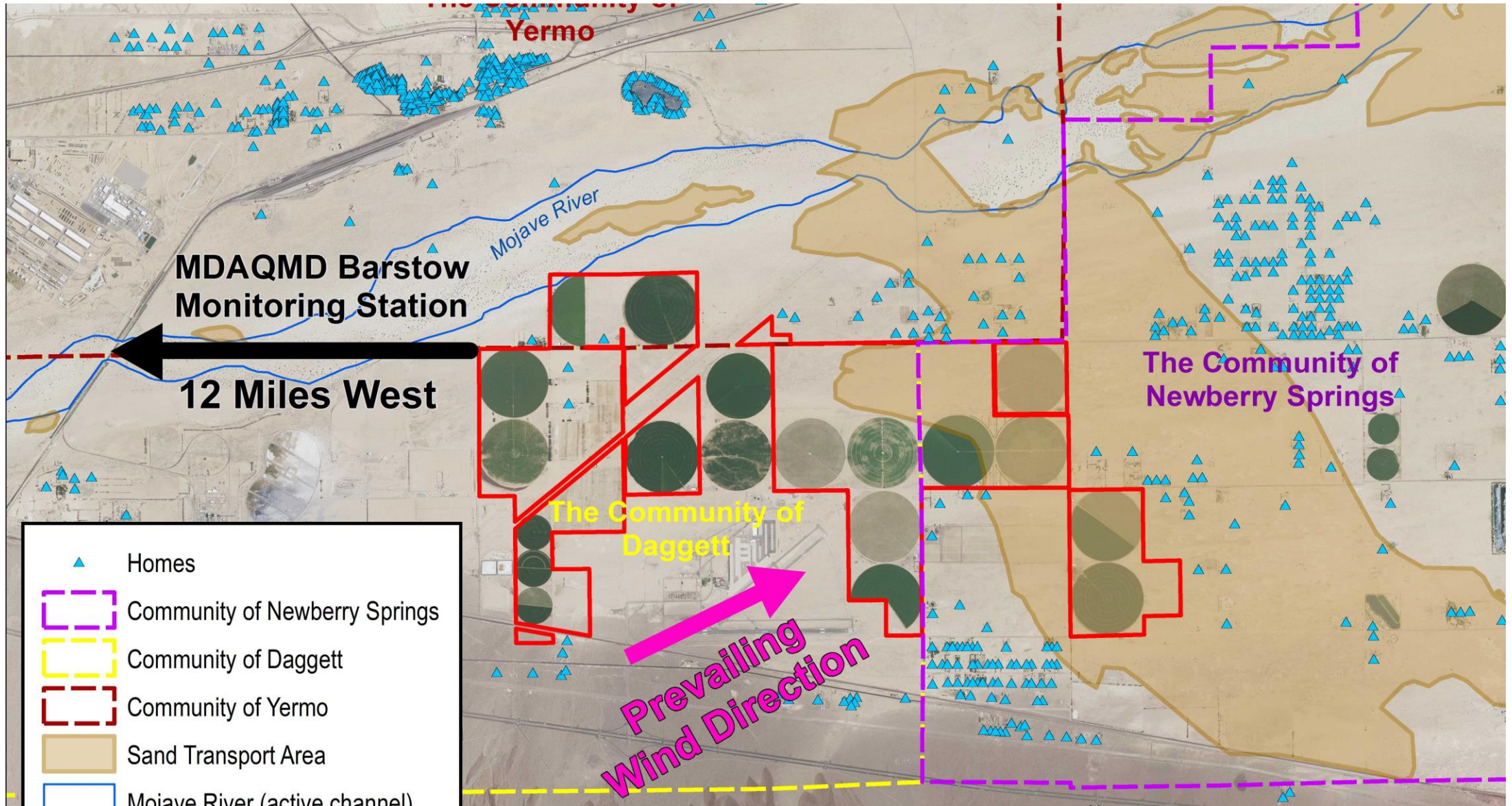
Death

Solar development disturbs the soil and greatly increases the airborne particulate hazards in Sand Transport Paths.

BLOWING DUST HAZARDS

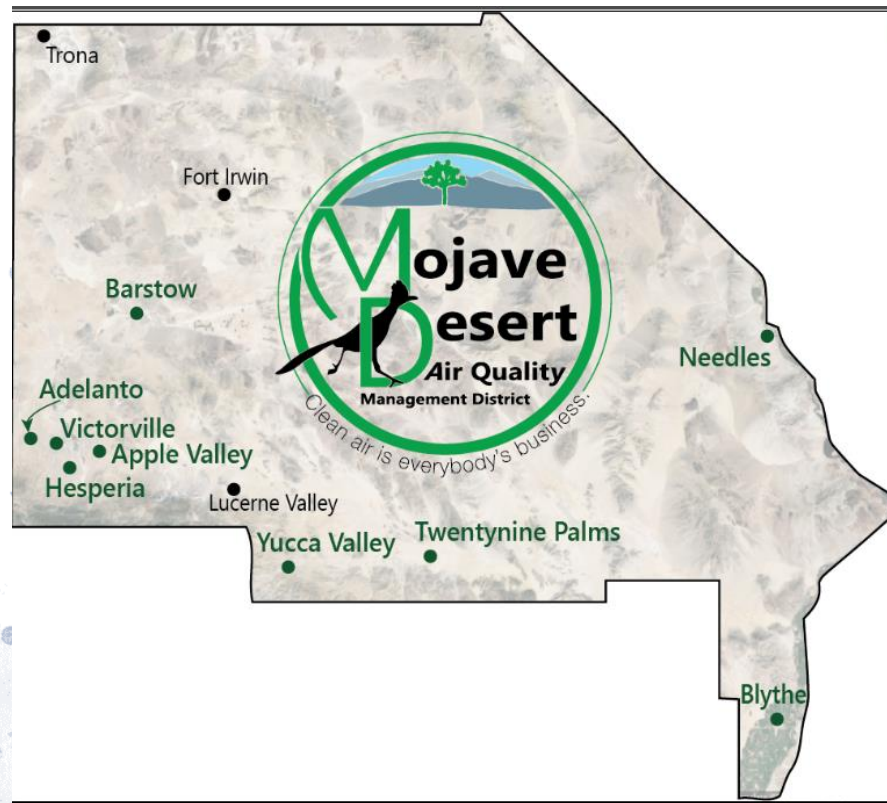
Breathing windblown dust and sand will result in increased:

- Chronic obstructive pulmonary disease (COPD)
- Coronary heart disease
- Lung cancer
- Respiratory infections
- Pneumonia
- Valley Fever
- Stroke
- Premature death in people with heart or lung disease.



MDAQMD says
“Dust and Sand
Monitoring?”

“NO PROBLEM”



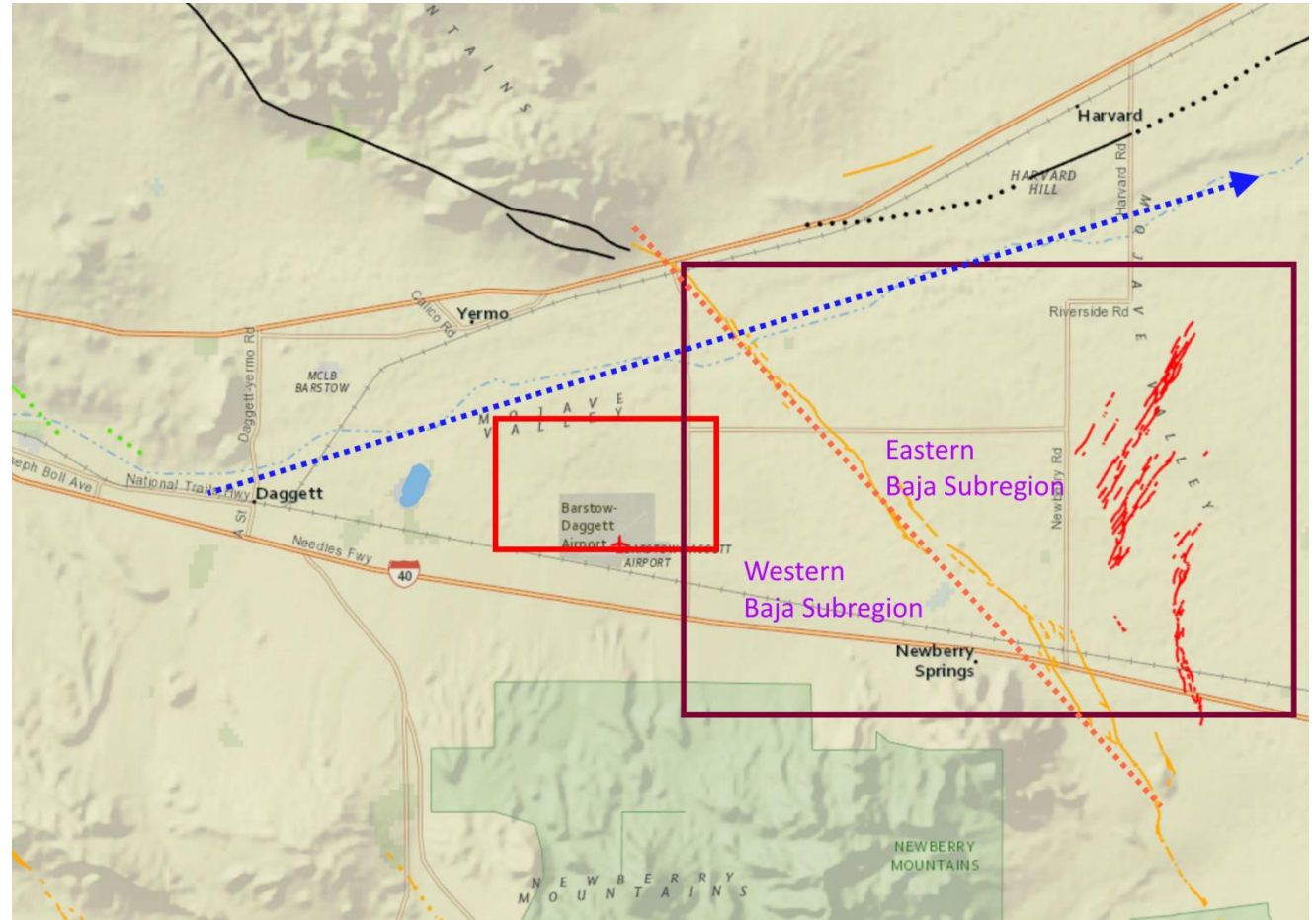
- Basin-wide air quality pollution averages are tracked by the Mojave Desert Air Quality Management District (MDAQMD).
- Is an air basin-wide average SUFFICIENT to monitor the DOWNWIND air pollution from the Daggett Project?

WATER

- For years, there's been there's been a water shortage in this area.
- We already live under court-ordered water ramp-downs that go lower and lower each year.
- The WATERMASTER is responsible for enforcing the terms of the Court judgement.
- The WATERMASTER has filed three letters about this project EIR.
- The WATERMASTER says that the EIR conclusion is wrong and that the negative water impacts can be mitigated by requiring Clearway to **purchase the water rights** associated with their proposed land purchases.

- Project area is in **RED**
- Newberry Springs is in **MAROON**
- Mojave River flow is in **BLUE**
- Calico-Newberry Fault "Dam" in **YELLOW**

Eastern Newberry is the Last Community in Line for Mojave River Water



Lithium-Ion Battery Storage Systems (BSSs) THE GOOD

- BSSs allow energy to be stored during the day and fed to the grid at night or on cloudy days.
- BSSs allow utilities and corporations to easily buy, sell and barter stored energy.





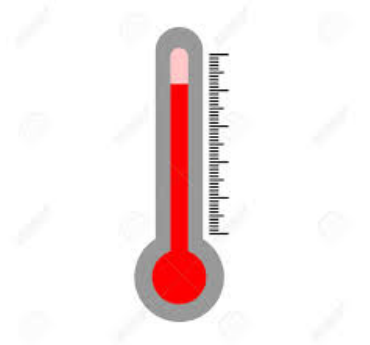
- Located in Hornsdale, Australia at a wind farm
- **Tesla (Yes; the burning car company)**
“Megapack” battery storage units

World's Largest Battery Storage Facility
100 MW (100 Million Watts)

Lithium-Ion Battery Storage Systems (BSSs)

THE BAD

- Lithium-ion batteries are sometimes unstable.
- They can **self-ignite**.
- They burn at temperatures of up to **1000 degrees Fahrenheit**.
- They can explode.
- Whatever they're in is usually destroyed.



**Warning Graphic Images
Following**



VAPING PENS

Cell Phones



Computers



Cars



Airplanes





Lithium-Ion Battery Storage Facilities

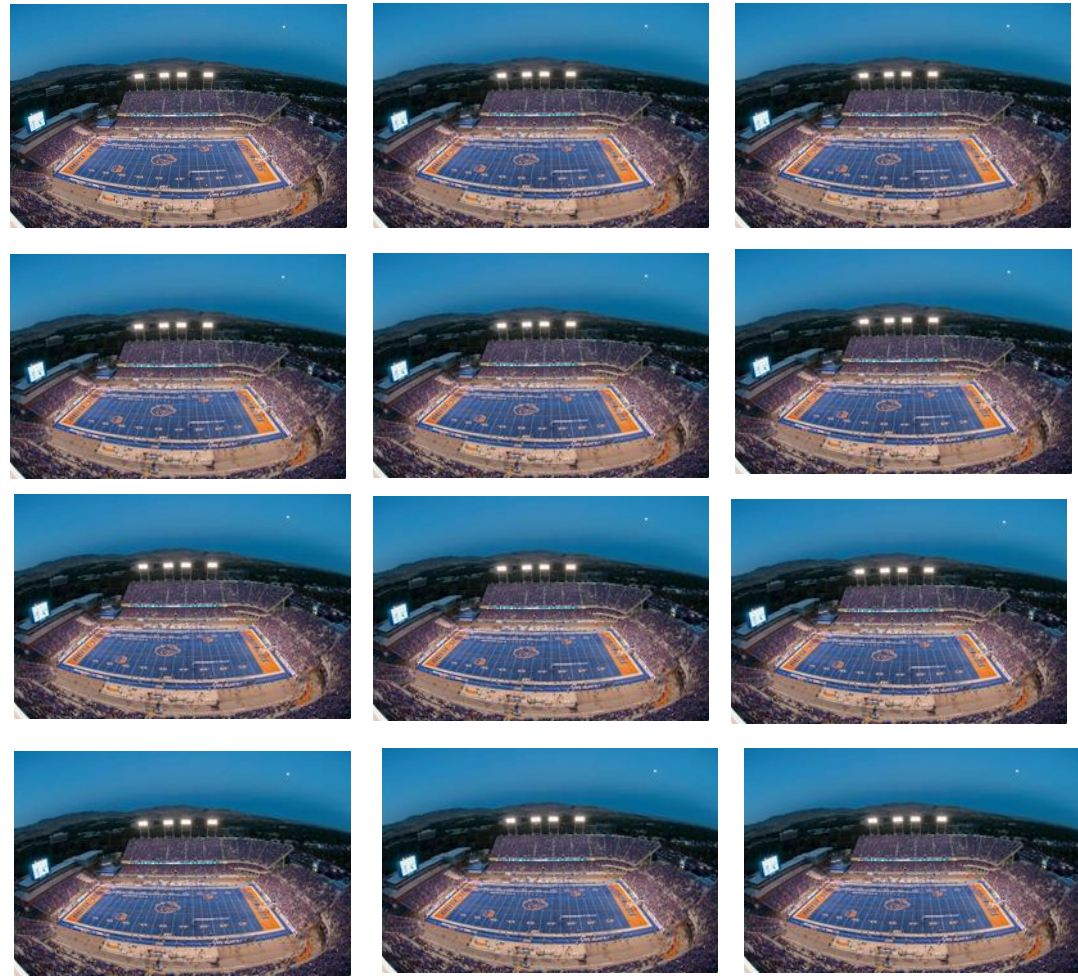
San Onofre
Nuclear
Generating
Station
(SONGS)



**2150 Million Watts of
Nuclear Energy**



Australia
100 Million Watts



Daggett Project – 16 Acres
(12 Football Fields)
450 Million Watts

Is it Time to
Celebrate?

The World's Largest
Lithium-Ion Battery!

Right Here in
Daggett and
Newberry Springs

450 Million Watts



Lithium-Ion Battery Storage Systems (BSSs)

THE UGLY

- Lithium-ion battery fires very difficult and dangerous to put out.
- Sometimes they are left alone to burn themselves out.
- Even after the fires burn themselves out, there's still danger from high voltage, explosion and toxic chemical leakage.
- On April 18, 2019 Eight Arizona firefighters were injured – 4 very seriously - when the battery storage system fire they were fighting EXPLODED.



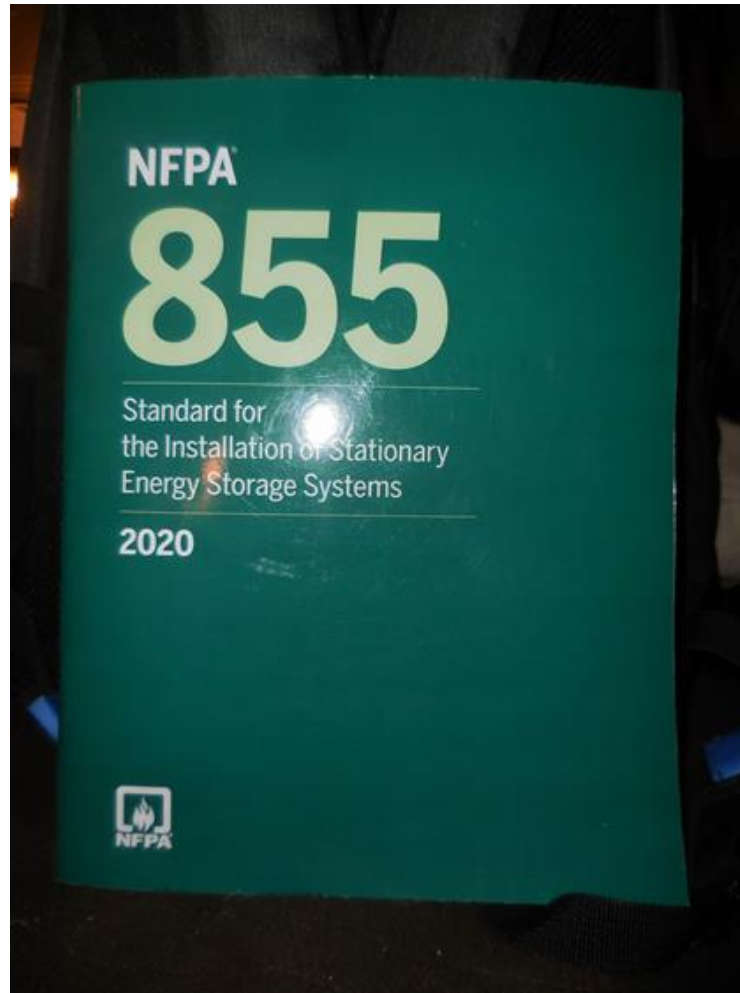
Lithium-Ion Battery Storage System (BSSs)

THE UGLY

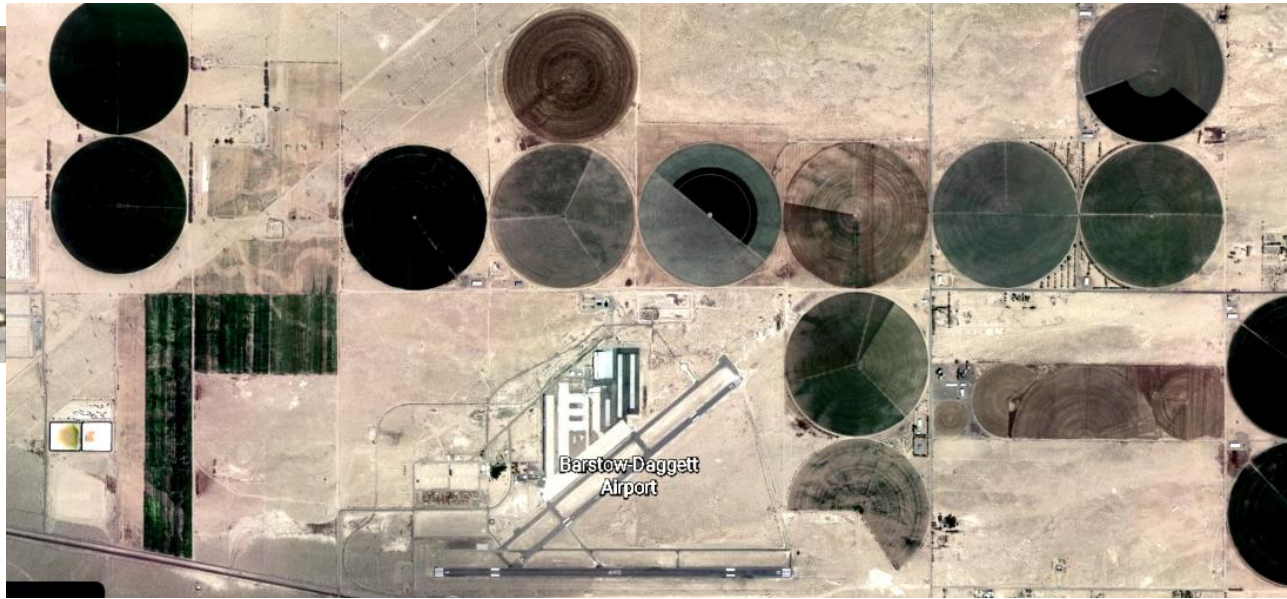
- The applicant's plan to prepare a site-specific emergency and fire response plan in consultation with the local Daggett and Newberry Springs Volunteer Fire Departments is not sufficient to guarantee the safety of the battery storage system.
- A project of this size, using known hazardous materials, must be required to follow **national safety standards**.
- National Fire Protection Association (NFPA) Standard 855.



NFPA Safety Standard 855



But there's going to be a hole right in the middle of the World's Largest Lithium-Ion Battery Storage System



So..... What Could Possibly Go Wrong ?



San Bernardino County Development Code is Being Violated

- The EIR fails to properly make the findings required by sections 84.29.035(c) and 84.29.040. Substantial evidence **DOES NOT** support the EIR findings, as required.
 - The project is **NOT** sufficiently **SEPARATED** from existing communities.
 - The project will **NOT** blend with and be subordinate to the environment and character of the area.
 - The project will be **OBTRUSIVE** and will **DETRACT** from the natural features, open space and visual qualities of the area.
 - Unless the project purchases the water rights underlying the land, the project **WILL ADVERSELY AFFECT** to a significant degree the availability of **GROUNDWATER** supplies for existing communities.
 - The project will **NOT** maintain and promote native vegetation.
 - The project will **NOT** provide an adequate wind barrier to control blowing dust.

CEQA Environmental Justice

The EIR **incorrectly** asserts **over 100 times** that social and economic impacts can be ignored. The EIR says:

*“CEQA does not require an analysis of social and economic impacts. Under CEQA, ‘[a]n economic or social change **by itself** shall not be considered a significant effect on the environment.’ Effects analyzed under CEQA **must be related** to a **physical change**.”*

But that’s not the case here. We’ve demonstrated that the **environmental damage** from this project is real; therefore the social and economic **impacts cannot be ignored**.

CEQA Environmental Justice

- The Final EIR is not adequate and not complete.
- The Final EIR fails to “provide sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences”.
- Newberry Springs is a low-income community.
- The project, as proposed, violates California SB1000 – Environmental Justice in Local Land Use Planning. “Disproportion burden of pollution and associated health risks. Environmental justice must be addressed in local government planning”.
- Who says this? Kamala Harris. Xavier Becerra.

Economic Effects

- **Condemn** many of our homes to existing next door to the equivalent of an industrial park.
- **Reduce** our property values.
- Create **blighted and abandoned** properties.
- **Lower** property tax revenues which fund our Volunteer Fire Department, our park and our other civic activities.

Environmental Justice... is the Law

- Putting a massive source of environmental pollution in an economically disadvantaged community is **against the law**.
- People in an economically disadvantaged community deserve the **same protection from environmental damage** as people in a non-disadvantaged community.
- For example: What if Beverly Hills needed a new garbage dump but they didn't want it in Beverly Hills and wanted to put it in Watts (S. Central L.A.) instead – but...
- Watts is a disadvantaged community. Putting the dump in Watts, against their will, violates the law in California.

Who's Going to Regulate?

- Clearway is a private corporation.
- Who's going to be responsible for regulating Clearway before, during and after construction?
- Is San Bernardino County sufficiently staffed with trained personnel who are equipped to regulate the proposed project?
- And when the project is discovered to be economically unfeasible, what will prevent the project from being handed off to a shell company with insufficient funding; and then Clearway walks away ?

Legal Liabilities

Approving this project means the County could face lawsuits regarding legal liabilities for:

- Health claims stemming from dust and sand inhalation.
- Damages arising from decreased property values.
- The cost of transporting and disposing of photovoltaic panels containing toxic materials including lead and cadmium when the project is abandoned or decommissioned.



This Project Will...

- Create far more fugitive dust than stated in the EIR.
- Use far more water than stated in the EIR.
- Create huge, unaddressed fire and explosive hazards that have so far been ignored.
- Expose the County to legal liabilities.

Respectfully, we request that you reject this project.

Thank you for your time
and your consideration.

