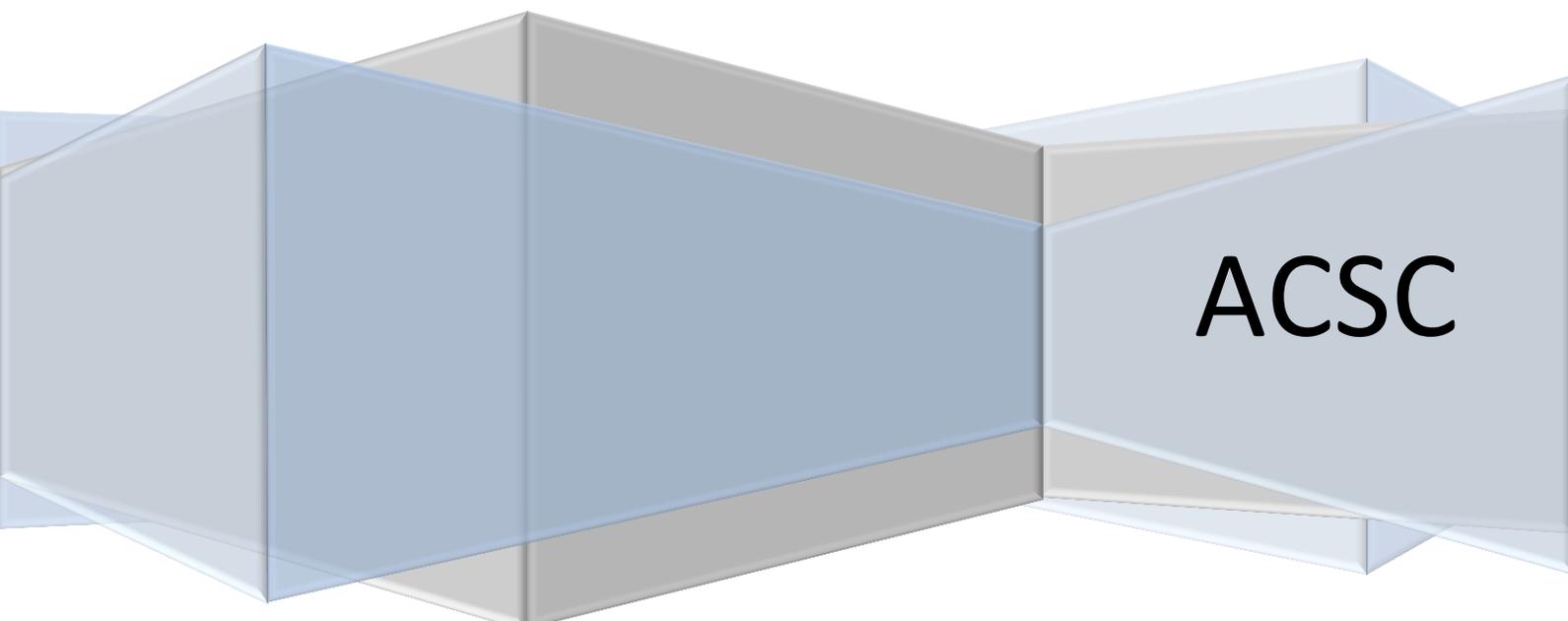


**Review of County of San Bernardino General  
Plan: Renewable Energy and Conservation  
Element Draft: Dated, April 2017**

**May 22, 2017**

**The American Coalition for Sustainable Communities**

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**ACSC**

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Thank you for the opportunity to review the County of San Bernardino General Plan: Renewable Energy and Conservation Element Draft: Dated April 2017.

## **ACSC: Who We Are**

We are affiliated with The American Coalition for Sustainable Communities (ACSC), which is a voluntary citizen coalition. Our mission is sustaining representative government, and protecting our elected representative's authority, which is being usurped by unelected, agencies, non-profit corporations, boards, bodies and commissions.

## **Renewable Energy and Conservation Element - Background: County Staff**

### **Introduction**

According to a Land Use Services Department report, dated 10-16-2016, Senior Planner, Linda Mawby states:<sup>1</sup>

The Draft Renewable Energy and Conservation Element (REC Element) is a newly introduced General Plan Element designed to present the County's renewable energy goals and policies. Based on the collective community, environmental and economic values and impacts of renewable energy (RE) development, the REC Element will guide future renewable energy development and energy conservation, and will establish a framework for County Development Code regulations that will implement the REC Element policies. The REC Element reflects a combination of insights gained from a review of best practices, regional environmental conditions, local values, and economic benefits. The policies of the REC Element are intended to address current trends and demand for RE development, and also anticipate and guide an evolution in RE technologies. The County has received substantial interest in RE development, initially as a result of federal subsidies and, more recently, due to state utility mandates intended to reduce greenhouse gas emissions. However, as multiple RE projects were proposed in the County, substantial and justifiable concerns were raised by the public. It became apparent that the energy policies in the General Plan and the development standards and land use regulations in the Development Code were very general, and more specificity was needed to guide RE development in the County.

Following a solar energy development moratorium in 2013, additional approval criteria for commercial solar energy generation facilities were added to Development Code Chapter 84.29. At that time, the County also began work on the REC Element, to develop a comprehensive policy framework for all RE development. Following adoption of the REC Element, a subsequent Development Code amendment will be proposed to fully implement the REC Element policies.

## Funding

The REC Element was funded, in major part, by Renewable Energy and Conservation Planning Grants from the California Energy Commission (CEC) to complement the Desert Renewable Energy and Conservation Plan (DRECP) with local land use planning. The DRECP is a major joint federal and state collaborative planning effort led by the CEC, the California Department of Fish and Wildlife (CDFW), the U.S. Bureau of Land Management (BLM), and the U.S. Fish and Wildlife Service (USFWS), with the goal of identifying suitable locations for meeting RE development demand on both public and private lands in the California desert. San Bernardino County received two renewable energy planning grants totaling \$1.1 million. SPARC Phase 1 (2013-2014) The first CEC grant for \$700,000 supported the development of the San Bernardino

## Outreach

County Partnership for Renewable Energy and Conservation (SPARC). SPARC Phase 1 culminated in a Renewable Energy and Conservation Element Background Report (PMC REC Element Background Report) and the Renewable Energy and Conservation Element Framework: Purpose, Values and Standards (REC Framework). These documents are posted on SPARCForum.org community forum, a website tailored to providing information and a forum for discussion of renewable energy opportunities and issues.

### SPARC Phase 2 (2015-2016)

The second CEC grant for \$400,000 built upon the SPARC Phase 1 work with an analysis of costs, benefits, and opportunities for renewable energy resource development. SPARC Phase 2 is also known as the Renewable Energy Value-added Evaluation and Augmentation Leadership (REVEAL) Initiative, and culminated in the REVEAL Initiative Report, which is also posted on SPARCForum.org. A key purpose of the REVEAL Initiative was to take a Triple Bottom Line approach toward maximizing the benefits and minimizing the costs of the economic, social, and environmental impacts of renewable energy on the County and its communities.

Key themes from SPARC Phases 1 and 2 include:

- Public preference for small-scale accessory solar and wind projects over utility-scale projects.
- Paramount consideration for protecting the environment and wildlife.
- Strong desires to limit renewable energy development to disturbed lands.
- Land use compatibility, dust control, water demand and visual quality are key concerns.
- Transparency and communication between residents and the County are essential for a successful renewable energy program.

## Scope of Element Review

Our comments here do not seek to debate the issue of global warming or its cause, but rather to provide our generalized perspective on the issue and address the *solutions* as embraced and presented in the Renewable Energy and Conservation Element document. Our primary perspective in reviewing this Element is based on:

- Our 2014 publication – *Social Equity Through Sustainability: A Critical Introduction to the San Bernardino Countywide Vision Plan*<sup>2</sup>. The Inland Empire Citizens Action Committee (IECAC), which is a coalition of several political groups in the IE, have signed a resolution opposing the Countywide Vision,
- Global Warming/Climate Change specifically how it relates to Sustainable Development.
- For the sake of brevity, our comments focus on solar and touch on biomass; however, it is our contention that wind solutions exhibit many of the same pitfalls as solar.

## Global Warming, Climate Change and Sustainable Development

Nations around the world have begun distancing themselves from globalism and international Sustainable Development Goals (SDGs); however, here in California, cities and counties are throwing themselves in to expensive elongated General Plan (GP) updates in order to be “leaders” on Climate Change.

The reality is that the State subverts local control through a GP updates. The motivator for counties and cities: development and grant funding.

Sustainable Development (SD), or Sustainability, is government created resource inventories (water, land, energy) to create artificial scarcity under the guise of conservation. Once you do an inventory, you can claim inventories are finite “on hand”; the theory of abundance goes right out the door. SD, at its core, is a rationing scheme implemented through public-private-partnerships, which is crony capitalism: business is in bed with government, whereby profits are privatized and losses are socialized on the backs of tax payers. It is a collectivist behavior modification scheme that increases the cost of living for all citizens and residents – hidden taxes – with SD goals, forcing the reduction of use of resources through conservation, aka rationing. It reduces the standard of living and lifestyle choices through centralized planning.

Cities and counties have learned that they can get a gold stare on future grant applications if the update their GPs implementing provisions of SD. There is a major problem with SD because it is fomented through a top-down planning paradigm called Sustainable Communities Strategy (SCS) or Wildlands Conservation. The goal of these strategies is to combat Climate Change, which is caused by CO<sub>2</sub>; therefore, planning and policy are coordinated accordingly. For example, high-density housing centered around mass transit and Transit Oriented Development (TOD) is often cited as solutions. The idea is that people can work where they live and they can walk, travel on bikes, busses and trains, rather than drive cars, reducing CO<sub>2</sub> emissions. This centralized planning scheme neglects marketed demand and dictates needs rather than customer

wants. With Wildlands Conservation, land is inventoried and constrained under the purview of conservation, creating artificial scarcities, which, again, is rationing.

Officials are willing to destroy ambiance and character for short-term gains provided by increased development fees associated with SD. It is a never ending cycle of top-down control because of grant terms and conditions. In order to get the grant money, the city or county has to implement the terms and conditions of the grant. So in essence, the county surrendering local control to the grantor, which is usually the State or Federal Government. Many planning grants are distributed by Metropolitan Planning Organizations (MPOs). The Southern California Association of Governments (SCAG) is the centralized planning authority in Southern California. Representatives for SCAG have stated that SCAG is basically a rubber stamp for the State.

The issue of Global Warming and Climate Change is politicized; therefore, the solutions have become politicized. The California legislature foisted solutions blaming the cause of warming to be CO<sub>2</sub>. This culprit was identified by scientists and sanctioned through computer forecasts and consensus. Though well intentioned, legislators were influenced by extreme environmental groups who drafted the bills. Solutions were rationalized. Centrally planned solutions were put forth to move energy production away from traditional fossil fuels, nuclear, and hydro energy production in favor of renewable energy (RE) solutions, such as wind, solar and biomass. It was assumed that RE was a better solution. The negative side effects of these solutions were not considered because at the time there was no way to know. All of this was debatable; however, it's 2017 and the results are in:

- Renewable energy production is not a viable solution the long run because it can't in the marketplace. It is a fact, renewable energy costs more.

### **Preliminary Questions**

- Why would the County promote renewable energy, given that it is more expensive and is inefficient compared to conventional forms of power generation?
- Why would the County embrace the definition of “renewable” as pertaining only to wind a solar and biomass, while excluding hydro and nuclear?
- Where are the return on investment analysis to support the justification and claims for the promotion and use of renewables in the County?
- What will be the difference in price to consumers for electricity by embracing RE in the County?

## **Our Conclusion**

### *The Element is a false choice...*

Our conclusion is the element is a false choice because it supports subsidized renewable energy solutions over traditional/conventional forms of energy. The \$1.1 million dollar policy Element promotes input from stakeholders—those fomenting “solutions”—that create the impetus for crony public-private partnerships. Public officials who approved this Element, do not realize the implications of sustainability. The element seeks to centrally plan and manage land use consistent Countywide Vision, which focuses on sustainability, aka sustainable development (SD): a system that seeks to change people’s attitudes values and beliefs through behavioral modification by promoting rationing schemes offered under the guise conservation. Sustainability is promoted throughout the Element as evidenced by statements like this found on page three:

- Clarify the County’s collective community, environmental, and economic values for RE development and conservation.

Finally, this Element is voluntary. There is no reason to move forward in adopting a policy that offers flawed solutions. Renewable energy policy can be codified in the future, thereby creating potential liabilities for the County, Cities and Residents in San Bernardino County.

## **ACSC Review**

### **The Element Disclaimer**

The Element Report includes a disclaimer, which states:

“This document was prepared as a result of work sponsored by the California Energy Commission (CEC). It does not necessarily represent the views of the Energy Commission, its employees, or the State of California. The CEC, the State of California, its employees, contractors, and subcontractors make

- no warranty, express or implied, and
- assume no legal liability for the information in this document;
- nor does any party represent that the use of this information will not infringe upon privately owned rights.
- This report has not been approved or disapproved by the CEC nor has the CEC passed upon the accuracy of the information in this report.”

In consideration of the \$1.1 million in grant money and the countless hours spent creating this Element, we find this liability disclaimer pretentious and unenforceable.

## Increased Government Control

In general, we find the Renewable Energy and Conservation Element to be a blueprint for the environmental stakeholders to integrate its mindset into county government planning, permitting, and land use decisions. The document is loaded with many general references that sound good, but open the door to the government dictating what land can and can't be used "in ways compatible with the community." This is a very slippery slope.

The intention of this Element is to exemplify policy "consistent with the Countywide Vision. The primary motive for the Countywide Vision is encapsulated in this statement:

*"Recognizing the constraints declining revenue has placed on governments; we must build new, and expand existing, partnerships among public agencies, businesses, and nonprofit and faith-based organizations. We must set goals for the county and region that look beyond our individual interests."*<sup>1</sup>

Therefore, *revenue generation* is a key driver.

## Cashing In: Increased County Revenues

Renewable Energy and Conservation Element appears to lay the groundwork to exploit the leasing of land and mountain ridges to renewable energy developers, which would benefit the County in the form of development fees and taxes as a revenue stream.

- Page 3 - "Establish goals and policies to manage RE development and conservation of the natural environment... Set a framework for Development Code standards for RE development."
- Page 6 - "Maintain a system of fees, taxation, and other compensatory tools that adequately covers County costs of providing necessary public services, including the costs associated with the regulation of renewable energy project sites." Tax references are troubling for many reasons, not the least of which is the possibility that the county could enter into some sort of RE arrangement and then levy a tax of citizens who don't want the thing(s)... all in the name of "providing a necessary public service."

## Flawed Public Outreach

The document refers to "stakeholders," but it is unclear who these entities are. The document also refers to study groups that include local citizens — these groups were headed by a "facilitator." Facilitators are trained in outcome-based consensus methodologies; surveys used are typically insignificant. Web-based models are also outcome-based (SPARCForum.org). Furthermore, stakeholders are gratuitous, well financed and informed. They typically advance agendas by promoting their groups or companies goals over less informed residents.

Page 4 - "Additional information on renewable energy, environmental considerations and community engagement can be found in the PMC Background Report."

- Question: Where is the PMC Background Report?

Page 12 - notes that the public objected to parts of the program, and the document clearly acknowledges this — which is good — but the document contains no concrete language that guarantees these safeguards moving forward.

### Page 3: Intentions of this Element

Intentions of This Element – “Our County government seeks to manage land use and development in a manner consistent with the Countywide Vision. This Element is focused on sustainability...”

- We reject the San Bernardino Countywide Vision because it embraces the progressive agenda of sustainability aka, sustainable development (SD); hence, it embraces centralized planning as evidenced in the Southern California Association of Governments (SCAG) Sustainable Communities Strategy (SCS), which are recommendations being used by cities, counties and unelected Councils of Governments (GOGs) and stakeholder groups across the State. Packaged as a solution to climate change, SD promotes artificial scarcity under the guise of conservation. It is a behavior modification scheme through social engineering. At its core, it is a worldwide rationing system. SD reduces standards of living by promoting reduced consumption patterns: less food, less energy, less water, less mobility and less freedom. This agenda will continue to extort money and eventually install a worldwide carbon tax system. The end goal is to change our economic system of capitalism to socialism.<sup>2</sup>
- The “Renewable Energy and Conservation Element is intended to ensure efficient consumption of energy and water, reduce greenhouse gas emissions, pursue the benefits of renewable energy and responsibly manage its impacts on our environment, communities and economy.” Ensuring efficient consumption of energy and water promotes SD. Pursuing the benefits of renewable energy while managing its impacts is a rationalization.
- “Articulate what the County will strive to achieve and avoid through energy conservation, energy efficiency, and RE development.” This promotes inefficient renewable energy (RE) and SD.
- The Element is Voluntary – “While the Element is by law an optional component of the County’s General Plan, County leaders chose to include it because of its importance to our people, economy and environment (PEE).” We disagree with central premise of this element in promoting solutions for SD and we submit that these solutions actually harm people standards of living and their lifestyles, the economy and the environment.

## Page 1: Introduction to Element

“Historically, [traditional/conventional] energy has been generated by burning fossil fuels such as coal, oil, and natural gas... energy sources have provided abundant cheap energy and allowed economic and quality of life increases that are unprecedented in human history.” Furthermore, “Reliable, affordable, and accessible energy keeps our homes comfortable, our families safe, our streets lit, and our businesses productive...” We agree with this statement; therefore, it is traditional energy that historically - and currently - affords people the ability to enjoy a comfortable lifestyle.

Conversely it is stated, “They [traditional] are nonrenewable, however, and have taken heavy tolls on the environment and human health.” This statement assumes that nonrenewable are not safe. While it is true that there have side effects in the past, this has been mitigated through diligent environmental industry regulation.

The document makes bold claim that, “As fossil fuel supplies dwindle and their effects on global climate mount, renewable energy (RE) sources have become essential...” We fundamentally disagree with the term “essential”. The statement assumes that fossil fuels “effects” are negative without stating specifics. In regards to “dwindling supplies”: as new technologies have been developed, the supply of natural gas has skyrocketed over the past several years, reducing costs and enhancing consumer’s lifestyles. Also, the Trump administration has removed regulations on coal, which will further increase economies of scale and reduce costs and prices. Therefore, the statement that RE sources have become “essential” is incongruent with the historical record previously stated. It is traditional energy that insures current lifestyles enjoyed by electricity consumers, not renewables; therefore, renewables are not “essential”.

As stated, “...reliable, affordable, and accessible energy keeps our homes comfortable, our families safe, our streets lit, and our businesses productive...” Traditional power is “reliable, affordable, and accessible; renewables are not. Renewable power is unreliable, expensive and not easily accessed. Renewable power like wind and solar are intermittent sources. When the wind does not blow, wind turbines don’t produce. When the sun does not shine, solar does not produce. However, this does not stop the state from subsidizing investments in inefficient technologies.

“Renewable resources available in the county include biomass fuels, wind, and solar energy. Various technologies are available to convert these renewable energy sources into a usable form of energy. Existing technologies and facilities in the county vary in their scale and intensity. The majority of existing renewable energy production in the county occurs at large facilities that supply energy to the statewide power grid for consumption throughout California and beyond.”

## Biomass

There are several references to “air quality.” This should eliminate biomass from the discussion, since biomass has many P.M. issues. Biomass (and geothermal) also consume *huge* quantities of water each year. For instance is medium size generating unit (10MW to 20 MW) will consume (evaporate) ~ 20 million gallons of water per year in the condenser cycle.

Thus, according to the above, whenever bioenergy is referenced, they must be talking about landfill gas to energy (LFGTE).

- Question: Where are all of the landfills located?

If someone claims bioenergy includes the intended use of pipeline biomethane, there are many commercial issues, not the least of which is that biomethane is *not* clean and is essentially natural gas that is burned at a CCGT (combined cycle (natural) gas turbine plant).

There are references to reducing green-house gases (GHGs), but then there are also references to purchasing power (PPAs) — if these facilities are not net-new then there is no reduction in GHGs.

### Environmental Impacts

“RE facilities have the potential to cause unintended negative effects on sensitive biological species and habitat, visual resources, cultural resources, and nearby communities. To achieve a clean energy future that minimizes negative effects consistent with local values, the County has considered how to reduce energy use through energy efficiency and conservation measures, and identified renewable energy facility standards that concentrate on community-oriented RE facilities that produce electricity for local consumption.”

Our sentiments can be summarized by comments by Betty Munson from Johnson Valley. She stated on 10-16-2016:

*“I have attended many meetings over the last decade, with both County officials and grass roots organizations, held in resolute protest against industrial-scale wind and solar projects being forced onto private and public lands in the high desert of San Bernardino County. The impetus behind these projects may have been well intended. The outcomes of the few that reached completion prove how foresighted the protesters were.”*

“Although renewable energy provides a path to a clean energy future...” This is debatable as per our comments below regarding renewable energy”.

### Renewable Energy: Solar

In 2017, governments are finding out that solar power generation when propped up by massive subsidies just does not work. The solar industry’s biggest problem is likely the very mechanism that led to its rise: lucrative subsidies. SolarWorld, the largest US solar panel maker files for bankruptcy after receiving \$206 million in subsidies.<sup>3</sup> Bankrupt SunEdison says no hope for payouts for shareholders.<sup>4</sup> Tesla (NASDAQ:TSLA) bought SolarCity in late 2016, it was supposed to create a vertically integrated renewable energy company.<sup>5</sup> The bottom line, Tesla's new, "cool" and extremely expensive solar roof tiles are only viable due to yet another round of generous taxpayer subsidies in the form of tax credits, without which the entire concept falls apart as breathtakingly uneconomic.<sup>6</sup>

High electricity rates are plaguing California because of renewable energy. One of the first disruptive policies was the state's Renewable Portfolio Standard (RPS), signed into law in 2002. Add that to archaic subsidized Cap and Trade instituted under AB 32 and as President Obama has said: "Under my system of a cap and trade, electricity rates would necessarily skyrocket."<sup>7</sup>

A 2015 analysis of federal data by the Institute for Energy Research documents show that electricity from wind farms is roughly two to four times more expensive than power from traditional sources. Existing evidence points to solar as being even more expensive. Wind and solar power often can't keep up with Californians' energy needs. On some days they produce excess power, which is hard to capture and reuse, but on other days they fall short. This explains why state regulators warned Southern Californians about rolling blackouts this summer. In fact, California leads the nation in power outages, with 417 in 2015.<sup>8</sup>

Crony capitalism is on display as consumers are getting burned by a taxpayer-subsidized solar power plant in California's Mojave Desert. Located on 4,000 acres of public land in the Mojave Desert, Ivanpah Power uses a lot of natural gas to generate "solar" electricity, and neither the California Energy Commission nor the U.S. Department of Energy seems to care enough to come clean about it. Regulators allow electricity to be sold at four to five times the going rate of conventional electricity because it is "green". The owners of the Ivanpah solar power facility received a federal loan guarantee of \$1.6 billion, a tax credit in excess of \$500 million. It is owned by NRG Energy, BrightSource Energy, and Google Inc. BrightSource itself is owned by a consortium including Google, General Electric Corp., Chevron Corp., BP Alternative Energy, and Morgan Stanley.<sup>9</sup> Because solar power is inefficient, the past few months, the plant has been unable to meet the output levels stipulated in its power purchase agreement.<sup>10</sup> Crony taxpayer subsidies are on the way out.

Nevada has begun phasing out taxpayer subsidies for solar. Until now, Nevada homeowners subsidized roughly 17,000 customers with solar panels, to the tune of about \$16 million every year.<sup>11</sup> Furthermore, countries around the world are rethinking expensive subsidies and are beginning to repeal them. The Indian government is shutting down solar power panels because they are unreliable and conventional energy from coal plants is almost always cheaper".

## **Cronyism in Energy Production**

In California, every economic energy source should be used. Instead, the largest hydroelectric dam removal project in U.S. history is taking place in Northern California of four hydroelectric dams from the 236-mile Klamath River. And now, following the closure of San Onofre Nuclear power plant, PG&E places Diablo Canyon on the chopping block.

Diablo Canyon nuclear power produces twice as much power as all of California's solar panels, 24 percent more than all of its wind, and 40 times more than its largest solar farm. Also, Diablo Canyon provides power to 3 million Californians on a patch of land the size of three football fields. Achieving the equivalent from a solar farm would require 145 times more land; from wind, 500 times more. The National Defense Council (NRDC) is negotiating the closure of Diablo Canyon. Cronyism is on display.

These schemes promote input from stakeholders and promote public-private partnerships for those fomenting “solutions” of renewable energy over nonrenewable energy. It’s ironic that NRDC itself has significant, direct investments in natural gas and renewable energy companies. The two highest-ranking members of NRDC’s Board of Trustees, its Chair and Vice Chair, as well as one of NRDC’s single largest donors, are all major investors in natural gas and renewables companies, could benefit significantly from Diablo’s closure.<sup>12</sup>

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