

Thank you for your comment, David Hubbard.

The comment tracking number that has been assigned to your comment is SolarM60221.

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Solar Energy Development PEIS
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Attachment: Scoping Comments on Solar Energy PEIS 9-14-09.pdf

Comment Submitted:

Please see the attached letter providing scoping comments.



OFF-ROAD BUSINESS ASSOCIATION, Inc.
www.orba.biz

September 14, 2009

Solar Energy PEIS
Argonne National Laboratory
9700 S. Cass Ave. – EVS/900
Argonne, IL 60439

RE: Additional scoping comments on Solar Energy Study Area Maps for Solar Energy Programmatic EIS.

Thank you for the opportunity to comment on the recently released Solar Energy Study Area Maps. I am writing on behalf of the Off-Road Business Association (ORBA), a national non-profit trade association representing all aspects of the off-road industry, from OEM manufacturers to aftermarket suppliers and distributors and local retailers. Many of ORBA's members are located and/or conduct business in the six western states the Programmatic EIS ("PEIS") will cover. I am also writing on behalf of EcoLogic Partners, Inc. ("EcoLogic"), a non-profit organization dedicated to preserving public access to recreational lands throughout the United States.♦

Many of the areas identified in the Solar Energy Study Area Maps are classified as limited use and allow OHV travel on designated trails. We believe that it is the responsibility of the BLM, through the proposed PEIS, to analyze the cumulative loss of these trails to OHV recreation, as well as the other environmental concerns associated with large scale solar development.

The development of renewable resources is a valid use of public lands. We understand that renewable energy is and will remain an important part of the nation's continued security and independence. However, we do believe that if the development of these resources results in the loss of OHV recreation opportunities, then the companies profiting from the development should be required to compensate or mitigate for that loss.

♦ EcoLogic's charter members include ORBA, the San Diego Off-Road Coalition, the American Sand Association, and the American Motorcyclists Association District 37.

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In recent years, OHV recreational areas have been targeted by the alternative energy industry for potential solar, wind, and geothermal energy development. In addition, OHV areas continue to be threatened by plans, issued by the Department of Defense, to enlarge certain military installations in the California desert. One such plan – the proposal to expand the Marine Corps base at Twenty-nine Palms by some 400,000 acres – would encroach deeply into Johnson Valley, which is one of the premier OHV venues in the country. When combined, these various projects – both public and private – would result in a dramatic loss of land open to OHV use. The proposed PEIS must address this issue on both a project-specific and cumulative basis.

Perhaps worst of all, neither BLM nor the alternative energy industry nor the Department of Defense has devised a comprehensive approach for mitigating the site-specific and cumulative recreational impacts the various energy and military projects will create. If there is one issue the proposed PEIS must tackle, it is mitigation for lost recreational opportunity. BLM and the project applicants must develop a comprehensive plan for mitigating the Solar Energy Projects' impacts on public access and recreation, including OHV recreation. Only by addressing this issue on a desert-wide basis will the problem be solved adequately and efficiently. Proposing small, piece-meal mitigation on a project-by-project basis will not work. Such an approach provides no economies of scale and fails to appreciate the regional and cumulative nature of the impact.

Perhaps the best way to start is to require project applicants to have recreation mitigation plan that can be integrated into a coordinated strategy for the entire affected region. Such a strategy would guide project applicants on how to mitigate or compensate the recreation community for their loss of opportunity.

Another way this could be accomplished would be by requiring the project applicants to include recreation mitigation in at least one of their alternatives. These alternatives would offer replacement or compensation for the loss of the trails or areas if the project were approved. For example, if project approval will result in the loss of 50 miles of trails, then the project applicant should be required to do environmental analysis for the establishment of 50 new miles of trail.

CONCLUSION

We believe that looking at these large scale solar projects and studying their cumulative effect on the environment is a wise planning decision. It needs to be matched with a comprehensive mitigation strategy that addresses the cumulative impacts on recreational opportunity, including OHV recreational opportunity.

If you have any questions concerning the content of this letter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "David P. Hubbard". The signature is fluid and cursive, with a large initial "D" and "H".

David P. Hubbard
Gatzke, Dillon & Ballance LLP
Legal Counsel for ORBA and EcoLogic Partners, Inc.

cc: Meg Grossglass, ORBA
Jerry Grabow, EcoLogic Partners, Inc.