April 11, 2016

Board of Supervisors
County of Kern
1115 Truxtun Avenue
Bakersfield, California

Re: April 12, 2016 Meeting Agenda Item #4 - Willow Springs Solar Project - Example of CEQA Objections from Union Front Groups That Hinder Construction Industry

Dear Supervisors:

A mysterious group called “Kern County Citizens for Responsible Solar” is claiming that the county has failed to adequately review the proposed Willow Springs Solar Project under the requirements of the California Environmental Quality Act (CEQA). They want the county to refrain from approving the project. This will derail a project that will reduce GHG emissions under AB 60 (the California Global Warming Solutions Act of 2006) and employ as many as 450 construction workers during a time of layoffs by the county’s petrochemical industry contractors.

Obviously any organization engaged in such legal maneuvers may want to keep its true identity disguised under a phony name. Who is “Kern County Citizens for Responsible Solar?”

It’s a front group for construction unions. The true objective of these CEQA complaints is revealed in the minutes of the March 10, 2016 Kern County Planning Commission meeting. See the excerpts from the minutes, below:

On March 10, 2016, a public hearing was held by the Planning Commission to consider the proposed project. Staff provided a presentation outlining all pertinent information regarding the project characteristics, environmental effects, and public comments received. Staff additionally provided a verbal response to a late comment received from Adams, Broadwell, Joseph, and Cardozo, which can read on Page 24 of this staff report.

Public testimony was then opened and started with Jack Pigott, representing the applicant, presenting the work First Solar has conducted in California and the specific benefits of the project. Commission Sprague asked for clarification as to the percentage of the workforce that will be hired within Kern County. Mr. Pigott explained that all efforts would be made to hire within the County, but an agreement with a labor union has not been established for this project...
PMIO emissions, biological resource special-status species, and environmental determinations, which have all largely been addressed in previous comments and responses. John Spaulding, Secretary Treasurer for Kern, Inyo, and Mono County Building and Construction Trades Council, spoke in opposition of the project in regards to the lack of contracts with local hires. Jim Elrod, Business Manager of the International Brotherhood of Electrical Workers, also spoke in opposition of the project in regards to the lack of contracts with local hires, although stated that he has worked with First Solar in pervious projects.

In addition, the letter dated March 9, 2016 and submitted on March 10, 2016 to the Kern County Planning Commission on behalf of the Kern County Citizens for Responsible Solar indicates the true parties behind these CEQA objections:

Kern County Citizens for Responsible Solar is a coalition comprised of individuals (including Rosamond residents, Gary Wilcox and Daniel Wilbour, Mojave residents Gaston Moore, Lorreta Moore and Emilio Pino, and Tehachapi residents Josh Hernandez and Neal Herman), and groups, including California Unions for Reliable Energy and its members and their families.

There is extensive documentation about unincorporated organizations such as “Kern County Citizens for Responsible Solar” that use CEQA to hold up projects. Attached is a list of fake names used by construction unions to object to projects under CEQA.

There is statewide recognition of this problem. In fact, Senate Bill 1248 has been introduced in the California legislature to require a plaintiff or petitioner, in an action brought pursuant to the provisions of CEQA, to disclose its real identity.

After voting to approve the Willow Springs Solar Project, perhaps the Kern County Board of Supervisors should consider scheduling an agenda item at a future meeting to support SB 1248. It may discourage groups such as Kern County Citizens for Responsible Solar from using fake names as it continues its CEQA objections to environmentally-sound solar projects.

Sincerely,

John Loudon
Executive Director

attachment