

February 23, 2015

Via email: [docket@energy.ca.gov](mailto:docket@energy.ca.gov)  
California Energy Commission  
Dockets Office, MS-4  
Docket No. 09-RENEW EQ-01  
1516 Ninth Street  
Sacramento, CA 95814-5512

California Energy Commission

**DOCKETED**

**09-RENEW EO-1**

TN 74775

FEB 23 2015

**RE: DRECP and EIR/EIS**

Dear Commissioners,

The California Construction & Industrial Materials Association (CalcCIMA) appreciates the opportunity to comment on the Desert Renewable Energy Conservation Plan EIR/EIS (DRECP).

CalcCIMA is a statewide trade association representing construction aggregate, ready-mix concrete and industrial materials producers in California. Our members supply the materials that build our state's infrastructure, including public roads, rail, and water projects; helps build our homes, schools and hospitals; assists in growing crops and feeding livestock; and plays a key role in manufacturing wallboard, roofing shingles, paint, glass, low-energy light bulbs, and battery technology for electric cars and windmills.

Our comments on the Draft DRECP and EIR/EIS are as followed:

### **III.15 Mineral Resources and III.15.1.2**

Although the EIR/EIS briefly reviews the Surface Mining and Reclamation Act of 1975 (SMARA), it fails to adequately review specific sections to protect mineral resource zones in the project area. As such, we strongly believe there are specific items that require additional review and/or analysis.

Public Resource Code, Sections 2761(a) and (b) and 2790 of the *Surface Mining and Reclamation Act (SMARA)* provides for a mineral lands inventory process termed classification-designation. While the California Geological Survey and the State Mining and Geology Board (SMGB) are responsible for administering the process, the primary objective of the process is to provide agencies, with information on the location, need and importance of minerals within their respective jurisdictions. We believe the DRECP and EIR/EIS analysis of the protection of these Mineral Resource Zones (MRZs) is wholly inadequate, especially given the fact the State has established specific standards that protect mineral resources in these areas.

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Mineral resources are commercially viable aggregate or mineral deposits, such as sand, gravel, and other construction aggregate. California is the largest consumer of sand and gravel in the country, but is also a major producer, generating approximately \$1 billion worth of these mineral resources annually. The fact that the Draft DRECP and EIR/EIS fails to adequately analyze several critical data points, including potentially significant economic impacts that could include decreased direct and ancillary economic activity, job losses, and decreased tax revenues to those counties and cities in the DRECP area; the impacts of additional truck traffic based on importing materials; and significant additional Greenhouse Gases generated from the import of additional materials.

In considering the negative impacts on mineral resource lands, we believe the DRECP's analysis fails to recognize the environmental benefits generated by the development of local sources of materials as recognized by the California Legislature. In fact, Public Resources Code 2711(d) specifically notes both the economic and environmental benefits of such resources:

*“The Legislature further finds that the production and development of local mineral resources that help maintain a strong economy and that are necessary to build the state's infrastructure are vital to reducing transportation emissions that result from the distribution of hundreds of millions of tons of construction aggregates that are used annually in building and maintaining the state.”*

Furthermore, the State also concluded that,

*“(f) The Legislature further finds that the state's mineral resources are vital, finite, and important natural resources and the responsible protection and development of these mineral resources is vital to a sustainable California.”*

In conclusion, CalCIMA request additional time for review of this very complicated and voluminous plan. Additionally, we are concerned with the overlap of Senator's Feinstein's California Desert Conservation Act and how the two significant projects will impact material resources and our industry, in such a vast amount of land in the state.

Sincerely,



Angela Driscoll  
Director, Local Government Affairs

cc: County of San Bernardino  
County of San Diego  
County of Inyo  
County of Riverside  
Kern County