

## CSD BOARD OF DIRECTORS - DAGGETT SOLAR PROJECT SUMMARY AND NEXT STEPS - October 22, 2019

The major points of our Appeal to the San Bernardino County Board of Supervisors include:

1. Lithium-Ion battery safety for the proposed 16 acres of battery storage energy.
2. Air Quality (dust) health value issues.
3. Property value issues.
4. Violations of the San Bernardino County Development Code, Section 84.29.035  
(Required Finding for Approval of a Commercial Solar Energy Facility)

Because much of our appeal addresses CEQA issues, this is the proper time to get input from a properly-vetted CEQA attorney. Without breaking the bank, the proper attorney could help us add supporting information, fill in additional details and write us a supporting letter. However, not all CEQA attorneys are alike. Here is information that we need to know before selecting an attorney.

1. Do they work primarily for land developers or primarily for homeowners, environmentalists and others who have concerns about a land development proposal?
2. How many years of CEQA experience do they have?
3. Are they willing to write us a supporting letter that cites case law?
4. Are they free from conflicts of interest?

Possible law firms include:

### **Leibold, McClendon & Mann (Irvine)**

Founded in 1991, Leibold McClendon & Mann serves clients throughout California ranging from Sausalito to the north to Calexico to the south. Our senior attorneys have over 100 years of collective experience representing cities, water agencies (public and private), conservancies and non-profits.

### **Chatten-Brown & Carstens (Hermosa Beach)**

CBC attorneys regularly advise clients regarding land use proposals and other projects subject to CEQA to ensure that any environmental impacts they would cause are sufficiently mitigated to the extent feasible. In some cases where it is not possible to mitigate impacts, the firm has been able to help its clients work with the project proponent to locate the project elsewhere, or develop a different project proposal with fewer impacts. Recently, Chatten-Brown & Carstens has focused considerable attention on use of these laws to address the problems of controlling greenhouse gases and climate change.



**Miller Starr Regalia (Newport Beach)**

The attorneys in Miller Starr Regalia's Environmental and Land Use & CEQA Practice Groups counsel the firm's clients on a wide variety of environmental compliance, enforcement, and litigation matters. Our land use and environmental attorneys collaborate closely to provide expertise in all aspects of environmental and land use matters, including environmental impact analysis, environmental compliance and remediation, natural resource issues, land use and entitlement processing, and eminent domain/inverse condemnation. Our attorneys are experts in environmental impact review under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), and have worked on some of the most complex and challenging CEQA matters in the state. Our attorneys have extensive experience in reviewing, commenting on, defending and challenging, environmental impact reports, negative declarations, and other CEQA/NEPA determinations.