

**Comments on Renewal Energy Permit 2022-01/Barker Solar and Renewable Energy Permit  
2022-02/Barker Solar**

March 21, 2023

***Due to anticipated potential retaliation and nature of my highly specific comments within I would request that my comments be kept strictly confidential.***

My name is John Mays. I am a licensed professional engineer in California, Colorado, and South Dakota. I live directly adjacent or very close to both proposed permits in question and have observed first-hand the activities of the proposed and existing projects and its developer/operator over about 2 years now. I have worked in the mining industry, often as a leading corporate executive or manager, for over 30 years working during much of this time supervising and implementing regulatory efforts, environmental compliance, regulatory litigation, and project development across several states in the US.

Never in 30 years of being a participant of many similar regulatory actions have I ever seen such apparent negligence and lack of involvement by a regulatory agency. The proposals here are a violation of existing rights and not in the public's best interest. The number of procedural errors and incorrect statements make the current proposals technically unsound and legally indefensible. Review of these proposals show Inyo County unqualified to perform such evaluations and their recent actions demonstrate they are incapable of properly enforcing compliance at this remote location. Inyo County's own procedures as found in the REGPA, have been fundamentally violated to a great extent, and federal state, and local laws and regulations have likely been violated as well. The magnitude and number of these violations support a legal challenge should it be necessary. This could include pursuit of relief from the properly approved Renewable Energy Permit 2021-01 which has been allowed to operate in violation of requirements for several months.

I request that the Board immediately deny the proposal for Renewal Energy Permit 22-01/Barker and Renewable Energy Permit 22-02/Barker. As well, the County needs to update the 2015 REGPA and remove all the rural residential parcels from the Trona SEDA. These areas are clearly not suitable for solar development as this is an active residential community which has been lived in many decades, it is home to families right at the edge of this development who will have their lives, health, and property rights seriously diminished by such improper industrial development. Additionally, these two new proposals set a precedent for a future that expands and exacerbates impacts across this private residential area paving the way for expansive unregulated solar development. The following reasons are why these permits must be denied:

- 1.) The area is rural residential and not industrial development is not appropriate for the area and will damage property rights and the health and lifestyle of families living in the area. It will introduce industrial activities that will create additional safety concerns for residents and children who live and play in the area. My son is an autistic teenager with severe developmental delay that leaves him unable to verbally communicate and unable to comprehend the dangers involved by industrial traffic, nor dangers associated with the project. We moved here to specifically here to avoid such danger. The proposals here will increase use of roads and lands in very close proximity to my home that is not appropriate for a residential area. A substantial buffer zone of a half mile should be in place between

residences and this solar activity to avoid impacts to residents. Additionally, Inyo County has misinterpreted and not properly assessed impacts to several parcels adjacent to the proposals as “vacant” because these are contiguous with our residences and are an active part of our homes.

2.) Inyo County has repeatedly mischaracterized and improperly announced the project as heavily disturbed and with no natural vegetation in public statements. The developer purchased the properties soon after he received permits for Renewable Energy Permit 2021-01 and has commenced removal of all vegetation and topsoil just a few months before submitting permits completely contrary to Inyo Counties regulations.

3.) Inyo County did not properly follow its own requirements found in the REGPA to provide an meaningful opportunity to landowners and the community to “engage”. Such requirements need to occur at the onset of the project, meaning when an application is submitted. This did not occur. Despite the obtuse wording of their regulations placing the burden on the uninformed local party, it is realistically should be Inyo Counties responsibility to try to meaningfully engage with those immediately impacted by the project upfront to avoid a giant mess and legal issues in the aftermath. Given the nature of Inyo Counties actions here appears that it is trying as much as possible to avoid this communication so that the permits will be resolved without anyone’s knowledge. This is completely contrary to the intent of any permit process as well as the REGPA.

4.) Inyo County has allowed the operator to destroy existing vegetation and wildlife habitat just months prior to the permits being submitted despite the use being clearly for solar development. This is specifically not allowed in the Inyo County regulations. By these actions, it allows developers to escape reclamation requirements and eliminate environmental aspects of concern. This is made possible by purchasing private land and destroying vegetation prior to permit submittal and should not be allowed.

5.) Inyo County has not conducted a proper assessment of impacts to biological resources including a wildlife survey with on-site identification of species of concern prior to issuance of permits. No protection is given to avian species of concern in including raptors and migratory birds as well as their food sources such as lagomorphs which reside in local vegetation. Proper avoidance buffers of nesting locations need to be identified. Wildlife habitat and food sources of species of concern were destroyed by the developer/operator prior to the permit issuance. The presence of wildlife and protective measures were not discussed or evaluated, except to be handled later. This does not give comfort and does not inform the public properly. It also puts this wildlife at risk. Indeed, at a minimum the public is unaware the project area is actually home to the largest habitat of the endangered Mojave Ground Squirrel in California, and likely other species of concern as Inyo County says there are none present such as the Desert Tortoise, and Burrowing Owl which are mentioned in the permit documents. The need to be evaluated prior to permit issuance in consultation with the proper agencies.

6.) Inyo County has not properly managed the existing project REP 2021-01 and allowed violations for many months of its own requirements (REGPA, MER-2.7) for minimizing dust emissions and has thus endangered the public health,

7.) Inyo County has not properly assessed visual impacts and aesthetics which would be greatly altered by the projects. Solar is a drastic change to the landscape including the “desert kitsch” in the immediate community. This old and dilapidated aesthetic has been used extensively in dozens of films, commercials, TV shows, music videos, video games, and other cultural media and is of a recognizable

character worldwide. Such filming occurred in the recent year. The movie “Just Add Water” filmed in Trona is set in this very setting. It is suggested the Inyo County may learn more of this from the Ridgecrest Regional Film Society. Junk yards make up this aesthetic, but modern solar cells do not. This existing solar facility has already had a substantial impact on the viewshed from my home and other residents which has not been properly mitigated. Further expansion of this facility as proposed here will destroy this viewshed for myself, residents, and tourists.

8.) Inyo County has not properly assessed impacts to tourism in area well known as one of the main routes of tourism into Death Valley and onward into Inyo County. This is industrial development immediately adjacent to the highway used to enter Death Valley National Park and is within a few miles of the park boundary. These solar cells constitute negative visual impacts detrimental to the attraction of the National Park.

9.) Inyo County has disproportionately affected disadvantaged communities by the design of its REGPA and the proposal which disproportionately impacts ethnic groups and those living in poverty. Inyo County has not performed the necessary outreach for these communities, who are likely fearful and unable to properly respond. Diagram 32 in the REGPA suspiciously lacks Solar Energy Development Areas near the main population centers of Inyo County where electricity would mostly be needed. Instead, the REGPA locates the SEDA’s far away in small, disadvantaged communities who were likely without knowledge of Inyo County’s solar plan and not able to engage because the lack of meaningful outreach.

10.) Inyo County has not properly assessed hazardous chemicals to be stored at the project which potentially include highly flammable lithium batteries and fuel among others stating there will be none.

11.) Inyo County has not properly assessed fugitive dust, an EPA deemed pollutant. It is clear that this pollutant will be generated in substantial quantities yet Inyo County states there will be no pollutants. Inyo County needs to do dispersion modeling on fugitive dust to evaluate air impacts within miles of the project and also provide an analysis of its impact on public health prior to issuing permits.

12.) Inyo County has not provided documents allowing for proper review by the public including information that support its environmental assessments during the REGPA or regarding these proposals, the project applications, reclamation plans, grading plans, and maps and design information of the project. Nor have any of the documents been provided to the public in Spanish.

13.) The developer did not notify landowners and the public as required by REGPA, GOV-2.4

14.) The developer/operator is not suitable for the project based on violation of Inyo County regulations by conducting development without a permit. The operator has already shown general disregard and hostility to landowners in the area without performing any outreach on the project. The developer/operator is responsible for compliance with all applicable regulations including the very common practice of dust control and thus has committed willful violation of such regulations, despite the lack of an air permit. None of this complaint and violation history or the outcomes was provided for viewing by the public. Additionally, the developer/operator has already not shown a good stewardship in terms of other areas of concern including poor housekeeping and visual upkeep of the existing site, infringement of property owner’s rights by placement of refuse on these neighboring lands, a general

lack of security of the site, and untimely efforts to complete construction of the project. Additionally, the developer/operator has also constructed fencing within a right-of-way.

15.) Inyo County has not properly assessed impacts to agriculture despite the fact of subsistence agriculture is present within the Trona SEDA. This includes in the past immediately adjacent to the project and currently with a few hundred feet. The County has ignored the common use of rural residential property for this purpose and well as effects of dust on the existing agriculture.

16.) It appears Inyo County has not engaged in necessary agencies in the area who manage lands in the area which would be impacted by the development. Given that that impacts area from fugitive dust, vegetation and wildlife are far reaching this would be expected include BLM, US FWS, CA Department of Game and Fish, Trona Historical Society, Great Basin Unified Air Pollution District, as well as communities and agencies in San Bernardino County, and likely others. This needs to be done prior to making a staff recommendation so proper information can be provided to the public for review. Additionally, the staff commonly assume that “no response” is meaningful outreach when it may be likely no one ever received such information. This previously occurred with the Great Basin Unified Air Pollution District who did not respond to the request for comment. It was only long after permit issuance and after many months of construction that controls for protection of air quality were put into place. This failure was rectified too late, coming only after complaints were made and not preventing months of unregulated releases of fugitive dust.

17.) Inyo county needs to assess the cumulative effects of the proposals along with impacts that have been documented during the prior construction phase. It needs to account for the effect of other similar impacts found in similar existing solar facilities. The County needs to evaluate the cumulative impacts including an environmental justice assessment should development continue to expand into full 600 acres as allowed by the REGPA. This assessment should account for the greater likelihood that private rural residential parcels of the Trona SEA would likely be the sole property type utilized, therefore greatly impacting homeowners and residents, as this avoids a more complicated federal permitting process. This is a pattern already evident so far.

18.) Inyo County has not properly assessed effects caused by wind erosion, site grading, and protection of topsoil including during normal and extreme rainfall events. No information was provided on any plans for compliance with NPDES (National Pollutant Discharge Elimination System) requirements. There are no observable topsoil stockpiles in the previous and proposed project areas. Runoff channels are readily observable in the project areas.

19.) Inyo County needs to properly set a reclamation bond for the project and use a cash bond or other suitable financial instrument. This evidently is not required on Renewable Energy Permit 21-01 which uses solar cells on the project. This bond needs to set reclamation standards based on vegetation existing before the developer/operator destroyed it prior to submitting an application. Additionally, it is not acceptable to use resale of the projects’ solar cells as the reclamation bond. They would depreciate in value. Not requiring a bond before disturbance would allow the operator to highly disturb the project prior to purchasing the solar cells without a guarantee in place.

20.) Inyo County has not properly assessed impacts based on wind-blown accumulations of sand and the formation of sand dunes as result of the removal of vegetation on the project. It has not assessed how

these sand dunes will affect downwind communities and residents including increasing negative air quality impacts and the burial of structures.

21.) There is no apparent documented cost-benefit analysis of the proposed project and assessment of the benefit to the local community. Despite a clear emphasis on the importance of local benefits in the REGPA, including such things as lowered electric rates, it is unclear whether the project will result in any benefit to local residents. This includes what and how much they specifically they will be. As these comments expand upon there appears there will be substantial negative impacts to local homeowners and residents with nothing in return.

22.) Inyo County has not properly assessed archeological or tribal resources and historical preservation as required by law. Tribal consultation may still be in progress since submittal of the previous permit application in 2018. The Planning Department in its 2021 staff recommendation for approval (Permit 2021-01) identified additional tribal consultation was necessary as the project lies within the Chemehuevi Traditional Use Area. This is not discussed in these new proposals. Ancestral homes are adjacent to the projects, one of which has been inhabited for five generations and another for three generations. The area is part of a substantial mining community over 100 years old. Apparently, Inyo County is proposing and has already allowed disturbance prior to an archeological field survey. This archeology survey would be not simply for tribal artifacts, and it should be conducted by qualified individuals to confirm the presence or lack thereof prior to disturbance. This would also serve to inform tribal interest at the site. Inyo County procedures for unanticipated discoveries rely on identification of tribal or cultural artifact by the operator who is not qualified to make such an assessment.

23.) It is unclear if Inyo County has done necessary evaluation of the flight path into the Trona Airport and supporting documentation to the FAA, in cooperation with airport management.

24.) Inyo County has not provided a road management plan on how the permit areas will be accessed for construction and operation. Due to the amount of activity, a turnaround to access the facility would be expected to be needed on Highway 178. The public and residents have not been advised on how they will be impacted on their private roads and right of ways by the project because the county apparently has not done the proper planning.

#### Extension of Comment Period

I received an informal letter announcing a public meeting on March 15, seven days prior to the hearing scheduled for March 22. Given the short notice, I already have commitments for that date and cannot attend. It is not possible to review the two proposals in such a short time to obtain a full set of comments for legal standing in the permit process. Also, this is far too little time to prepare a proper response and fully document and support all issues of concern. This would include time necessary to retain legal counsel to potentially review the legality of the action and previous events. The technical nature of many of these concerns would potentially involve seeking input from technical experts and making additional contact with the surrounding public and agencies that manage the area. There is a large amount of relevant material not made available for review including permit applications and attachments with project details to the online documents that need to be provided. The REGPA requires that the operator make notification with landowners at the time of submittal and opportunity for local landowners and public to engage in the process, which has not been possible to date. I would request an extension of the time consistent with such a process and assuming a proper notification of

permit submission. **For that reason, I would request an extension of 120 days based on the estimated time to complete a full review.** That is unless Renewable Energy Permit 22-01 and 22-02 cannot be denied outright based on the comments provided herein.

Inyo County and the Operator Did Not Engage or provide the Proper Notification

From the *FINAL REGPA, AS ADOPTED BY THE BOARD OF SUPERVISORS PUBLIC HEARING MARCH 24, 2015*.

- Policy Gov-2.3: Public Involvement: The County shall provide the opportunity for the public to engage in the planning process at the onset of any renewable energy solar facility project and for all other large or potentially controversial projects applied for in the County.
- Policy GOV-2.4: The County shall require that renewable energy solar facility developers notify residents and/or landowners by direct mailings or other appropriate means announcing projects at the time an application is submitted.

“Engage” does not mean to simply notify. It means an opportunity to involve meaningfully, which includes meaningful communication between parties and efforts to ensure effected parties are fully informed and have proper ability to give feedback on the effects of the project. “At the onset” does not mean seven days prior to final approval. Inyo County has completely disregarded its obligation to provide an opportunity to engage in a timely fashion. This is also despite a request to be notified in my email of such permit applications being submitted on December 1, 2021, sent to Cathreen Richards, Planning Director. As well as extensive communication of concern on the proceeding dust emissions from the existing project.

I am the only person in the local community that I am aware of who has been notified about the proposed projects. This was done in an informal hand addressed letter, with no return confirmation receipt, see photo attached. Inyo County mentions no attempts to realistically notice within the local community, most of which is associated with the town of Trona and very remote from most of Inyo County. The Inyo Register is not a proper form of public notice in this case and is not associated with the demographics of this area which is 2 hours or more from away from the main communities of Inyo County such as Independence, Lone Pine, Mammoth, and Bishop. Its residents are commonly associated with San Bernadino County. I am not aware of this paper being for sale at any store in Trona and there is no circulation of any paper in the area. Regardless, the proposed actions effects multiple residents and landowners within the Trona REGPA and the community of Trona did not receive an opportunity to “engage” through a public notice in remote newspaper with no local visibility. Especially given the air impacts impact shown to effect Trona, San Bernadino County and other SEDA residents was documented in emails including photos and video dated November 30, 2021 and January 21, 2022 sent to the planning department.

I did not receive any notification of the Notice of Availability and Intent posted in the Inyo Register on November 14, 2022 for public comment. As discussed, this paper is not available in the area to any local person. Despite my prior request to be notified. Therefore, I was unreasonably denied an opportunity to engage and provide comments on the Initial Study Mitigated Negative Declaration.

I also did not receive any notification from the developer as required by Policy GOV-2.4. Nor any communication from Inyo County on this submittal of applications. Inyo County provides no evidence of this in documents online.

Additionally, I was also not notified or provided the opportunity to engage in the process during the development of the REGPA despite residing with the proposed SEDA.

The county planning department is aware that I previously submitted videos and pictures over a period of several months during the construction of the facility which showed a repeated disregard for dust control procedures and Inyo County regulations for development of Renewable Energy Projects. This correspondence resulted in the discovery that there was lack of an air quality assessment and air permit, which is crucial component to prevent health impacts to the public. Inyo county has again proposed issuance permits and public review without performing an air quality assessment or air quality permitting. Further, it has not included analysis including arising from the reported incidents in this documentation. This lack of information could change public involvement and concern regarding the project.

Communications and a photo documenting the start of scraping away of the topsoil and vegetation by the developer pre-permit was provided to the Inyo County Planning Department on January 13, 2022. This is about 10 months after permits were issued on Renewable Energy Permit 21-01 and appears to coincide with the recent acquisition of the properties by the developer. Regardless that these unpermitted properties were contiguous with Renewable Energy Permit 2021-01, had the same owner which was the developer of REP 2021-01, and that an air quality permit was pending, the County refused to stop this pre-permit development activity based on claim by the owner it was not for solar. A few months later during the same year and the developer applies for solar permits for these same fully stripped parcels. Unbelievably, Inyo County Planning Department is now recommending for approval despite full knowledge of this activity. The developer has violated Into County regulations for Renewable Energy Projects and substantially bypassed Inyo County ability evaluate impacts on the native state of the environment, eliminating potential issues of concern, and reduction reclamation requirements. Inyo County describes the two proposed project areas as “heavily disturbed” and “lacking vegetation”. However, this was not true just a few months before the developer stripped the lands bare. Inyo County made its evaluations based on an environment following a complete destruction of topsoil, native habitat and vegetation. This is an incorrect and untrue basis. This has the been in turn been misrepresented to the public and the Board of Supervisors. For this reason, the two proposed permit areas must be denied approval.

From Inyo County Code:

#### 21.16.010 Renewable energy permit.

Any person who proposes to construct a facility within the county or modify an existing facility within the county shall, prior to the commencement of construction or modification, first apply for and obtain from the county planning commission a renewable energy permit, unless specifically exempted from such requirements by this title or by state or federal law. (Ord. 1158 § 3, 2010.)

#### 21.24.010 Prohibition.

No person shall construct a facility without first obtaining a renewable energy development agreement, a renewable energy permit or a renewable energy impact determination and no person shall operate a facility in violation of a renewable energy permit or renewable energy development agreement. (Ord. 1158 § 3, 2010.)

#### Vegetation Destruction

Photographic satellite evidence of the pre-existing vegetation on the proposed Renewal Energy Permit 2022-01 and 2022-02 can be found online. Images in 2020 prior to Barker ownership of the parcels clearly show identical vegetation to surrounding undisturbed areas. To be fully accurate, for REP 2022-02 there is a single parcel within #38-330-34 that was previously disturbed though the two other parcels 38-330-32 and 38-330-33 that are indistinguishable from undisturbed lands. For REP 2022-01 there was essentially no prior disturbance and health vegetation similar to undisturbed adjacent lands is readily visible in 2020. Additionally, 2018 satellite information shows the same pre-permit disturbance by the developer was true for the already permitted REP 2021-01 which was classified as heavily disturbed despite one parcel #38-330-47 showing quite the contrary. Satellite images are currently only available up to 2020.

Ground level photos taken March 19, 2023 as provided show the conditions following pre-permit stripping of the topsoil and vegetation.

Vegetation in the form of a hardly scrub brush that takes a considerable time to become established was destroyed on all of these parcels. These plants are about 1-3 feet in height and provide the most important primary stabilization and reduction of airborne topsoil transmission. Examples of this vegetation are provided with the attached photos.

#### Prior Issues with Renewable Energy Permit 21-01/Barker Solar and Dust

For many months perhaps even over more than a year dust was seen emanating from parcels 38-330-47 and 38-330-48 as clearing efforts were underway never was any dust controls measures observed and frequently dust inundating nearby residences particularly the McNamara residence. A complaint was only filed after repeated observations of this activity which also included clear of a considerable amount of material associated with a decaying old mobile home which was also observed being made airborne.

On November 30, 2021 photos showing a fugitive dust were provided to the Inyo County Planning Department. The photos showed a suspended cloud of dust covering a large area of the Searles Valley. This lead to Inyo County referring me to the Greater Basin Unified Air Pollution District. It was advised that no air permit was in place because the GBUAPD had not commented on REP 21-01. Not until Dec 17, 2021 was an air permit issued for the project by GBUAPD.

On December 6, 2021 following discussions by the Great Basin Unified Air Pollution District with the operator of Renewable Energy Project 21-01 additional plumes of dust traveling well outside to the permit area for Renewal Energy Permit 22-01 were provided as requested. Still at this time the operator was allowed to continue activities without a permit

On January 21, 2022 a massive airborne dust plume from the solar plant was filmed during a high wind occurrence and provided to the Inyo County Planning Department and Great Basin Unified Air Pollution



District. This video shows dust inundating and completely occluding from view houses all the way into Pioneer Point (a community of Trona). This plume likely resulted in removal of large amount of topsoil. This dust was observed blowing all the way through to the Trona school and heavily deposited further near the Trona post office which is 4 miles downwind. Video is attached.

For this reason, Inyo County needs to assess fugitive dust in much greater distances than the project boundary and needs to allow comment from those which may have or could be impacted by this project. Such an assessment should include dispersion modeling of construction and operations phases and an evaluation of potential health impacts including and not limited to silicosis and valley fever.

#### Wildlife Concerns

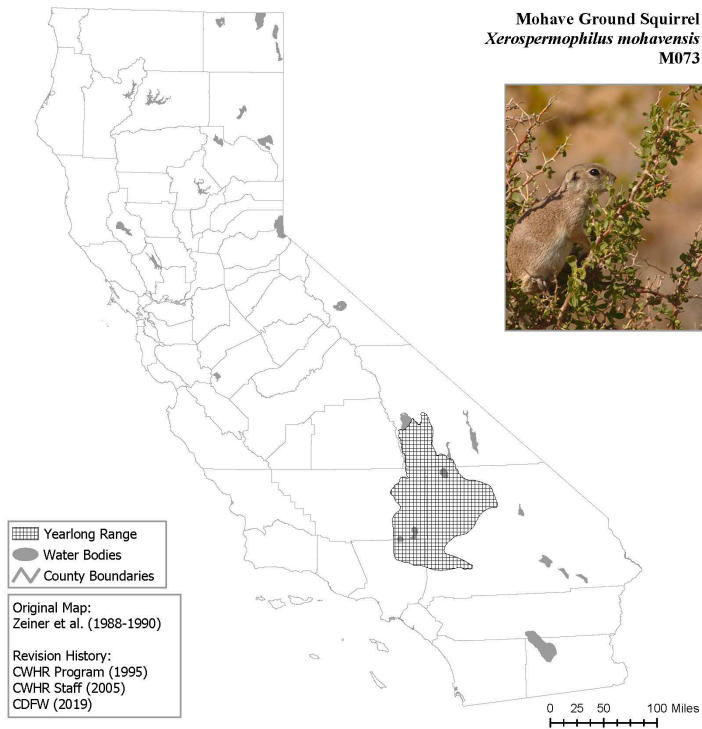
Due to the known presence of endangered species such as the Mojave ground squirrel, Inyo County needs to first perform a full biological assessment and inventory prior to issuing permits. Apparently, Inyo County also did not evaluate migratory birds and raptors which should also be afforded similar protection before permits are issued and may require avoidance buffers for protection. This would ensure critical habitat is not destroyed or negatively affected. Such an inventory needs to include not only the 15 acres within the proposals but a survey of the surrounding area sufficient to protect and prevent impacts to wildlife in the surrounding area. This survey also needs to be conducted over the period of a year to account for seasonal variation of wildlife populations and particularly their food sources. Inyo County needs to fully consult with wildlife agencies prior to permit issuance.

In a similar fashion needs to perform all these same actions before permits are issued for vegetation and identify species of concern. There is no analysis of this in the permit documents

All this information must be provided to the public for review prior to permit issuance. Indeed, without proper wildlife surveys and wildlife agency consultation Inyo County does not provide any protection nor allow any public involvement for plant and animal species as they have not been assessed. Given the documented actions pre-permit of the developer this is paramount.

Special care should be given to the Mojave ground squirrel which appear seasonally and regularly in the immediate area. I personally observe these in great numbers through the permit areas each year when they begin to appear in spring and during the summer. I believe they hibernate during the winter. The following map shows that these proposals are within the single largest habitat in California.

**California Wildlife Habitat Relationships System**  
California Department of Fish and Wildlife  
California Interagency Wildlife Task Group



Range maps are based on available occurrence data and professional knowledge. They represent current, but not historic or potential, range. Unless otherwise noted above, maps were originally published in Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. California's Wildlife. Vol. I-III. California Depart. of Fish and Game, Sacramento, California. Updates are noted in maps that have been added or edited since original publication.

Photo by Yathin Krishnappa: <http://yathin.com/wordpress/about/>

License: <https://creativecommons.org/licenses/by-nc-nd/2.0>

View and download map in BIOS: <https://apps.wildlife.ca.gov/bios/?dslist=908>

Hawks have been regularly observed in and surrounding the permit areas which serve as hunting grounds for lagomorphs and other food sources. Nesting locations of such raptors in the larger area need to be identified to provide proper protection for the protected species. I have even seen at times hawks nesting in the largest tree in my yard which will be a few hundred feet from the project.

I have also heard a number of reports from locals that the Desert Tortoise occurs in the area. This includes the previous owners of home who told me that they lived at one time in rocks on the eastern side of the parcel with my house.

### Other Solar Projects

I have been much more aware and observed numerous solar facilities elsewhere in Nevada and California in other counties. In particular, those nearby California City in the small communities of Ricardo and Cantil. I would like to provide the following observations:

- 1.) some facilities do not remove topsoil and readily build supporting structures for solar cells on top.
- 2.) all of these facilities are well removed from residential areas, completely unlike these Trona permits which are with a few hundred feet or less from inhabited residences. The one exception being the community of Ricardo/Cantil, CA which has suffered considerably.

3.) These facilities are clearly marked with messages allowing for immediately reporting excessive dust and warning people on the highway.

4.) In some, particularly those facilities near Cantil/Ricardo. Downwind of the prevailing wind direction there is significant accumulation of blowing and drifting sand. This sand is at times increasingly burying residential structures and is also easily mobilized in high winds creating a high concentration of fugitive dust that can expose the public to a health risk. This an environmental disaster in this community and we have one in the making with these proposals.

All these need to be accounted for and evaluated by Inyo County prior to permit issuance so that the public may be informed. Given the extreme proximity of these proposals, such downwind accumulations of blowing sand may prohibit the project.

#### **Additional Comments and Photos and Other Information**

**A second document is being provided with many large file size information items. Please refer to this for additional information related to the above as well as additional comments. *It is requested that this document also be kept confidential.***