

Lawsuit can halt two major San Bernardino County projects

Wesley G. Hughes, San Bernardino Sun, 1-22-11

A lawsuit filed in Los Angeles federal court by a national environmental group has the potential to shut down two major San Bernardino County projects.

The complaint filed Jan. 14 by Western Watersheds Project specifically names only the Ivanpah Solar Power Plant being built by BrightSource in the desert near the California-Nevada line. It could also end up shutting down or delaying Molycorp Mining's resumption of mining and processing of rare earths at its Mountain Pass facility adjacent to the 15 Freeway about 10 miles from Nevada.

Both projects are close to each other in the desert within a range of 5 or 10 miles.

The sudden cut off of rare earth minerals from China, which has the largest deposits has prompted renewed interest in Mountain Pass, which has the world's second largest supply.

Western Watersheds alleges that final environmental impact statements were rushed so that the BrightSource project could be approved before a Dec. 31, 2010, deadline. That deadline has been extended to Dec. 31, 2011.

"No project can be considered clean or green when it involves destruction of habitat for a species listed under the Endangered Species Act on this scale," said Michael Connor, California director for Western Watersheds. "The Department of Interior is tasked with siting energy projects in an environmentally sound manner. Instead it is allowing thousands of acres of important desert tortoise habitat to be bulldozed when there are alternative of generating energy."

Connor said Western Watersheds wants full environmental studies to be conducted on the solar project, which they believe will eventually halt the project.

Defendants in the complaint are Interior Secretary Ken Salazar, the Bureau of Land Management, the U.S. Fish and Wildlife Service, the U.S. Department of Interior and several high-level directors in those agencies.

Concerning Molycorp, Connor pointed to an 8.6-mile pipeline proposed to carry natural gas to Mountain Pass for power generation. The so-called Mountain Pass Lateral will, if allowed, carry gas from an existing line owned by Kern River Gas Transmission Line near the Ivanpah Solar Project. "The lateral will pass by the Ivanpah Power Plant, the area where the tortoises are to be relocated, Connor said. "They were given no consideration."

George Kenline, San Bernardino County's mining geologist, who issues mining permits and other relevant county permits, praises Molycorp's new direction. Once a major polluter, Molycorp, he said, "It (Molycorp) decreases the amount of impact because it eliminated the evaporation ponds," which were a major problem before and have been completely removed from the new project.

The gas line has one more hurdle before it can be built before the Federal Energy Regulatory Commission.

In a final staccato of comments about the solar project, Connor said:

"We want the project halted.

"We want to halt construction.

"We want the project to go away."

Attempts to reach MolyCorp and BrightSource Friday afternoon were unsuccessful.