



THE WILDLANDS CONSERVANCY

September 13, 2010

Mr. Anthony Eggert
Commissioner and Presiding Member
Calico Solar AFC Committee

Re: Proposed Calico Solar Project

Dear Commissioner Eggert:

Last week The Wildlands Conservancy saluted the Energy Commission's approval of the Abengoa Solar Project for environmental responsibility in using disturbed agricultural land. For the same reason we supported Abengoa (their use of disturbed lands) we strongly oppose the Calico Solar Project. This project includes portions of four sections of land The Wildlands Conservancy purchased with private monies and donated for conservation. These lands were acquired because it was our firm belief they had the same special status plant, animal and bird species as the adjacent Pisgah Area of Critical Environmental Concern. Indeed, the Calico Solar EIR confirmed these donated lands were replete with desert tortoise and special status species.

What is the future of conservation in California if lands acquired by a nonprofit organization for the protection of threatened and endangered species and wildlife corridors are opened for absolute desecration? These lands were acquired and showcased as part of Vice-President Al Gore's Legacy of the Land Program. What is the meaning of America if the promises to permanently protect these lands made by President Bill Clinton, Vice-President Al Gore, Interior Secretary Bruce Babbitt, Bureau of Land Management National Director Tom Fry, and BLM State Director Al Wright are broken? (See enclosed letters) I have also enclosed a grant agreement that legally binds one of these sections to permanent conservation.

As taxpayers, we are appalled that the applicant's business model is to use land donated to the American people for conservation, receive hundreds of millions of dollars in stimulus grants that cover up to 30% of the project costs, and a taxpayer backed federal guaranteed loan for an additional 50% of the project costs. To receive these public benefits, the applicant should have done their homework on these lands, held stakeholder meetings, and avoided lands replete with threatened and endangered species donated for conservation. Please do not approve this project.

Sincerely,

April Sall
Conservation Director

cc: Commission Members
Enclosures

DOCKET

08-AFC-13

DATE SEP 13 2010

RECD. SEP 15 2010



THE WHITE HOUSE

WASHINGTON

May 10, 2000

Mr. David Myers
Executive Director
The Wildlands Conservancy
3961 Oak Glen Road
Yucaipa, California 92399

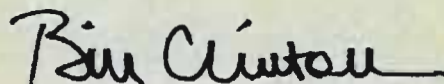
Dear David:

I want to thank you and The Wildlands Conservancy for donating land to the United States for inclusion in Joshua Tree National Park. Your donation of more than 14,000 acres will help protect and preserve fragile desert resources and provide the American people with additional natural areas to treasure and enjoy.

I deeply appreciate your efforts to protect sensitive lands in the California Desert for the National Park Service and Bureau of Land Management. I assure you that my Administration will work to protect and manage the donated lands.

Please convey my appreciation to the Conservancy's Board of Directors, staff, donors, and supporters for this historic donation and all of your work to acquire additional lands for permanent protection.

Sincerely,



THE WHITE HOUSE

Office of the Vice President

**For Immediate Release
Thursday, May 18, 2000**

**Contact:
(202) 456-7035**

**VICE PRESIDENT GORE ANNOUNCES
NEW LAND PROTECTIONS IN CALIFORNIA DESERT**

Calls on Congress to Pass Administration's Lands Legacy Initiative

Washington, DC -- Vice President Al Gore announced today that the Administration and a non-profit conservation organization have secured the money needed to complete a historic acquisition of pristine desert lands in Southern California. The Vice President also called on Congress to support the Administration's Lands Legacy initiative, which includes funding to protect nearby lands from future development.

Under the funding package announced today, the National Park Service (NPS) and the Bureau of Land Management (BLM) will acquire 180,605 acres within and adjacent to federally protected lands between Barstow and Needles. The land will be purchased from the Catellus Development Corporation with \$5 million in federal funds secured by the Administration in the fiscal year 2000 budget and a \$15 million donation from The Wildlands Conservancy.

"These stunning California Desert lands are being preserved for future generations through a true public-private team effort that could serve as a model in other areas," said Vice President Gore. "I commend the Wildlands Conservancy for its hard work and generosity. Protecting magnificent lands through this type of partnership is a central goal of our Lands Legacy initiative."

The purchase, to be completed within the next month, builds on the California Desert Protection Act signed by President Clinton in 1994. The Act, sponsored by Senator Dianne Feinstein, provided new or enhanced protection for 6.6 million acres, including the new Mojave National Preserve and 69 BLM wilderness areas.

Under an agreement in principle announced in December 1998, Catellus agreed to transfer to the federal government a total of 405,000 acres within and around the lands protected by the 1994 Act. Although the lands were valued at \$61.6 million, Catellus agreed to a purchase price of \$45 million. The first phase of the acquisition was completed earlier this year with \$10 million in federal funds and \$15 million from the Wildlands Conservancy. Today's announcement sets the stage for completing the second and final phase of the acquisition.

The areas to be protected include some of the most pristine and scenic desert lands in the world. Their features include cinder cones and lava flows, spectacular ranges of rock and

flowing sand dunes, vast valleys, intriguing cactus gardens and important habitat for the endangered Desert Tortoise. Approximately 83,000 acres will be acquired by the Park Service within the Mojave National Preserve, and the Bureau of Land Management will acquire approximately 97,000 acres, including lands in six designated wilderness areas – Clipper Mountains, Dead Mountains, Piute Mountains, Bristol Mountains, Old Woman Mountains and the Chemehuevi Mountains wilderness.

The Vice President commended Senator Feinstein for her leadership in securing the federal funds; The Wildlands Conservancy for its generous donation; and Catellus for selling the land at a substantially discounted price.

The Administration's proposed fiscal year 2001 budget included \$15 million to complete the second phase of the acquisition. In light of The Wildlands Conservancy donation, the Administration yesterday proposed redirecting the proposed fiscal year 2001 funding to acquire other critical California desert lands on a willing-seller basis.

Unfortunately, Congress' budget failed to provide funding for the President's Lands Legacy Initiative. As a result, the House Interior Appropriations Subcommittee yesterday could only provide a small portion of needed land acquisition funding, with no funding to acquire critical desert lands. "I am deeply disappointed that Congress is slashing funds that would allow us to forge other partnerships like this one to protect critical lands across America," the Vice President said. "I urge Congress to provide permanent and full funding for Lands Legacy so we can provide states and communities the resources they need to protect their precious green spaces."

Today's acquisition completes the largest purchase of private land in California's history and the largest purchase of land from one seller by the Bureau of Land Management in its 50-year history. Once acquired, the lands would be open to public access for outdoor recreation including hiking, hunting and other permitted uses.

Additional details are available on The Wildlands Conservancy website:
www.wildlandsconservancy.org

###



NEWS

U.S. DEPARTMENT OF THE INTERIOR

Office of the Secretary
For Immediate Release
Jan. 15, 1999

Contact: Tim Ahern, (202)-208-5089
Jan Bedrosian, (916)-978-4616
Holly Bundock, (415)-427-1320

***** MEDIA ADVISORY *****

Babbitt Will Kick Off Mojave Acquisition, Largest Land Deal in California History

Secretary of the Interior Bruce Babbitt will go to the Palm Springs area of Southern California on Wednesday, Jan. 20, to take title to the first 10,000 acres of private lands in the California Desert that will be acquired by the federal government as part of President Clinton's Lands Legacy Initiative.

Almost 500,000 acres of private lands will be acquired through an unprecedented match of private and public funds. The \$36 million in federal money will come from the Land and Water Conservation Fund while \$25.5 million in private funds is being contributed by The Wildlands Conservancy, a non-profit organization based in Oak Glen, Calif.

"This is an incredible opportunity to preserve a half-million acres of private land which has been interspersed among the new National Parks created by the California Desert Protection Act of 1994," Babbitt said.

On Jan. 20, The Wildlands Conservancy will give Babbitt title to some of the land it has already acquired in the area, including parcels in the San Geronio Wilderness, managed by the Bureau of Land Management, and Joshua Tree National Park.

Most of the land to be acquired is owned by the Catelhus Development Corp., formerly the land-holding arm of the railroads. The rest of the land is owned by a variety of persons.

- Who:** Bruce Babbitt, Secretary of the Interior; and other federal officials and representatives of landowners and local and conservation interests
- What:** The federal government will take title to the first 10,000 acres of land, of a total of about 500,000 acres, that will be acquired in the California desert
- When:** 12:30 p.m. PST, Wednesday, Jan. 20, 1999

Where: Visitor center at the Santa Rosa Mountains National Scenic Area
51-500 California route 74, Palm Desert, California
(Map to event site is attached)

Contact: Tim Ahern, 202-208-5089 (Department of Interior)
Jan Bedrosian, 916-978-4614 or Carole Levitzky (Bureau of Land Management,
California)
Holly Bundock, 415-427-1320 (National Park Service)
David Myers, 909-797-8507 (The Wildlands Conservancy)
John Bezzant, 213-473-3102 (Catellus Corp.)

-DOI-



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Washington, D.C. 20240

<http://www.blm.gov>

OCT 30 2000

David Myers
Wildlands Conservancy
39611 Oak Glen Road
Yucaipa, CA 92399

Dear Mr. Myers:

It is truly an honor to present you, representing the board of The Wildlands Conservancy, the Bureau of Land Management's (BLM) national Legacy of the Land Award.

The Conservancy, a relatively young organization, has very quickly earned a national reputation for protecting magnificent lands through unprecedented public-private partnerships.

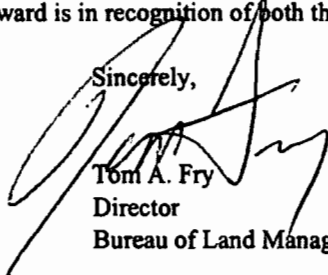
Most notable is the recent completion of the year-and-half-long effort to protect more than 405,000 acres of checkerboard railroad lands, formerly owned by Catellus Corporation, in what Vice President Al Gore called "an historic acquisition of pristine lands in Southern California."

Through the Conservancy's efforts, the BLM and the National Park Service now own critical inholdings in what the Vice President called "some of the most pristine and scenic desert lands in the world." In addition to scenic lands in the Park Service's Mojave National Preserve, BLM was also able to acquire 322,500 acres in 10 designated Wilderness Areas, almost a dozen sensitive wildlife habitat areas, and several key recreational access areas.

These areas are part of spectacular mountain ranges, with unique geological formations, including mountainous landscapes, sweeping bajadas and flowing sand dunes. They contain habitat for a number of threatened and endangered species, including bighorn sheep and desert tortoise. Without the Conservancy's innovation and leadership, these lands could have been developed or sold into private ownership, which would have had far-reaching implications to the surrounding wilderness and wildlife habitat areas.

While this is a tremendous accomplishment, California's diverse but threatened landscapes need further efforts from BLM and the Conservancy. BLM looks forward to a long and productive relationship with you and your talented and generous board. This award is in recognition of both the accomplishment and the future legacy to come.

Sincerely,


Tom A. Fry
Director
Bureau of Land Management



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

California State Office
2800 Cottage Way, Suite W1834
Sacramento, CA 95825-1886

www.ca.blm.gov

AUG 9 2000

David Myers
Executive Director
The Wildlands Conservancy
39611 Oak Glen Road
Yucaipa, CA 92399

Dear David:

On behalf the Bureau of Land Management, and especially all of us here in California, I would like to officially thank you, the Board of Directors of The Wildlands Conservancy, and your many generous donors for the tremendous achievement of completing the acquisition of Catellus lands in the California Desert recently.

It is an incredible success story and demonstrates the "big picture" vision of the Conservancy, which you so ably lead. At every obstacle, a path to the final goal was found. As a consequence, the public now enjoys ownership of the 405,000 acres the conservancy helped BLM and the Park Service acquire. Present and future generations will benefit greatly, as will the land itself and its wildlife resources.

Your ability to develop alliances and pool resources was truly the essence of what made this achievement possible. BLM will take very good care of these newest public lands and we look forward to a long-term relationship with you and the Conservancy.

Sincerely,

Al Wright
Acting State Director

DAVID -
MY UNQUALIFIED
THANKS FROM US
AT BLM AND
THE PUBLIC -
Al

United States Senate

WASHINGTON, DC 20510-0504

(202) 224-3841

December 10, 1998

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I am writing to urge you to include \$36 million for land acquisition in the California Desert in your fiscal year 2000 budget request. This funding would allow completion of a landmark bid by the Wildlands Conservancy to permanently protect up to 475,000 acres of inholdings in the California Desert's national parks and wilderness areas. Protecting these areas is vital to preserving the unique character and public accessibility of the California Desert.

As you know, I fought to ensure passage of the Desert Protection Act, which you signed into law in 1994. The Desert Protection Act created two new national parks, a national preserve, and over 100 new wilderness areas. Unfortunately, our work is not done. Hundreds of thousands of acres of inholdings in the Desert remain unprotected. Many of these inholdings are in a "checkerboard" pattern, strategically located so that the land effectively blocks access to public lands. Owners of the inholdings, including the Catellus corporation, are making plans to develop their land. This would compromise the California Desert's fragile ecosystem and severely limit recreation opportunities on Federal land.

The Wildlands Conservancy has developed an innovative plan to purchase these inholdings and transfer them to Federal ownership, protecting them permanently from development. The Conservancy proposes to use a combination of Federal and private funds to acquire 475,000 acres of inholdings, mostly owned by Catellus. The Conservancy has pledged \$16 million in private funds for the effort. I strongly believe that the Federal government should provide the remaining \$36 million to complete this acquisition.

The National Park Service and U.S. Bureau of Land Management are already on record supporting the Wildlands Conservancy proposal. In an interview with the Los Angeles Times, Park Service Regional Director John Reynolds said, "The Wildlands Conservancy effort is ambitious and dramatic. It will be a great day for the Desert."

Moreover, in a letter dated November 24, U.S. Bureau of Land Management State Director Ed Hastey wrote, "Clearly, the reality of the situation in the California Desert with the checkerboard Catellus lands calls for a public/private partnership to leverage your contributions more effectively. The Wildlands Conservancy's pledge of more than \$16 million in cash and land...to hopefully be matched with appropriations from the Federal Land and Water Conservation Fund, will give the California Desert the national attention this region deserves. BLM-California will do all it can to support your innovative and bold initiative."

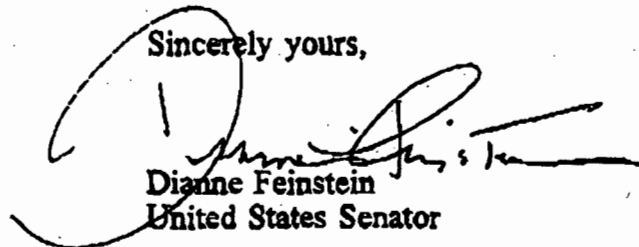
Attached are two letters from The Wildlands Conservancy that explain this proposal in more detail. The Wildlands Conservancy land acquisition proposal will protect endangered species habitat, keep the Desert ecosystem intact, and improve recreation opportunities for millions of Americans. As a member of the Interior Appropriations Subcommittee, I intend to make the Wildlands Conservancy acquisition one of my top environmental priorities in the next Congress. I do hope that I can count on your support and assistance. Please take an important first step by including \$36 million for the acquisition in your budget request.

Thank you so much for your attention to this important matter. Please let me know what you decide. If you have any questions or require further information, please do not hesitate to get in touch, or have your staff contact Kathy Reich in my office at (202) 224-3841.

May I take this opportunity to wish you and your family a happy and healthy holiday season.

With warmest personal regards.

Sincerely yours,



Dianne Feinstein
United States Senator

DF:kdr

DONATION AGREEMENT

This Donation Agreement ("**Agreement**"), dated November 19, 2004, 2004, is by and between **THE WILDLANDS CONSERVANCY**, a California nonprofit public benefit corporation ("**Donor**"), and **UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, CALIFORNIA DESERT DISTRICT** ("**United States**").

WHEREAS, Donor has acquired the fee interest in and to that certain property located in Imperial, San Bernardino and Kern Counties, California ("**County**") more particularly described on **Exhibit A** attached hereto and incorporated herein by reference (the "**Fee Land**") and has donated the Fee Land to the United States (the "**Donation**") by the Grant Deed recorded on _____, as Document No. _____, in the Official Records of the County (the "**Deed**");

WHEREAS, a portion of the funds used by Donor to acquire the Fee Land were made available from a grant (Grant Number RLFF-064-02) ("**Grant**") made to Donor by the Resources Legacy Fund Foundation ("**RLFF**");

WHEREAS, it is a requirement under the Grant for Donor to provide for the permanent protection of the Fee Land's natural resources;

WHEREAS, it is a requirement under the Grant for Donor reserve all minerals in and under the surface of the Fee Land, but without the right of surface entry;

WHEREAS, it is the intent of the Donor and RLFF for the Donor to satisfy such Grant condition by obtaining the assurance of the United States to administer the Fee Land in accordance with the California Desert Conservation Area Plan, and all laws applicable to lands held by the United States Department of Interior, Bureau of Land Management, California Desert District ("**BLM**");

WHEREAS, the United States will administer the Fee Land in accordance with the terms of the California Desert Conservation Area Plan, and all laws and policies applicable to lands held by BLM;

WHEREAS, the agreements of the United States herein are a condition to the Donor's donation of the Fee Land to the United States and to RLFF's making the Grant to Donor for Donor's acquisition of the Fee Land;

NOW, THEREFORE, in consideration of the foregoing and as an express condition the Donation, the parties hereto agree as follows:

United States, on behalf of itself and its successors, assigns and contractors, if any, will not allow or permit uses on the Fee Land that are not consistent with the terms of the California Desert Conservation Area Plan, and all laws applicable to the United States. The United States agrees that the Fee Land and all estates, rights, privileges, and interests that are part of or associated with the Fee Land shall be conserved and used for the conservation of the natural, cultural and aesthetic values associated with the Fee Land in a manner consistent with the California Desert Conservation Area Plan and all laws applicable to the United States.

United States agrees to these foregoing conditions by executing an acceptance below.

This Agreement will be recorded at the appropriate County recorder's office following recordation of the Deed to which this Agreement refers, from the Donor to the United States.

This Agreement may be signed in original counterparts each of which shall be considered an original and which together will constitute one and the same agreement.

IN WITNESS HERETO, the parties hereto have executed this Agreement on the date(s) set forth below.

UNITED STATES OF AMERICA,
DEPARTMENT OF INTERIOR,
BUREAU OF LAND MANAGEMENT
California Desert District

By: 
Linda D. Hansen, District Manager

Date: November 19, 2004

THE WILDLANDS CONSERVANCY,
a California nonprofit public benefit corporation

By: David Myers
David Myers, Executive Director

Date: 11-19-2004

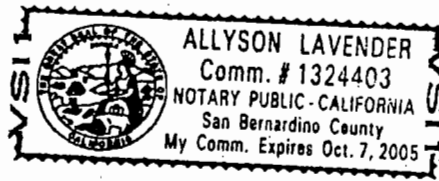
California Notary Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF San Bernardino)^{ss.}

On 11-19-04, before me, Allyson Lavender, a Notary Public in and for said County and State, personally appeared Linda D. Hansen, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Allyson Lavender
Signature of Notary



(This area for official notarial seal)

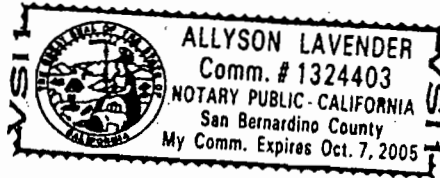
California Notary Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF San Bernardino ss.

On 11-19-04, before me, Allyson Lavender, a Notary Public in and for said County and State, personally appeared David Myers, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Allyson Lavender
Signature of Notary



(This area for official notarial seal)

EXHIBIT "A"

All that Real Property in the unincorporated area of the County of San Bernardino, State of California, described as follows:

PARCEL 1:

SECTION 17, TOWNSHIP 3 NORTH, RANGE 16 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

RESERVING UNTO THE WILDLANDS CONSERVANCY, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION HEREIN ALL MINERALS AND THE RIGHT TO PROSPECT FOR, MINE AND REMOVE ALL MINERALS UNDERLYING SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY.

APN: 644-201-12;

PARCEL 2:

SECTION 9, TOWNSHIP 7 NORTH, RANGE 9 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

RESERVING UNTO THE WILDLANDS CONSERVANCY, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION HEREIN ALL MINERALS AND THE RIGHT TO PROSPECT FOR, MINE AND REMOVE ALL MINERALS UNDERLYING SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY.

APN: 557-061-24 AND 557-061-64;

PARCEL 3:

SECTION 25, TOWNSHIP 7 NORTH, RANGE 9 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM THOSE PORTIONS OF SAID LAND CONVEYED TO THE CALIFORNIA, ARIZONA AND SANTA FE RAILWAY COMPANY, A CORPORATION, BY DEEDS RECORDED DECEMBER 28, 1911 IN BOOK 496, PAGE 169, OFFICIAL RECORDS, AND RECORDED MARCH 16, 1914 IN BOOK 548, PAGE 29, OFFICIAL RECORDS, AND RECORDED MAY 7, 1920 IN BOOK 686, PAGE 69, OFFICIAL RECORDS.

RESERVING UNTO THE WILDLANDS CONSERVANCY, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION HEREIN ALL MINERALS AND THE RIGHT TO PROSPECT FOR, MINE AND REMOVE ALL MINERALS UNDERLYING SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY.

APN: 557-031-63 AND 557-031-64;

PARCEL 4:

SECTION 9, TOWNSHIP 7 NORTH, RANGE 21 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

RESERVING UNTO THE WILDLANDS CONSERVANCY, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION HEREIN ALL MINERALS AND THE RIGHT TO PROSPECT FOR, MINE AND REMOVE ALL MINERALS UNDERLYING SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY.

APN: 651-081-10;

PARCEL 5:

SECTION 17, TOWNSHIP 8 NORTH, RANGE 6 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

RESERVING UNTO THE WILDLANDS CONSERVANCY, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION HEREIN ALL MINERALS AND THE RIGHT TO PROSPECT FOR, MINE AND REMOVE ALL MINERALS UNDERLYING SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY.

APN: 552-031-43 AND 552-031-44;

PARCEL 6:

SECTION 21, TOWNSHIP 12 NORTH, RANGE 20 EAST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

RESERVING UNTO THE WILDLANDS CONSERVANCY, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION HEREIN ALL MINERALS AND THE RIGHT TO PROSPECT FOR, MINE AND REMOVE ALL MINERALS UNDERLYING SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY.

APN: 568-341-02;