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9 Attorneys for Appellants
10 BACKCOUNTRY AGAINST DUMPS,
11 PROTECT OUR COMMUNITY FOUNDATION,
12 EAST COUNTY COMMUNITY ACTION
13 COALITION, DONNA TISDALE
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BEFORE THE INTERIOR BOARD OF LAND APPEALS

UNITED STATES DEPARTMENT OF THE INTERIOR

12 BACKCOUNTRY AGAINST DUMPS, PROTECT) NO.
13 OUR COMMUNITY FOUNDATION, EAST)
14 COUNTY COMMUNITY ACTION COALITION,) **NOTICE OF APPEAL**
15 DONNA TISDALE)
16 Appellant,)
17 v.)
18 UNITED STATES DEPARTMENT OF THE)
19 INTERIOR, BUREAU OF LAND MANAGEMENT,)
20 KEN SALAZAR, in his official capacity as Secretary)
21 of the Department of the Interior, JAMES L.)
22 CASWELL, in his official capacity as the Acting)
23 Director of the Bureau of Land Management, MIKE)
24 POOLE, in his official capacity as California State)
25 Director, United States, Bureau of Land Management,)
26 and VICKI WOOD, in her official capacity as Field)
27 Manager, El Centro Field Office, United States Bureau)
28 of Land Management,)
Deciding Officers.)

25 Notice is hereby given, pursuant to 43 C.F.R. § 4.411, that Backcountry Against Dumps,
26 Protect Our Community Foundation, East County Community Action Coalition, and Donna
27 Tisdale (“appellants”) appeal the decision of the Bureau of Land Management (“BLM”), dated
28 January 20, 2009, and published in the Federal Register on February 20, 2009, entitled Record of

1 aquifers of Eastern San Diego County that are threatened with contamination and over drafting by
2 ongoing and proposed land use development, including the SPTP, related power development
3 projects, and their growth inducing impacts. BAD's members use BLM lands for aesthetic,
4 scientific, historic, cultural, recreational and spiritual enjoyment. The development proposed by
5 the SPTP threatens to harm the use and enjoyment of these public resources by BAD's members
6 as well as the public at large. BAD therefore seeks review of BLM's approval of the project.
7 BAD submitted a protest of the SPTP on November 17, 2008.

8 Appellant Protect Our Community Foundation ("POC") is also a community organization
9 comprising numerous individuals and families residing in Eastern San Diego County who are
10 directly affected by the approval of the SPTP. POC's purpose is the promotion of a safe, reliable,
11 economical, renewable and environmentally responsible energy future. POC's members use BLM
12 lands for aesthetic, scientific, historic, cultural, recreational and spiritual enjoyment. The SPTP
13 threatens to harm the use and enjoyment of these public resources by POC's members. POC
14 therefore has chosen to appeal BLM's approval of the project. Members of POC submitted
15 comments throughout the SPTP proceeding.

16 Appellant East County Community Action Coalition ("ECCAC") is a coalition of
17 community groups with the common goal of preserving rural quality of life and natural resources.
18 ECCAC and its members seek to maintain the ecological integrity, scenic beauty, wildlife,
19 recreational amenities, watershed values and groundwater resources in Eastern San Diego County.
20 ECCAC's members use BLM lands for aesthetic, scientific, historic, cultural, recreational and
21 spiritual enjoyment. The SPTP threatens to harm the use and enjoyment of these public resources
22 by ECCAC's members as well as the public at large. ECCAC therefore seeks review of BLM's
23 approval of the project. Members of POC submitted comments throughout the SPTP proceeding.

24 Appellant Donna Tisdale lives on the Morningstar Ranch, located two miles west of Tierra
25 Del Sol road in Boulevard, California. Her residence and business rely exclusively on well water.
26 She is an active member of multiple community groups, including co-appellants BAD and POC,
27 and is a sitting member of the Boulevard Planning Group. Donna Tisdale advocates for the
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1 preservation of rural areas of Southern California and was recently featured on the front page of
2 the Washington Post as a voice against the SPTP. Donna Tisdale uses BLM lands that will be
3 affected by the project for recreational and spiritual activities. The project will adversely affect
4 Donna Tisdale's interests by introducing industrial development into the McCain Valley and
5 surrounding areas, thereby decreasing her enjoyment of the natural resources in the area. She has
6 authored multiple letters opposing the project on behalf of community groups and submitted them
7 to BLM and the California Public Utilities Commission.

8 STATEMENT OF REASONS

9 Appellants will file a Statement of Reasons in support of this Appeal and Request for Stay
10 within 30 days as permitted under 43 C.F.R. § 4.412(a).

11 CONCLUSION

12 Appellants hereby appeal BLM's decision to approve the project. Appellants also asks
13 this Board to issue a stay pending this appeal to protect the natural resources at stake here by
14 preserving the *status quo*. Appellants' request for stay is filed concurrently herewith.

15 Dated: March 23, 2009

Respectfully submitted,

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18 STEPHAN C. VOLKER
19 Attorney for Appellant Backcountry Against Dumps, Protect
20 Our Community Foundation, East County Community
21 Action Coalition, Donna Tisdale
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PROOF OF SERVICE

I, Teddy Ann Fuss, hereby declare:

I am over the age of eighteen years, work in the County of Alameda, California, and am not a party to the within cause. My business address is 436 14th Street, Suite 1300, Oakland, California 94612. On March 23, 2009, I served appellants' NOTICE OF APPEAL in the above-entitled matter as indicated below by placing true copies thereof in envelopes with postage fully prepaid for PRIORITY MAIL, CERTIFIED/RETURN RECEIPT REQUESTED U.S. Postal Service mailing, addressed as follows:

Interior Board of Land Appeals
Office of Hearings and Appeals
U.S. Department of the Interior
801 N. Quincy Street, Suite 300
Arlington, VA 22203

Mike Pool
BLM Director
1849 C Street NW, Rm. 5665
Washington DC 20240

Jim Abbott, Acting State Director
Bureau of Land Management
U.S. Department of the Interior
2800 Cottage Way (Room E-2853)
Sacramento, CA 95825

Tim Smith,
Field Office Manager
BAKERSFIELD FIELD OFFICE
3801 Pegasus Drive
Bakersfield, CA 93308

Jim Bartel
Field Supervisor
U.S. Fish and Wildlife
Carlsbad Fish & Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011

Bureau of Land Management
Barstow Field Office
2601 Barstow Road
Barstow, CA 92311

San Diego Gas & Electric
c/o Jennifer F. Jett
101 Ash Street
San Diego, CA 92101

Bureau of Land Management
Bishop Field Office
351 Pacu Lane, Suite 100
Bishop, CA 93514

Sempra Energy
c/o Randall L. Clark
101 Ash Street
San Diego, CA 92101

Bureau of Land Management
California Desert District
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553

Associate Solicitor
Division of Mineral Resources
Office of the Solicitor
U.S. Department of the Interior
Washington, D.C. 20240

Bureau of Land Management
Eagle Lake Field Office
2950 Riverside Drive
Susanville, CA 96130

1	Regional Solicitor	Bureau of Land Management
	Pacific Southwest Region	El Centro Field Office
2	U.S. Department of the Interior	1661 S. 4th Street
	2800 Cottage Way, Room E-2753	El Centro CA 92243
3	Sacramento, CA 95825-1890	
4	U.S. Bureau of Land Management	Bureau of Land Management
	California State Office	Folsom Field Office
5	2800 Cottage Way, Room W-1834	63 Natoma Street
	Sacramento, California 95825-1886	Folsom, CA 95630
6		
7	Timothy Burke, Field Manager	Bureau of Land Management
	U.S. Bureau of Land Management	Hollister Field Office
8	Alturas Field Office	20 Hamilton Court
	708 W. 12th St.	Hollister, CA 95023
9	Alturas, CA 96101	
10	Lynda J. Roush, Field Manager	Bureau of Land Management
	Bureau of Land Management	Needles Field Office
11	Arcata Field Office	1303 S. Hwy 95
	1695 Heindon Road	Needles, CA 92363
12	Arcata, CA 95521-4573	
13		
14	Bureau of Land Management	Bureau of Land Management
	Palm Springs South Coast Field Office	Redding Field Office
15	1201 Bird Center Drive	355 Hemsted Drive
	Palm Springs, California 92262	Redding, CA 96002
16		
17	Bureau of Land Management	Bureau of Land Management
	Ridgecrest Field Office	Surprise Field Office
18	300 S. Richmond Rd.	602 Cressler Street
	Ridgecrest, CA 93555	Cedarville, CA 96104
19	Bureau of Land Management	
	Ukiah Field Office	
20	2550 North State Street	
	Ukiah, CA 95482	

22 I declare under penalty of perjury that the foregoing is true and correct, and that this
23 declaration was executed on March 23, 2009, at Oakland, California.

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26 Teddy Ann Fuss
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