

# DESERT RENEWABLE ENERGY CONSERVATION PLAN

## PROPOSED LAND USE PLAN AMENDMENT AND FINAL ENVIRONMENTAL IMPACT STATEMENT

### FREQUENTLY ASKED QUESTIONS

#### **Q. What is the Desert Renewable Energy Conservation Plan?**

**A.** The Desert Renewable Energy Conservation Plan (DRECP) is a major component of California's renewable energy planning efforts that will help provide effective protection and conservation of desert ecosystems while allowing for the appropriate development of solar, wind and geothermal energy projects.

The DRECP is an innovative, landscape-scale planning effort covering 22.5 million acres in seven California counties - Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego.

The plan is being prepared by the U.S. Bureau of Land Management, which manages approximately 10 million acres of public lands in the DRECP area, the U.S. Fish and Wildlife Service, the California Energy Commission and the California Department of Fish and Wildlife, collectively known as the Renewable Energy Action Team (REAT).

Based on public comments received on the draft DRECP, the agencies announced in March 2015 that the plan would move forward using a phased approach starting with the BLM component (Phase I) that designates development focus areas (DFAs) conservation areas, and recreation areas on public lands. The phased approach provides additional time and opportunities for the agencies to work with counties and other stakeholders to address issues and concerns related to the non-BLM components of the DRECP (Phase II). It also reflects the need to better align renewable energy development and conservation at the local, state and federal level. The counties—which have local land-use planning and permitting authority—are essential partners in this effort. The agencies are committed to

continued cooperation and coordination to achieve the goals of the DRECP. Using a phased approach will result in a plan that is well-tailored to local government priorities and needs, helps California and the nation meet long-term climate change and clean energy goals, and provides for conservation of the desert's unique and valuable resources.

#### **Q. Why do we need the DRECP?**

**A.** The California desert has seen increased renewable energy development over the last 10 years with projects being approved on a case-by-case basis. Given that renewable energy is a top priority for the Department of the Interior and the State of California, as evidenced in the state's new 50 percent Renewables Portfolio Standard, the state and federal agencies involved in permitting renewable energy projects recognized the need for a comprehensive plan to steer new renewable energy development to the most appropriate locations in the desert while protecting the most sensitive areas. The REAT agencies agreed in 2008 to prepare a landscape-level plan, the DRECP, to streamline renewable energy and transmission permitting while conserving biological and natural resources, recreation, cultural areas, and other values in the southern California desert.

The DRECP will advance state and federal conservation goals in California's desert regions while facilitating the timely permitting of renewable energy projects in appropriate areas. The DRECP will allow agencies and the public to work together and use a landscape-level approach to decide where to site future renewable energy projects. The DRECP provides an opportunity for local, state, and federal agencies to consider renewable energy, wildlife, recreation, and many other values of the desert together in one planning process.

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### Q. Which agencies are preparing the DRECP?

A. The DRECP is being prepared by the U.S. Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (USFWS), California Energy Commission (CEC), and California Department of Fish and Wildlife (CDFW). These agencies are working with several other state and federal agencies that manage lands or programs in the desert, or that manage or regulate renewable energy development and transmission. Local governments, environmental organizations, renewable energy developers, utilities, and other interested parties are also participating in the plan's development and providing valuable input.

The BLM prepared the LUPA/FEIS as Phase I of the DRECP, in close coordination with the other three agencies. Phase II of the DRECP is being led by the State of California, in close coordination with the other three agencies and counties in the plan area.

### Q. What does the BLM LUPA include?

A. As part of the DRECP, the BLM would amend the California Desert Conservation Area Plan, Bishop Resource Management Plan, and Bakersfield Resource Management Plan. Designations on public lands support the DRECP's renewable energy and conservation goals and protect other values and uses on public lands. Key allocations proposed on BLM lands include:

- **Development Focus Areas** – Available for solar, wind, and geothermal development. Applications would benefit from a streamlined permitting process with predictable survey requirements and simplified mitigation measures.
- **Conservation and Recreation Designations** – The DRECP will designate National Conservation Lands, Areas of Critical Environmental Concern, wildlife allocations, and National Scenic and Historic Trail management corridors to conserve biological, cultural, and other values. Lands within these designations would be closed to renewable energy, and the BLM would not accept applications in these areas.

- **Recreation Designations** – The DRECP will designate Special Recreation Management Areas and Extensive Recreation Management Areas to recognize a range of recreational values in the desert. Lands within these designations would be closed to renewable energy, and the BLM would not accept applications in these areas.<sup>1</sup>
- **Variance Process Lands** – These areas would be potentially available for renewable energy development but require an extensive pre-application process to collect additional information before BLM makes a determination on an application.
- **Un-allocated Lands** – BLM lands that are not covered by any of the above designations, although the DRECP creates new management prescriptions for these lands. These lands are potentially available for renewable energy development. Examples of un-allocated lands include scattered parcels surrounded by private land, lands underneath the Salton Sea, and lands with existing development such as mines, highways, etc. that haven't seen development demand.

### Q. How does the BLM LUPA relate to the overall DRECP?

A. The BLM LUPA is the first phase of the DRECP and covers 10 million acres of public land managed by the BLM. The phasing approach does not change the overall goals of the DRECP: – to conserve species and ecosystems while allowing renewable energy to be developed in the most appropriate places. The BLM LUPA fulfills the public-land elements of the DRECP's goals, identifying lands appropriate for development and important for conservation and other uses on public lands. The decision to use a phased approach was done in part to provide more certainty around renewable development and conservation on public lands while providing more time for planning on private lands.

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<sup>1</sup> Exceptions: 1) Minor overlap between SRMAs and DFAs that would allow geothermal development with no surface occupancy; 2) Minor overlap between SRMAs and variance lands that could allow renewable energy that does not negatively impact recreation

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### **Q. How will Phase II of the DRECP proceed?**

**A.** In March 2015, the REAT agencies announced that the DRECP planning process would move forward in a phased manner to address public comments and the need to continue working with local governments on the non-federal portion of the plan focused on private lands.

Phase I centers on completing a BLM Land Use Plan Amendment (LUPA) for the DRECP area. The LUPA will amend existing land designations to create areas for renewable energy development and conservation areas on federal public lands.

Phase II centers on better aligning local, state and federal renewable energy development and conservation plans, policies and goals, which includes building off of the work being done using Renewable Energy Conservation Planning Grants (RECPG) that were awarded by the California Energy Commission to counties in the plan area. These county planning efforts are critical because counties have primary land-use and permitting authority on private lands in their counties. The decision to use a phased approach did not impact that authority and did not change the process for permitting renewable energy projects on private lands.

Phase II planning efforts will be ongoing and the Energy Commission will regularly provide updates on the progress counties are making related to renewable energy development and conservation.

### **Q. What lands are included in the DRECP planning area?**

**A.** The DRECP covers 22.5 million acres in California's desert region, including lands within Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego counties. The plan area includes public (federal and state owned and managed) and private lands. Lands that are legislatively and legally protected, such as wilderness areas, national parks, and military lands are included in the DRECP plan boundary. However, the DRECP does not affect the existing management of these lands. Phase I of the DRECP covers approximately

10 million acres of lands managed by the BLM within the DRECP and California Desert Conservation Area boundaries.

### **Q. How will the DRECP affect the public's ability to access and recreate on BLM land in the desert?**

**A.** The BLM is proposing several land use designations on public lands through the DRECP, including DFAs that would be available for utility scale renewable energy (388,000 acres), conservation designations (e.g. National Conservation Lands and Areas of Critical Environmental Concern) where renewable energy would not be permitted (5,255,000 acres), and Recreation Management Areas where renewable energy would not be permitted (3,770,000 acres). The BLM is proposing management for these areas that would ensure that appropriate access, recreation, and other activities on these conservation and recreation public lands would not be impeded by renewable energy development.

### **Q. How will BLM conservation designations affect public access?**

**A.** The DRECP will protect recreation and other uses of public lands in the desert. New conservation lands will be off-limits to renewable energy development, ensuring that the natural, cultural, scenic, and compatible recreational resources in those areas are protected. The plan will ensure that those who enjoy these lands can continue to do so. The plan will not close any designated routes or open off-highway vehicle areas (of which there are 369,000 acres of existing open off-highway vehicle areas in the Plan Area).

### **Q. What benefits will the DRECP provide for renewable energy developers?**

**A.** Phase I of the DRECP will designate 388,000 acres of DFAs on public lands that steer renewable energy development to low-conflict areas. These designations will make it clear to developers where projects can and cannot be sited. Projects in DFAs will have consistent mitigation requirements, which in many cases will be fewer than current ones due to the extensive new

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conservation created by the plan. Developers can also take advantage of the large amount of data collected through the DRECP process and the environmental analysis that was done as part of developing the plan. Finally, the BLM is considering additional financial incentives through an ongoing rulemaking that would apply to projects sited in DFAs.

### **Q. Will the DRECP approve new development?**

**A.** No. The DRECP does not approve any renewable energy development projects. Individual renewable energy projects will continue to follow existing laws and regulations, and need to be approved by applicable local, state or federal agencies, such as county governments, the California Energy Commission, and the BLM. The DRECP would establish avoidance, minimization, and compensation measures and other environmental requirements for these projects on public lands in order to protect wildlife, ecosystems, cultural resources, recreation, and other values.

### **Q. Will the DRECP bring more development to the desert?**

**A.** No. The DRECP does not require or drive demand for renewable energy development in the desert. The plan identifies areas in the area suitable for development of utility-scale wind, solar and geothermal energy projects. Renewable energy projects have been developed in the region and it is likely more will be built with or without the DRECP. The DRECP takes a landscape-scale planning approach to determine where renewable energy development should and should not be located in the future.

### **Q. How will the DRECP affect mining?**

**A.** The DRECP will not affect valid mining claims in the plan area. The bureau will consider whether to withdraw lands in the plan area from future mineral location and entry following its completion. Such a withdrawal process would include public input and environmental review.

### **Q. How will DRECP lands that are left unallocated be managed?**

**A.** “Unallocated Lands” are BLM-administered lands that do not have a proposed land allocation or designation in the DRECP. However, the DRECP still includes specific management prescriptions for these lands. These areas would be open to renewable energy applications but would not benefit from plan-related streamlining or incentives. Development on unallocated lands may not have an adverse effect on the biological and cultural conservation design, the recreation design, or the renewable energy and transmission design of the DRECP.

### **Q. How does the DRECP relate to Senator Feinstein’s proposed California Desert Conservation and Recreation Act?**

**A.** The DRECP planning effort is separate from Senator Feinstein’s proposal to create new conservation and recreation areas in the desert. However, the same values are recognized by both the DRECP and Senator Feinstein’s bill S.414. The proposed designations under the DRECP are compatible with the conservation designations proposed under S. 414 and reflect the result of an extensive, multi-stakeholder public process. As a result, these two proposals are largely consistent, with the proposed Mojave Trails and Sand to Snow National Monuments proposed as National Conservation Lands in the DRECP.

### **Q. How is the DRECP affecting the existing California Desert Conservation Area (CDCA) Plan and Multiple Use Classes?**

**A.** The BLM LUPA is consistent with the original intent of the CDCA with a focus on conservation and while adding designations for renewable energy development. The LUPA would eliminate the Multiple Use Classes (MUCs) in the CDCA Plan and replace them with specific land designations. Because the DRECP identifies renewable energy, conservation, and recreation designations and specific management prescriptions for those allocations, retaining the MUCs

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would create duplicative and potentially contradictory management. Many of the concepts of the MUCs have been maintained, but with different names, consistent with standard BLM terminology.

### **Q. How does the DRECP relate to the West Mojave Route Network Project (also referred to as “WEMO”)?**

**A.** The West Mojave planning area is entirely within the DRECP area. Both the West Mojave project and the DRECP propose land-use planning changes to the CDCA. The West Mojave Plan Amendment is narrower in scope than the DRECP. West Mojave planning decisions center around travel management and, to a lesser extent, address grazing and recreation management strategies. Neither plan proposes changes to travel management area designations of closed, open or limited. None of the West Mojave Plan Amendments would conflict with, or change, decisions shaped by the DRECP.

The West Mojave project would also make route designation decisions, which are implementation decisions, and not plan decisions. Route designations will be considered in the context of the DRECP proposals and are being designed to avoid conflicts with the DRECP. Because the West Mojave project is anticipated to be completed after BLM signs the FEIS/LUPA Record of Decision component of the DRECP, implementation decisions in the West Mojave project will be subject to the plan decisions in the DRECP.

### **Q. How have the agencies responded to public comments on the Draft DRECP and what are the key changes to the BLM LUPA and FEIS?**

**A.** The public submitted more than 400 unique comment letters, including more than 16,000 individual comments on the Draft DRECP. Many of these comments were directed at the private-land aspects of draft DRECP, which would be addressed in Phase II. Comments related to the BLM components of the plan included:

- Support for BLM conservation designations
- Concerns over the amount of land included in development areas
- Concerns over the amount of land included in conservation areas
- Effect of DRECP on public access, mining, recreation, and other uses of public lands
- Durability of BLM conservation designations

Based on this input, the BLM refined various land designations, provided more details regarding management of conservation lands, clarified how unallocated lands would be managed, refined the environmental analysis, and reorganized the document to provide greater clarity.

Specific boundary refinements include:

- Study area lands have been changed to either conservation lands (e.g. Silurian Valley, lands in the Mountain Pass area north of Mojave National Preserve) or DFA (e.g. Hwy 395 DFA).
- Lands have been added to conservation designations (e.g. parts of the Cadiz Valley and Eagle Mountain area).
- Some lands have been removed from DFAs (e.g. parcels near Edwards Air Force Base important to the rockhounding community, sensitive cultural areas in the Riverside East DFA).

### **Q. Does the DRECP still anticipate 20,000 megawatts of renewable energy in the desert?**

**A.** Yes. While the plan’s DFAs can accommodate up to 20,000 megawatts (MW) of renewable energy development, the latest scenario plan assumes slightly more than 17,000 MW of actual development in the desert. The 20,000 MW estimate allows for the possibility that development of projects in some DFAs will prove to be infeasible due to economic or other reasons, which would reduce the number of projects

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being built. That assumption applies to public and private lands across the entire plan area. The BLM LUPA, which includes the public-land DFAs in the draft DRECP, assumes that only a portion of the total anticipated development would occur on BLM public lands, and that private lands would continue to be developed. The BLM LUPA does not assume that 20,000 megawatts of renewable energy will be developed on public lands. It is important to remember these estimates are only planning assumptions; they are not forecasts. The DRECP does not permit projects or determine whether projects get approved. The plan will, however, help direct these projects to appropriate places in the desert while protecting areas that should be conserved.

### **Q. How did the agencies come up with the 20,000 megawatt (MW) planning assumption?**

**A.** Energy planning assumptions developed for the DRECP used California's goal of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050 as the starting point. The Energy Commission developed and released a DRECP acreage calculator that uses supply- and demand-side assumptions to estimate how much renewable energy—and how many acres of renewable energy development in the DRECP area—might be needed over the coming decades. The calculator was used to develop three sets of acreage scenarios, the first of which estimated the 2050 need for renewable energy and the related acreage to accommodate it. Based on stakeholder feedback and the uncertainty of planning for 2050, the Energy Commission scaled back the time horizon to 2040 and estimated that 20,000 MW of renewable energy would be needed. Based on feedback on that scenario, the Commission revised downward how much energy would be needed, from 20,000 MW to slightly more than 17,000 MW.

### **Q. How were rooftop solar and energy efficiency addressed in the planning assumptions?**

**A.** The scenario developed to establish the 20,000 MW assumption assumed that 16,000 MW of distributed generation, which includes rooftop solar, would be

installed by 2040. If more is installed and no other assumption in the scenario changes, less large-scale renewable energy development will be needed by 2040. The scenario also considers the impact of energy efficiency measures and programs on electricity demand, which are embedded in the California Energy Demand 2014–2024 forecast. This forecast formed the basis for the electricity demand assumed for 2040. Given the state's commitment to reducing energy use and using energy efficiency as a primary way to reduce greenhouse gas emissions, it is assumed that expenditures on energy efficiency and resulting savings would remain high during the 2014–2040 period.

### **Q. What are the next steps for the first and second phases?**

**A.** Now that the Proposed BLM Plan of the DRECP has been released, there will 30-day protest period, after which the BLM will issue a Record of Decision. This will conclude Phase I of the DRECP. That will be followed by a plan-wide conservation strategy that is expected to be released later this year. Phase II, which involves the private lands components of the DRECP, is ongoing. These efforts include better aligning local, state and federal renewable energy development and conservation efforts. The California Energy Commission will regularly provide updates on the progress counties are making related to renewable energy development and conservation.