

**Defenders of Wildlife ~ Natural Resources Defense Council ~ Sierra Club ~  
The Wilderness Society ~ Audubon California ~ California Native Plant Society ~  
Center for Biological Diversity ~ The Nature Conservancy**

January 23, 2013

Dave Harlow  
Director, Desert Renewable Energy Conservation Plan (DRECP)  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

Re: Comments on the “Description and Comparative Evaluation of the Draft DRECP Alternatives”

Dear Dave,

We would like to thank you for releasing the “Description and Comparative Evaluation of the Draft DRECP Alternatives” (“December Draft”) and for the opportunity to review this information before the draft environmental documents are released later this year. Our organizations strongly support the concept of the DRECP as a way to facilitate responsible and sustainable renewable energy development in order to meet the state’s renewable energy mandates and needs while simultaneously providing lasting conservation for species, natural communities and ecological processes in the California deserts. For this reason, we continue to dedicate substantial resources toward achieving this outcome for the DRECP.

Fundamental to the success of the DRECP is the delineation of development alternatives and a conservation reserve design that will facilitate appropriate renewable energy generation in suitable locations and provide for the conservation of species, habitats and ecosystem function. In our most recent letter, we outlined nine elements of a successful DRECP which form the essential criteria that we will use to evaluate the December Draft in subsequent comments. In this, our initial response to that draft, we will focus on highlighting outstanding issues that should be addressed before a preferred alternative is selected. Indeed, without the information outlined below, it is impossible for us to provide you with guidance as to which is the better alternative to select. These issues include:

- 1) Lack of Biological Goals and Objectives: As in our comments on the May DRECP Scenario, August DRECP Alternatives, and September Draft Independent Science Panel Report, we again stress the importance of establishing BGOs which are needed to as the basis for the conservation design. It is not feasible for us to conduct a true evaluation of the December Draft’s alternatives in the absence of *specific, measurable, attainable, relevant* and *time-bound* (SMART) BGOs. The DRECP needs to prioritize finalization of BGOs and a clear rationale for acreage or percentage metrics that will be used in developing the reserve design using Marxan with Zones.

We are concerned that the REAT agencies are taking a different approach to BGOs than the conservation community has recommended. As described at the July 25, 2012, stakeholder

meeting, the SMART BGOs will be finalized and assessed once the preferred development alternative is identified. However, this approach is confusingly counter to the conservation planning principles that are described in the Introduction to the December Draft (Section 1.2.2.1). While this section references conservation planning articles<sup>1</sup>, *the approach that the DRECP is actually taking is inconsistent with the approach described in these articles*. For example, Margules and Pressey (2000) describe a systematic process to conservation planning that includes identification of conservation goals as the second step in the sequence and includes setting, “quantitative conservation targets for species, vegetation types or other features.”<sup>2</sup> To date, the only quantitative conservation targets for covered species, natural communities and ecological processes that have been publicly shared were “placeholder” estimates used for an initial Marxan run and your agencies did not provide any detailed scientifically based rationale for the use of those estimates.

We would like a clear and honest explanation of how and when the BGOs will be finalized for covered resources as well as how the BGOs will inform both the reserve design and the DFAs, and request this explanation be released prior to REAT agencies selecting a preferred alternative.

- 2) Durable and lasting conservation for species, natural communities and processes. In order to ensure lasting protections for natural resources covered under the DRECP, the plan and its implementing agreement(s) must provide for enduring and durable conservation on public and private lands. The lands identified in the DRECP as part of the conservation areas (including any Desert Conservation Lands, ACECs and SRMAs) must be durable in relation to designation, management and funding. Specifically, conservation lands should be: (1) protected from future administrative decisions undoing or undermining the conservation designation; (2) managed by agencies that have both the authority, the responsibility and the expertise to monitor and remove threats, and to meet the biological goals and objectives for natural communities and covered species; and (3) assured adequate funding for ongoing conservation management as required in a final DRECP.

Due to the complexity of Appendix E, it is difficult to discern the amount of biological reserve area that would be established under each alternative and the proposed conservation measures that would apply in each area. For this reason, we request that the REAT agencies complete a concise comparison of the current conservation requirements versus those proposed under each alternative for our review before selecting a preferred alternative.

- 3) DRECP alternatives must be based on a scientific conservation strategy. The ISP Report (posted November 9, 2012, to the DRECP website) clearly outlines recommendations to ensure a scientifically defensible conservation strategy for the DRECP. In addition, in a letter dated

---

<sup>1</sup> Two of the referenced articles on p. 1.2-10 that need to be included in the Literature Cited section: Margules C.R. and Pressey R.L. (2000) Systematic Conservation Planning. *Nature*. Vol 405; and Moilanen, A. et al. (2009) Assessing replacement cost of conservation areas: How does habitat loss influence priorities? *Biological Conservation* (142) p. 575-585.

<sup>2</sup> Margules C.R. and Pressey R.L. (2000) Systematic Conservation Planning. *Nature*. Vol 405.

September 24, 2012, we provided the DRECP with specific comments regarding what we believe are the most immediate science issues the agencies need to address in the DRECP. We understand that experienced consultants have been contracted to help the DRECP develop a science-based conservation strategy; however, it is our understanding that the science is not complete. The further development of a conservation strategy is critical to shaping the Development Focus Areas (DFAs) as well as the conservation areas because it will contain important information about the biological goals and objectives and how the DFAs will not preclude the attainment of those goals and objectives. Going forward with the development of alternatives without a scientifically defensible and well-documented conservation strategy is inappropriate, and selecting a preferred alternative in the absence of a such a conservation strategy is unacceptable.

- 4) DRECP alternatives for Desert Conservation Lands and lands with wilderness characteristics must clearly identify management and purpose. The December Draft and other BLM documents identify independent obligations (outside the DRECP) for designating Desert Conservation Lands and inventorying and protecting lands with wilderness characteristics. These lands, the purpose for their designations, and their management should be specifically identified in each alternative so that they can be evaluated by the public. Further, the alternatives must identify where these designations are being proposed to protect cultural resources or wilderness characteristics that do not necessarily contribute to conservation of wildlife habitat.
- 5) Every alternative must include a reserve design that has meaningful conservation for wildlife and other resources, regardless of the DFA acreage. The alternatives in the December Draft do not have clear reserve designs, which must be based on BGOs, not on the amount or location of DFAs. There will be actual loss of habitat and other resources from development under any DFA scenario. Consequently, conservation lands must be included based on their contribution to meeting BGOs and protecting covered species, not based on the acreage of DFA in each alternative. The DRECP must clearly define which areas are included as conservation lands in the proposed reserve design and provide strong measures to protect the resources in these areas.
- 6) Meaningful incentives are necessary to make the DFAs attractive to industry. In order for industry to support and utilize the DFAs, the agencies must clarify how the permitting for individual projects will proceed in each DFA particularly if the agencies choose an “umbrella” plan structure for the DRECP. DFAs must offer some level of more efficient permitting in order for the DRECP to work. Unfortunately, there is no information available to determine how permitting will proceed in DFAs.

We are proceeding with discussions with both the wind and solar industries to identify common areas of agreement for the DRECP. We believe it is critical for both the environmental and energy industry sectors to support the DRECP. We plan to submit more detailed comments both as an environmental coalition and with the wind and solar industry.

Thank you for your consideration of these comments. We continue to be willing to invest our time and resources into the development of a science-based conservation strategy for the DRECP that will ensure that the conservation of species can be achieved. Please feel free to contact us if you have further questions.

Sincerely,



Kim Delfino  
California Program Director  
Defenders of Wildlife



Helen O'Shea  
Director, Western Renewable Energy  
Natural Resources Defense Council



Barbara Boyle  
Senior Representative, Beyond Coal Campaign  
Sierra Club



Sally Miller  
California Conservation Representative  
The Wilderness Society



Garry George  
Renewable Energy Director  
Audubon California



Greg Suba  
Conservation Director  
California Native Plant Society

/s/

Lisa Belenky  
Senior Attorney  
Center for Biological Diversity



Laura Crane  
Director, Renewable Energy Initiative  
The Nature Conservancy

Cc: Chris Beale  
Assistant Director  
Desert Renewable Energy Conservation Plan

Karen Douglas  
Commissioner  
California Energy Commission