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January 23, 2013

Mr. David Harlow
Director, Desert Renewable Energy Conservation Plan
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Dear Mr. Harlow:

Subject: The Los Angeles Department of Water and Power Comments on the
Description and Comparative Evaluation of Draft DRECP Alternatives

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to provide the following comments regarding the Description and Comparative Evaluation of Draft Desert Renewable Energy Conservation Plan (DRECP) Alternatives.

Background

LADWP serves nearly 4 million people and is the nation's largest municipal electric utility. As a "vertically integrated" utility, LADWP both owns and operates its generation, transmission, and distribution systems with an installed generation capacity of 7,336 megawatts (MW) and has a service territory that covers 469 square miles.

LADWP continues to make portfolio-wide emission reductions on behalf of its customers and service community and has been able to dramatically increase its renewable energy mix. Additionally, LADWP promotes energy efficiency – more than doubling our energy efficiency year-over-year with an eye towards 10% to 15% future levels of energy efficiency savings. LADWP invests in renewable energy resources and transmission, and invests in smart grid technology and dynamic scheduling. We are replacing and upgrading our in-basin natural gas generation to eliminate the use of ocean water for cooling and also to provide rapid-start generators to provide firm power to match the variability of our wind and solar energy resources.

LADWP operates or purchases electrical power from several renewable energy generation facilities that are located within the DRECP's study area. One of the facilities LADWP owns and operates is the Pine Tree Renewable Energy Park (Pine Tree)

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located in the foothills of the southern Sierra Nevada Mountains in southeastern Kern County, California, approximately 12 miles north of the town of Mojave. Pine Tree is the largest municipally owned renewable energy facility in the U.S., producing 145 MW of clean, renewable energy. Pine Tree includes 90 - 1.5 megawatt (MW) wind turbines and 10 MWs of Photovoltaic solar generation on approximately 8,000 acres. This amount of energy serves the equivalent of some 60,000 households in Los Angeles while reducing over 200,000 tons of greenhouse gases annually— about the same as removing 35,000 cars from the road.

Comments

We applaud the leadership that the California state and Federal agencies have provided towards the development of the DRECP. Although there has been significant progress over the last couple of years, LADWP believes that in its current form, the DRECP may hinder renewable energy development in the state of California.

It was noted in the DRECP December documents that new renewable energy projects developed outside of the proposed Development Focus Areas (DFAs) would not be able to obtain golden eagle take protection, at least at the State level. In the DRECP, DFAs for wind energy were presumably intended, in part to avoid eagle conflicts with renewable energy generation. After reviewing the alternatives, it appears that the shape and locations of the DFAs are somewhat arbitrary in this regard, and were driven by terrestrial factors because of the lack of data regarding eagle populations, behavior and territories. This approach may unnecessarily exclude renewable energy development from vast areas of high wind and solar potential. More analysis of this issue is warranted before the DRECP incorporates this broad geographic exclusion.

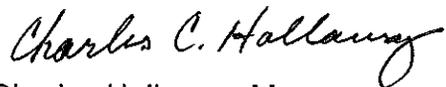
Additionally, current renewable energy generators (operators) are excluded from the DRECP process and incidental take provisions. Although the DRECP was originally proposed to streamline and expedite the Federal and California state biological review and permitting process for proposed renewable energy projects, LADWP believes that current operators of renewable energy facilities should be able to participate in the program and receive the same protections in regards to migratory birds and Eagle take at both the Federal and State level.

Currently, operators can seek eagle incidental take provisions at the Federal level through the development of an Eagle Conservation Plan (ECP), however they cannot receive the same provisions at the State level. We believe this reduces or eliminates the incentive to undertake the costly development and implementation of an ECP. By including an opportunity for currently operating facilities to participate, the DRECP may benefit by having a larger pool of resources sharing data and mitigating potential impacts to raptor and eagles as well as increased funding for needed regional eagle studies. LADWP recommends that the DRECP be modified to change this situation.

Mr. David Harlow
Page 3
January 23, 2013

Again, LADWP appreciates the opportunity to provide comments regarding the Description and Comparative Evaluation of the Draft DRECP Alternatives. If you have any questions or would like to discuss our comments, please contact me at (213) 367-0285.

Sincerely,



Charles Holloway, Manager
Environmental Planning and Assessment

c: Charles Holloway