



California Energy Commission
Dockets Office, MS-4
Docket No. 09-RENEW EO-01
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January 23rd, 2012

RE: Comments on Desert Renewable Energy Conservation Plan (DRECP) Description and Comparative Evaluation of Draft DRECP Alternatives

To Whom It May Concern:

Save Our Desert is committed to preserving pristine desert lands for coming generations. Through education, outreach and the power of the public voice, we seek to redirect inappropriate use of public lands and to achieve permanent protection for threatened desert areas. We are based in Pipes Canyon, California, and are currently seeking Area of Critical Environmental Concern (ACEC) designation to protect Flat Top Mesa and Black Lava Butte.

We support the DRECP as a tool to guide renewable energy development in our desert landscapes. But renewable energy development must not come at the expense of conservation, and we have concerns in this regard about elements of the current document. We believe that the underlying drivers of utility scale renewable energy must be questioned at every step of the process, and that all efforts need to be focused on energy conservation practices, distributed generation in the urban environment, and a full scale effort to democratize our energy production. All efforts should be made to keep industrial development away from wild desert landscapes and rural communities.

Distinctions between alternatives

The most important distinction between alternatives in the DRECP is the use of disturbed lands for energy development. The use of disturbed lands has obvious parsimony with the goals of the plan by pushing development to areas that generally have a lower biological value and tend to be closer to transmission. This is made clear in the current analysis of Alternative 1, where maximizing use of disturbed lands minimizes conflicts with protected species

and areas of high biological resource. There is a tremendous amount of disturbed land in the state, and we must utilize it rather than reaching into pristine and remote areas.

We understand that the majority of disturbed lands in the plan area are privately owned, and therefore many projects will be under county jurisdiction. County participation in this plan is critical, and we encourage the REAT agencies to make every attempt to address County concerns and thus strengthen DRECP effort tremendously. To date, much of the ire that has been raised by development projects has been due to misinformation or a lack of any communication with local communities about what planning efforts will mean to the way of life many people have worked extremely hard to attain. A good faith effort to bring counties on board is the best step towards invigorating local involvement in the planning effort and pre-empting conflict.

It is also clear when reviewing the alternatives that variance lands run counter to the entire planning effort, and should be removed from the planning process altogether. The DRECP has been created to sort out the pell mell rush of applications across a broad and complex planning area. A variance process will continue to confuse and entangle the process as unforeseen circumstances arise on many scattered parcels. Perhaps most importantly, the use of variance lands is simply not necessary for utility scale development. Appropriate lands can be identified and analyzed using a focus area only approach, which allows for a regional understanding of projects.

Also, the directive in the DRECP that projects will be approved by the Secretary of the Interior thereby circumventing the appeals process must be changed. Using this exception as a governing rule is a violation of an open process, and seems like a heavy handed tactic to force an agenda in the face of inappropriate circumstances.

Designation of Areas of Critical Environmental Concern

We are pleased that many of the alternatives show the north slope of the San Bernardino Mountains and much of contiguous desert lands to the east as being protected under an ACEC designation, and believe this should be taken a step further. To protect the biological integrity of the area, Pipes Wash from Highway 247 north to the 29 Palms Marine Base should be added to the ACEC designation, and the variance lands in this area removed from consideration. Little would be gained by leaving the variance lands in this area except for future conflicts with conservation goals and area communities.

Individual ACEC's should be named plan wide to capture the specific resource considerations and create proper management prescriptions. For example, Flat Top Mesa and Black Lava Butte should be managed for rare plant and animal species, a unique geology, viewshed quality, landscape connectivity, and the protection of cultural resources. A general desert wide designation does not capture these kinds of endemic concerns. Furthermore, the draft document must do more to clarify how the ACEC designation will function. We know that it will prohibit the development of utility scale renewables while allowing transmission, but how durable is the designation, and what other considerations does it entail?

Flat Top Mesa, Black Lava Butte, and the surrounding areas are home to significant cultural resources, including village, ceremonial, and possibly religious sites. Many of these resources have been documented and have recently been filed at the San Bernardino County Museum. We request that these documented resources be included in the DRECP process.

Effects on local communities

Utility scale renewable energy development named in the plan has the potential to fundamentally alter the nature of the rural communities in the desert. Many residents and tourists love the desert for its wide open space, amazing night skies, and peaceful wilderness. Every project sited incorrectly will cause great conflict with existing uses.

For this reason, we are again requesting that the variance process named in the Solar PEIS be removed entirely from any further planning considerations in the DRECP. Across the California Desert, a variance process will pit grassroots groups against the BLM and the renewable energy industry and cause ongoing conflicts as local people fight to preserve their way of life. This includes the new planning methods in the DRECP, which will allow for development outside of the DFA's. If development proceeds, it must be limited to disturbed lands inside of Development Focus Areas.

Thank you for creating an avenue for input during this phase of the process. We appreciate the ability to see the plan evolve and to make comments to guide its course.

Sincerely,

A handwritten signature in black ink, appearing to read "Frazier Haney". The signature is fluid and cursive, with the first name being more prominent.

Frazier Haney
President
Save Our Desert