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November 21, 2011

California Energy Commission
Docket Office, MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512

RE: COMMENTS ON THE OCTOBER 26, 2011 DRAFT PRELIMINARY CONSERVATION STRATEGY (PCS); (FOR THE DRAFT RENEWABLE ENERGY CONSERVATION PLAN [DRECP]); DOCKET NUMBER 09-RENEW EO-01

California Energy Commission:

Thank you for the opportunity to comment on the October 26, 2011 “Draft” Preliminary Conservation Strategy (PCS). As this document is provided to gather input regarding “how the DRECP could be designed and structured”, we recognize at the same time, the document is provided for “the opportunity to advance consideration of the structure and context of the goals and objectives for the conservation strategy.”

Based on our review of the document, the County of San Bernardino provides the following comments:

1. Chapter 1- Executive Summary, Section 1.1. Purpose and Contents, Page 1-1, Third paragraph (from top)

It is stated (referring to the PCS Map) that “Map categories shown on the PCS map include land use and biological elements. Land use elements include categories previously discussed . . . “. [NOTE: the categories are then listed]. The PCS map, however, has no reference to mineral resource mapping (i.e., which is a land use element), as a layer that should be included in evaluating specific projects; and/or evaluating appropriateness of Renewable Energy Study Areas [NOTE: San Bernardino County provided mineral resource mapping data to the DRECP team in September, 2011]. We recognize the “PCS map is a preliminary step”, and therefore, anticipate that mineral resource mapping can be factored-in as a layer to the PCS map.

2. Chapter 2- Conservation Planning, Section 2.1 Preliminary Conservation Strategy Map, Pages 2-1 through 2-20

A. Page 2-1, second paragraph:

The PCS map includes “relevant spatial information” and, serves as the basis “for examining possible reserve designs (i.e., conservation areas and development areas)”. By including mineral resource mapping data (as stated in Comment #1, above), relevant spatial information will be factored into the PCS map.

B. Pages 2-2 and 2-3, Table 2.1-1:

The mineral resource mapping data can be included in the “Map Categories” as either: 1) “Legally and Legislatively Protected”, 2) “Other Managed and Designated Areas”, or 3) a stand-alone category. Mineral resources are protected by way of existing laws.

C. Page 2-4, Figure 2-1, “DRECP Preliminary Conservation Strategy Map”:

The PCS Map should take into consideration mineral resource mapping.

D. Pages 2-19 and 2-20, RESAs:

It is stated that, “The RESAs are generalized areas within which it is anticipated that renewable energy development would result in fewer conflicts with biological resources; . . . and with consideration of the renewable energy resource information/data.” In addition to avoiding conflicts with biological resources, the RESAs should also avoid conflicts with mineral resource zones/areas.

3. Chapter 4- Development Planning, Section 4.1.2, Resources Data Refined by Development Potential, Pages 4-1 through 4-20

A. Pages 4-6 to 4-7, last paragraph of the page:

This section suggests that the DRECP identify a renewable energy zone in the West Mojave. Such renewable energy zone should avoid conflicts with mineral resource zones/areas.

B. Page 4-16 (Table 4.1-4), Page 4-17 (Table 4.1-5), Page 4-20 (Table 4.3-1), and Page 4-20 (Table 4.3-2):

These tables indicate that: 1) 11,796 acres of OHV lands in San Bernardino County have been identified for potential Solar development; 2) 270,615 acres of OHV lands in San Bernardino County have been identified for potential Wind Energy development; 3) 2,259 acres of OHV lands in San Bernardino County (in the West Mojave RESA) have been identified for potential Solar development, and 4) 847 acres of OHV lands in San Bernardino County (in the West Mojave RESA) have been identified for potential Wind Energy development.

The proposed West Mojave RESA includes a total of 3,106 acres identified for potential Solar and Wind Energy development. The proposed West Mojave RESA geographic area encompasses the majority of the El Mirage OHV Area, and the general area known as El Mirage. Should the greater El Mirage area be predominantly developed with solar projects, wind energy projects, and/or both, the impacts to San Bernardino County industry will extend well beyond the OHV industry. The impacts will also, extend to motion picture, TV, advertisement, photography, general recreation, and commercial industries. San Bernardino County recommends an alternative that reduces the West Mojave RESA acreage to minimize the eventual impacts to these San Bernardino County industries.

C. Page 4-18, last paragraph of the page:

This section states, “The RESAs are generalized areas within which renewable energy focus areas may be identified . . . result(ing) in fewer conflicts with biological resources”. Again, the RESAs should also avoid conflicts with mineral resource zones/areas.

4. Chapter 5- Plan Integration, Section 5.3.2, Bureau of Land Management and Department of Energy Solar Energy Development Programmatic Environmental Impact Statement, Pages 5-5 And 5-6

This section states, “In October 2011, the BLM and DOE will release a supplemental Draft EIS (for Solar Energy Development)”, and the Solar Energy Zones (SEZs) may be “refined”. The Supplemental Draft PEIS is currently available for review. The County of San Bernardino may have additional comments on the DRECP Preliminary Conservation Strategy pending review of the Supplemental Draft PEIS.

5. Chapter 1, Section 1.1, Purpose and Contents (Next Steps), Page 1-4 last paragraph of the page

This section states that elements not included in the PCS, include the following: “Implementation Strategy”. Therefore, San Bernardino County recommends the following become part of the PCS implementation strategy:

- A DRECP policy that allows the acquisition of grazing allotments on federal lands by solar developers if the land is converted to a conservation purpose as part of mitigating project impacts.
- A DRECP policy requiring DFG to require no more than 1:1 mitigation from land acquisition for habitat mitigation, with the full requirement of 2:1 or 3:1 being met with cash payments directed to enhancing the species.

In summary, the County of San Bernardino supports the balancing of interests regarding renewable energy development and conservation planning. To ensure this balance is maintained, while at the same time recognizing the County’s General Plan, California State mandates, the MOU between the BLM and State of California, legal requirements, and economic sustainability needs relative to the mining industry, the County recommends each of the above-stated comments be addressed in the Draft Preliminary conservation Strategy.

If you have any questions, regarding this letter, please direct them to Matt Slowik at mslowik@lusc.sbcounty.gov or call him at (909) 387-4237.

Sincerely,

CHRISTINE KELLY, DIRECTOR
Land Use Services Department

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