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California Energy Commission  
Dockets Office, MS-4  
Docket No. 09-RENEW EO-01  
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SUBJECT: DRECP DEIS/DEIR Comments

Thank you for the opportunity to comment on the subject documents. The California Desert Coalition (CDC) is a nonpartisan, issue advocacy group organized as a committee of The SummerTree Institute, a 501(c)(3) nonprofit corporation.

CDC supports renewable energy production and utilization in California as long as it protects unique and sensitive resources, in particular the California Desert Conservation Area (CDCA), and respects the rights of citizens who live in this conservation area. Having previously submitted comments, CDC continues to participate in the informed decisionmaking of the DRECP.

**Reliance on RETI Builds in a Fatal Flaw**

In 2007, the Renewable Energy Transmission Initiative assumed that the state mandates for renewable energy could only be met with remote, utility scale power: this premise drove the development of renewable energy zones [CREZs] in the California Desert. While RETI was ongoing, PV generation became an affordable alternative to the utility scale solar thermal projects, yet RETI remained stubbornly entrenched in the traditional model of utility scale energy production and blind to the benefits of incorporating rooftop PV as a viable alternative/addition to CREZs. That outdated thinking unfortunately found a home in the DRECP planning goals and set the stage for a draft EIS/EIR with a single, rigid outcome: develop remote utility scale renewable energy in zones. We recommend these alternatives:

- “Built Environment Alternative” that incorporates point of use, behind-the-meter, and distributed generation [DG]. This alternative can be easily deployed as it avoids environmental costs and time delays. The EPA notes that 10% rooftop solar could meet 80% of electricity demands.
- California Energy Efficiency Strategic Plan [CEESP] was developed in 2011 and prioritizes energy efficiency and rooftop solar consistent with state law and the loading order” [See attached Basin and Range DRECP Comments]. Rather than taking direction from the deeply flawed, never approved RETI, the DRECP should be taking the lead from the CEESP that gives proper attention to an alternative both feasible and less environmentally damaging.

**Need for Progress Report on Energy Calculator and 20,000 MW Goal**

The planning goal of 20,000 MW of renewable energy by 2040 was a target developed in 2012 as a 17000+-19,000+ MW high and low range production goal. Meanwhile, more than 11,000 MW have been developed in the interim between the inception of the DRECP to present. For the past several years, the public has requested REAT to provide an update that accounts for this development in a progress report. As the planning goal directly impacts the number and size of development focus areas [DFAs], it is

information imperative for informed public decisionmaking. We again request that an update to the planning goal of 20,000 MW development by 2040.

**Refine DFAs** The whitepaper “Solar Power in the Desert: Are current large scale solar development really improving California’s environment” [Michael Allen and Alan Hughes of UC Riverside] questions whether “. . . the construction of poorly placed solar arrays in California leads to the loss of endangered species, destruction of plant and animal habitat, increased environmental contaminants, diversion of water and increased global warming due to more carbon dioxide in the atmosphere, then any justification for placing solar development is undermined”. This urgency underscores the need for a “no-regrets” policy and careful consideration in refining DFAs. We offer the following insights and recommendations:

- *Phased Development* concentrates orderly deployment of renewable energy project. We propose tiering DFAs into a loading order that prioritizes DFAs proximate to transmission, demand, and lands with least conservation values. Once a DFA approaches saturation, the triggering applications into the second priority could begin. Phased release of DFAs would allow further study areas of the desert where there is an overall lack of scientific data for making informed management decisions ; such study could then assist in a reasonable strategy to assess cumulative impacts and monitoring and adaptive management frameworks. Phasing in of DFAs would also accommodate maturing of new changes and trends in technology which might reduce wider spread development and much of their impacts to the desert.
- *Incorporation of a DG alternative* has consistently been brought to the attention to REAT but also consistently rejected. Still, we see that there is still opportunity for incorporation of significant DG into the Preferred Alternative and encourage REAT to do so. With Biological Goals looking to minimize environmental impacts of development, lessons learned from the RETI experiment are that DG serves common benefit reducing occurrence of DFAs and their impacts.
- *Wildlife linkages conflicts with DFAs* still need to be resolved. Natural Communities Conservation Plan lands demand protection of landscape level connectivity to support healthy biodiversity and conflicts within DRECP have not been addressed. Recent studies of Desert Bighorn Sheep<sup>1</sup> & Mojave Desert Tortoise<sup>2</sup> raise concerns about large scale development effects to connectivity. “In every proposal for permanent habitat conservation, such as large scale development, the risk that critical linkages will be severed before they are protected—Roy C. Averill-Murray et al”. These studies map development barriers to connectivity and pinch-points in linkages to migration critical to biodiversity and climate change adaptation in the California Desert. With high value habitats of Desert Tortoise in the Cady Mountains and high value connectivity in the Soda Mountains for Desert Bighorn Sheep, we recommend withdrawal of DFAs from the Cady and Soda Mountains.
- *Substitute the present DRECP DFA around Lucerne Valley with Citizen Proposed LV DFA<sup>3</sup>*. The incorporated community of Lucerne Valley proposed a 4-mile DFA as an alternate to the one proposed in the DRECP because “Said DFA s trump and violate Lucerne Valley community plans and the San Bernardino County General Plan and constitute a significant adverse impact on our communities’ current and future land uses—potentially eliminating real economic progress.” The citizen proposed alternative is sited in degraded and disturbed lands and is proximate to existing transmission and is a viable and feasible substitution. We recommend that the REAT accept this substitution.

### **Consider EPA-Recommended Alternatives to Remote, Utility-Scale Renewable Energy Development on Public Lands**

Viable alternatives to remote, utility scale renewable energy development on public lands have been proposed by the Environmental Protection Agency (EPA) but ignored in the DRECP. In its [RE-powering America’s Lands Initiative](#), the EPA recommends siting renewable energy on potentially contaminated lands, landfills, and mine sites. The fact that no discussion of the EPA reports cited below has been included in the DRECP underscores that the EPA’s energy siting criteria have not been followed.

- EPA’s [“Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills.” February 2013](#) (but a draft was available in July 2012), states, “EPA has screened more than 11,000 potentially contaminated sites and MSW landfills — covering nearly 15 million acres across the United States —

for suitability to site renewable energy generation facilities, including utility-scale solar.” EPA identified several benefits of locating solar photovoltaic facilities on these sites, noting that these sites:

- Generally are located near existing roads and energy transmission or distribution infrastructure
- May reduce the environmental impacts of energy systems
- Can be developed in place of limited open space, preserving the land as a carbon sink and/or for other ecosystem services

EPA further noted that MSW landfills are particularly well-suited for solar development because they are

- Located near critical infrastructure, including electric transmission lines and roads
  - Located near areas with high energy demand (e.g., large population bases)
  - Constructed with large areas of minimal grade
  - Offered at lower land costs when compared to open space
  - Able to accommodate net metered or utility scale projects.
- As part of EPA’s RE-Powering America’s Land Initiative, the [“Renewable Energy Projects on Potentially Contaminated Lands, Landfills, and Mine Sites,” report of October 2012](http://www.epa.gov/oswercpa/docs/solarmarket_analysis_overview.pdf) documents the development of 184 MW of renewable energy on the 15 million acres referred to in the EPA’s best practices document above.
    - [http://www.epa.gov/oswercpa/docs/solarmarket\\_analysis\\_overview.pdf](http://www.epa.gov/oswercpa/docs/solarmarket_analysis_overview.pdf)
    - [http://www.epa.gov/oswercpa/docs/best\\_practices\\_siting\\_solar\\_photovoltaic\\_final.pdf](http://www.epa.gov/oswercpa/docs/best_practices_siting_solar_photovoltaic_final.pdf)
    - [http://www.epa.gov/oswercpa/docs/repowering\\_trackingmatrix\\_oct12.pdf](http://www.epa.gov/oswercpa/docs/repowering_trackingmatrix_oct12.pdf)
  - **Groundwater Issue remains an Unresolved Controversy.** Studies on the water resources in desert groundwater basins is largely unmapped but of the few studies done document the water supply in the Cadiz Valley is “of a prehistoric age<sup>4</sup> dating between 9300-12,700 years old and has not received detectable recharge by natural precipitation in the past 50 years”. For the same region, a California Irrigation Information Management System Report<sup>5</sup> posts .36 inches of precipitation for the years 2010-2012. In this same region rates of replenishment declining for unknown reason, perhaps due to emerging climate pattern changes. Overdraft of basins was known in the basins around the Ivanpah Solar Generating Project but that did not deter drilling of wells nor levels of higher pumping. Although the need to protect limited desert groundwater is noted in the DRECP, there is no discussion of Impact GW-2, the water impact, in the Executive Summary and that absence is noted as an unresolved controversy. Additonal, no management practices are in place nor is there an avoidance of siting DFAs in overdrafted basins. We recommend that determination of safe yield be determined before groundwater withdrawals proceed and maximum levels of construction and operations water usage be set as part of the management practices.
  - **Durability of Conservation** has been an answered concern voiced by the public. This concern arises out of the lack of sufficient funding for the adaptive management being proposed. In the Cost and Funding [Section 3.5] of the Executive Summary states the primary source of funding implementation would be DRECP implementation fees which means development drives the process. In stating that “the agencies would seek additional funding from other appropriate federal, state, and private sorece [e.g public and private grant programs] to implement conservation actions that are not related to the impacts of Covered Activities”, a shortfall of funding is understood. The lack of robust and dependable long-term funding needs to be addressed for successful conservation. We recommend the REAT agencies to analyze in detail the various durability tools that the BLM can utilize in the final DRECP to meet the conservation management goals and legal requirements of the plan and publish the analysis in a Supplemental Draft.
  - Elimination of Variance Lands—It is understood that the DRECP would supplant the Solar PEIS and as such carryover of the Solar PEIS variance lands that have not been analyzed is not appropriate to this process and has undermined the public trust in this process. Efficiency, Conservation, and

Distributed Generation are already in place in the event of unanticipated future demand and inclusion of these lands is superfluous overkill. We oppose the inclusion of all variance lands

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In conclusion, we emphasize the need for a Supplemental to DEIS/DEIR. DRECP notes that 8 unresolved Areas of Controversy need to be addressed. Additionally, clarification on durability, adaptive management funding, DFA refinement, and a progress report on the energy calculator is needed. With 5 years to prepare this 8,000+ page draft and only a few months for public to grasp the document, many important and serious questions need answers and the public needs an opportunity to review and comment on those answers before the DRECP is finalized. We urge you to take this action.

Respectfully,

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<sup>1</sup> "Using Network Theory to Prioritize Management in a Desert Bighorn Sheep Metapopulation", Landscape Ecology, Creech et al, June 2013

<sup>2</sup> "Conserving Population Linkages for the Mojave Desert Tortoise", Roy C. Averill-Murray et al, April 2013

<sup>3</sup> Lucerne Valley Solar Zoning Area

<sup>4</sup> "Isotopic Study of Groundwater", PE LaMoreaux & Assoc, March 1998

<sup>5</sup> Department of Water Resources, Office of Water Use Efficiency Nov 1, 2010-May 31, 2012