

**CPG INDEPENDENCE, LLC**

February 23, 2015

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

Re: Comment on Draft Renewable Energy Conservation Plan (DRECP)

Dear Madam or Sir:

Since 2011, CPG Independence, LLC has been developing a 138MW solar photovoltaic project on a certain 1280 acre parcel of private land ("**Site**") just east of the Owens River and just South of Mazourka Canyon Road approximately 5 miles southeast of the town of Independence (APN's: 022-210-010 and 022-220-013), also known as the Independence Solar Project ("**Project**").

An electric grid Interconnection application was filed with LADWP as Transmission Operator on September 30, 2011. A permit application for the Project has been filed with Inyo County on November 27, 2012, and the EIR/CEQA document preparation commenced.

We are writing to comment on the DRAFT Desert Renewable Energy Conservation Plan (DRECP). More specifically, we request that the Site be considered a Development Focus Area (DFA) under the DRECP, for the following reasons:

The Site consists of 1,280 acres of distressed private land that has been used for access to local mine and recreation sites in the past. This is one of the larger expanses of very little private land in the Owens Valley and in Inyo County. The site is surrounded by public lands of the BLM and LADWP. The Site was obtained in a BLM land exchange in 1999, whereby the BLM obtained certain land located in Mono County (Conway Ranch) with high environmental and ecological value (due to the presence of protected species) in exchange for the release of the Site in the Owens Valley with relatively low environmental and ecological value to a private owner for development. The land exchange was conducted with the stated purpose of developing the Site, which at the time was planned for 10-acre ranchos residential and irrigated agricultural development of over 100 unique developable parcels. The site is currently zoned for 40 acre parcels -- 32 in the 1,280 contiguous acres. The was site was included in the California "Competitive Renewable Energy Zone" (CREZ) study and maps published in 2010 by the California Energy Commission (CEC) (Owens Valley CREZ site 25), and the investment in the project, the LADWP transmission interconnection application time and expense, and county CEQA permit time and expense were submitted partially based on the then available public information on where renewable energy projects should be sited from a transmission and environmental point of view.

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The Project has achieved substantial progress towards final permitting leading to notice to proceed with construction, including:

- Completed the Environmental Assessment (EA) from BLM issued to satisfy the NEPA permitting process;
- Commenced the Permit Application for CEQA Environmental Impact Report (EIR) process and conditional use permit with Inyo County as lead agency; and
- Completed Preliminary CEQA Biological field work in spring of 2014 (with an estimated schedule to complete field studies and for complete CEQA permitting process of 11 to 13 months).

Due to the relatively low environmental and ecological value of the Site resulting from decades long and decades old prior use as mining and recreational access site, the fact that the Site was obtained in exchange for other properties with high environmental and ecological value which is now being protected as BLM land for this Site with lower environmental and ecological value, and this Site was included in the California "Competitive Renewable Energy Zone" (CREZ) report and maps published by the CEC in 2010, we respectfully request that the Site be included in the DRECP as part of the Development Focus Area.

Respectfully Submitted,

Charlie Kuffner

Charlie Kuffner
CPG Independence, LLC