



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

February 16, 2015

Submitted via email to: [docket@energy.ca.gov](mailto:docket@energy.ca.gov)

RE: Desert Renewable Energy Conservation Plan NEPA/CEQA

Thank you for the opportunity to comment on the Desert Renewable Energy Conservation Plan (DRECP) and for granting a comment period extension. We appreciate the extra time to thoughtfully comment on this important public process. Friends of the Inyo is a locally-based nonprofit conservation organization dedicated to the stewardship, exploration and preservation of the Eastern Sierra's public lands and wildlife. Over our 25 year history, Friends of the Inyo has become an active partner with the Bishop and Ridgecrest Field Offices of the BLM, the National Park Service and other public lands agencies in the California Desert. Friends of the Inyo is actively engaged in renewable energy issues in the Eastern Sierra including Inyo County's Renewable Energy General Plan Amendment (REGPA)<sup>1</sup>, for which we submitted comments on the Program Environmental Impact Report on Jan 14, 2015.

The Eastern Sierra's iconic landscapes within Inyo County comprise unparalleled recreational opportunities, world-renowned cultural resources and many rare and sensitive plant and animal species. Friends of the Inyo's comments represent a local and regional membership of over 600 and thousands of supporters and volunteers who care about the landscapes and values of the Eastern Sierra. We advocate for the protection of public lands from large-scale energy development (>20mw), which includes the impact to public land viewsapes, natural resources and recreation opportunities. We support a small-scale renewable energy plan and greatly appreciate the incorporation of our locally based comments. You will find our comments align with those of other local groups, as well as regional and national conservation organizations, with which we work closely. We believe there is need

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<sup>1</sup> <http://www.inyoplanning.org/projects/documents/DRAFTProgramEnvironmentalImpactReport-InyoCountyRenewableEnergyGeneralPlanAmendment.pdf>

and opportunity for renewable energy development in the Eastern Sierra, provided it is sited in the proper locations, having the least potential impact on our natural and cultural resources, recreational opportunities, views, and other values important to residents and the tourism industry. Because our work is locally based in the Eastern Sierra, our comments are limited to the Inyo County portion of the DRECP plan area. The geographic area within Inyo County comprises both the DRECP plan area and the California Desert Conservation Area (CDCA). As the DRECP allows for amendments to the CDCA, we provide in this letter our National Conservation Lands System (NCLS) recommendations outside the DRECP plan area, but within the CDCA boundary.

We anticipate the planning commission will use the DRECP to help inform siting decisions and strongly encourage collaboration and consultation with local county government. We were particularly concerned by the lack of local detail at the DRECP Lone Pine public meeting on Oct 27, 2014. There needed to be Inyo County specific maps made for the public to view. At the scale of the DRECP, smaller DFAs within Inyo County go virtually unnoticed, such as the Lone Pine DFA, completely invisible on maps displayed at that public meeting. During the public meeting, we gave feedback that follow up meetings would be useful to discuss County specific DFAs and proposed Conservation Lands. On February 6, 2015 Inyo County held its own public meeting to share the information learned about the Lone Pine DFA, and encouraged residents to comment on it. Inyo County is unique from its southern California counterparts in that 85% of our economy comes from tourism and recreation, and 98% of our land base is public. Together all agencies can come up with a renewable energy development strategy that protects biological, cultural and recreational values by identifying lands that should NOT be developed for renewable energy and identifies lands already developed or degraded where small scale projects will cause the least disturbance.

We hope the comment period extension has allowed DRECP staff to make corrections to numerous mapping errors. It is important to review mapping within the DRECPs local jurisdictions. Currently within the Bishop Field Office, there are multiple errors with Wilderness Study Areas and ACECs along the Sierra Escarpment. The ACEC over Owens Lake is another error to be reflected in an updated version. We are optimistic DRECP staff are working with local field offices and county staff to correct mapping and acreage errors.

Above and beyond solar development, there is economic benefit in seeking permanent protections, such as the addition of National Conservation Lands, to our public lands. Friends of the Inyo wishes to express our strong support for identifying and adding lands in the Inyo County portions of the CDCA to the National Conservation Lands. We care about the unique national treasures of the California's desert ecosystems and landscapes, which are an integral part of Inyo County and the

Eastern Sierra as a whole. Although we support maximizing conservation lands in general, we cannot support the ‘maximize NCLs alternative’ with over half a million of lands potentially added to the NCLs. When examining the DRECP in its entirety the trade off of conservation to large-scale renewable energy development across the desert is too great, even if the majority of the energy burden falls outside of Inyo County. We feel the California desert cannot sustain this level of development, nor is this scale necessary to meet 2020 national energy requirements. We encourage the CEC to revisit the state and national energy requirements language and consider including resident and commercial rooftop solar to calculations of solar energy inputs in our state. The scale and impact of rooftop solar continues to grow and the policy directing national and statewide energy targets needs to incorporate this important factor. We ask the DRECP to cap solar energy production in Inyo County at 250mw, as outlined in the County’s REGPA, and use only existing transmission capacity available to avoid building new transmission through our iconic landscapes. The following are a list of comments, corrections and additions we would like incorporated into a final preferred alternative.

### **Joshua Trees (JTs)**

While the DRECP broadly identifies JTs for conservation; the targets are not quantitative and too vague for any meaningful conservation strategy to be implemented under the plan (i.e. “conserve dense stands” or “presence of JTs”). Currently mapped JT woodlands in Inyo County are found within existing wilderness areas and Death Valley NP or outside of the DRECP boundary, so currently JT woodlands in Inyo County are not specifically called out for conservation in the DRECP. This is of great concern in a county with several important populations of JTs are found within the CDCA especially to the north, which represents the northern boundary of their range. Many populations are regenerating at higher elevations and should be slated for permanent protection to address resiliency to climate change. Overall, we recommend 100% avoidance of JT woodlands in renewable energy siting, since this species is fairly uncommon and experiencing dramatic declines throughout the California desert. We are advocate for all JT woodland habitat to be incorporated into the NCLs.

### **Owens Valley: Variance Lands and Conservation Planning Area**

Inyo County variance lands should be removed from the DRECP, including the two pieces in the Owens Valley north of the Rose Valley DFA, and the piece within the community of Stewart Valley. The DRECP is designed to slate lands suitable for renewable energy and those that should be off limits to development because of their conservation value. Owens Valley variance lands represent the BLM Solar Programmatic Environmental Impact Statement (PEIS) Variance Lands based on BLM screening criteria. As all lands in this category are managed by the BLM, we feel the Bishop and Ridgecrest Field Office’s land use management plan (RMP) adequately covers variance lands and is therefore superfluous to the DRECP. We

recommend an expansion of the proposed Conservation Planning Area (CPA) northward to encompass the rest of the Owens Valley to protect the valleys' many scenic, cultural and biological values. We do support as much NCLS in the Owens Valley as we can get through the DRECP, although it should be noted much of this land is owned by the City of Los Angeles (DWP), and the DRECP does not do a good enough job of describing the relationship of DRECP implementation on DWP lands. Many folks in Inyo County still have a lot of unanswered questions about conservation lands, DFAs, and other designations overlaying DWP lands.

### **Development Focus Areas**

It is unsettling that DFAs within Inyo County are nearly always adjacent to existing and proposed conservation lands. We ask you to consider carefully the significant viewscape impacts to current and proposed National Conservation Lands, as well as National Parks and Wilderness. We offer the reminder that BLM employs a Visual Resources Inventory (VRI) as a part of their Visual Resources Management (VRM) planning. All WSAs are categorized as VRI Class 1, meaning it is a natural viewshed to be managed to "preserve" the character of the landscape. Many of the remaining public lands are categorized as VRI Class 2, meaning it is still a largely natural viewshed and should be managed to "maintain" the character of the landscape. VRI Class 3 and 4 designations require further inventory and definition, however they should be considered in the context of DFAs located near or adjacent to lands proposed or within the NCLS.

#### *Charleston View*

There is widespread opposition to energy development by the local communities in eastern Inyo County, exemplified by the Hidden Hills project and recent public meetings for REGPA and DRECP. The areas around Shoshone and Tecopa have irreplaceable cultural sites and history tied to the Old Spanish Trail. The National Park Service is also opposed to development in this area. These significant historical and cultural areas are extremely important to the vitality of these small communities and provide an economic driver for the area. Another key concern with development in this area is the strain on already stressed water resources. A recent study by Hydrogeologist Andy Zdon examining water resources in the Amargosa River Basin shows the hydrology and groundwater recharge of Charleston View inextricably linked to the Amargosa River and its spring sources<sup>2</sup>. The flow (above and below ground) of the river is highly sensitive to groundwater changes. The groundwater in this basin, including the adjacent Parhump Valley is already overdrawn and will not support any type of renewable energy development. The small spring systems, tied to groundwater recharge, within the nearly 1,000 square mile basin, are life lines for desert wildlife. Another past study done by the Sierra Nevada Aquatic Research Laboratory documented the diverse and localized

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<sup>2</sup> Zdon, Andy. June 2014. 2014 State of the Basin Report: Amargosa River Basin Inyo and San Bernardino Counties, California and Nye County Nevada. The Nature Conservancy, San Francisco, CA.

regional desert invertebrate fauna of the Amargosa River and its vulnerability to changes in flow regime<sup>3</sup>. Lacks evaluation of downwatershed impacts. Such impacts will be significant for endangered species such as the Amargosa Vole. If PV technology is considered, water withdrawals will be minimal but the currently proposed thermal will have dire consequences in this region.

Secondly, plant surveys were completed during the proposed Hidden Hills project development in 2010, 2011 and 2012. Prior to these environmental surveys few people knew the extent of Charleston View's rare plant communities. We know now with certainty that Charleston View is a place of rare botanical diversity and uniqueness. Seventeen special status plants exist on site. Of these seventeen, ten are known to occur in California only in the southern portion of the Amargosa Watershed. Of these ten, three are known to occur in California only in Charleston View. This DFA comprises a Priority 1 Tortoise Connectivity Zone, meaning it is essential to the survival of the species. This area is also adjacent to the Nopah Range Wilderness Area and has no existing transmission infrastructure. Friends of the Inyo strongly objects to solar development in this area due to the myriad of biological diversity and cultural history. Although we cannot support the DFA, the proposed NCLs additions adjacent to the Charleston View are sound, and capture the many values worthy of protection. Namely, thank you for recommending the California Valley to the southwest of Charleston View as NCL.

### *Rose Valley*

We believe development in Rose Valley will have unacceptable impacts to natural resources. Firstly, we have concerns about available groundwater. Geothermal to the east already extracts significant amounts of groundwater and water is not available from Haiwee reservoir. The area also falls almost entirely within MGS habitat and borders what would be an ideal MGS Conservation Area. Preserving key MGS connectivity habitat northward and upslope as this species adapts to climate change is very important, and addresses the DRECPs goals to identify wildlife corridors and connectivity areas. Regardless of planned mitigation measures, solar or any other development should not occur in special species habitat. Rose Valley has numerous and irreplaceable cultural sites. The Portuguese Bench, a burial site, is found to the west of the valley and to the east is Coso Hot Springs, a ceremonial site. We also urge further evaluation of the mapping of Joshua Tree woodlands within Rose Valley. We question why Rose Valley DFA borders an ACEC and an interagency plan wide Priority Conservation Area. Because ACECs have special site-specific management prescriptions in order to protect a particular resource, any development within these areas cannot guarantee the resource for which the ACEC was designated will not be negatively impacted. Lands adjacent to ACECs and

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<sup>3</sup> Herbst, D.B., Bogan, M.T., Kane, J.M. 2006. Macroinvertebrate Monitoring for the Amargosa River: Baseline Data, the Effects of Floods on Habitats and Communities, and a Regional Faunal Perspective. Sierra Nevada Aquatic Research Laboratory, Mammoth Lakes, CA.

conservation areas are the wrong places to site energy development. Finally, Rose Valley is situated along the highway 395 corridor, where any solar development will negatively impact the views of the Southern Sierra and Coso Range Wilderness, thus impacting the scenic values of this gateway to the Eastern Sierra.

### *Lone Pine*

As previously stated, the transparency of this DFA is lacking in the DRECP. It would be difficult for anyone locally to comment on, let alone support this DFA at this time. By its own ambition, the County was able to produce and print maps for the public during a community meeting in Lone Pine on Feb 6, 2015. Specifically, the public viewed the Lone Pine DFA that surrounds Lone Pine on its northern, eastern and southern edges. The DFA shows a renewable overlay entirely on land owned by the City of Los Angeles, and includes mitigation lands and an educational farm. These lands are also leased for cattle grazing, for the Lone Pine Airport and Lone Pine wastewater treatment facility. The LADWP Land Management Plan and the 1991 Inyo County/Los Angeles Water Agreement govern their use. Based on the little information available, we recommend the removal of this DFA from the DRECPs preferred alternative.

### **National Conservation Land System (NCLS)**

#### *Alabama Hills National Scenic Cooperative Management Area (AHNSCMA)*

The DRECP overlay is now dated due to the newly revised bill, however we support the Preferred Alternative of exclusion of renewable energy from the Alabama Hills SRMA overlay, surrounding the NSA. If passed, the NSA will also be within the NCLS, the first of its kind. These lands should be managed for resource conservation and sustainable recreation. Given the inclusion of NCLS status, we support mineral withdrawal in the AHNSCMA. Inclusion of 28,700 acres (the 35,089 figure within Appendix D is an error) with a smaller core for the NSCMA, is supported by local stewardship groups, including Friends of the Inyo. The Alabama Hills are a fine example of the marriage between conservation and recreation, a practice we hope to see continue in other high use areas of the California desert.

*Within the DRECP plan area and within the CDCA we thank and ask the DRECP to include the following National Conservation Lands in the preferred alternative:*

- Lower Centennial Flat- We ask this be added to the already proposed Upper Centennial Flat. This area is known to be a Joshua tree recruitment area, has substantial MGS habitat, and offers fantastic primitive recreation in an intact desert ecosystem with much plant and bird diversity. Please make sure the CNPS and CNDD mapping of Joshua trees is used and includes all Joshua tree areas. These maps probably include both lower and upper centennial flats and will help illuminate the conservation values of the centennial flat landscape.

- Coso Conservation Lands- These wild desert lands are east of Rose Valley. We recommend these unprotected BLM lands for NCLs, including McCloud Flat, Little Cactus Flat and Olancho Dunes (excluding OHV area). The entire area is rich in cultural resources from petroglyphs to house rings, and off-road vehicle use outside of the OHV area threatens rare plant communities, including old growth greasewood woodland. The Coso Conservation Lands could have a mix of SRMAs, NCLs, ACECs and a Mohave Ground Squirrel (MGS) Conservation Area (also see Rose Valley DFA comments).
- Malpais Mesa- This includes lands around Talc City Hills, Santa Rosa Flat, and Conglomerate Mesa.
- Trona Pinnacles- Thank you for recommending the pinnacles for NCL. Rare tufa towers, tombstones, ridges and cone rock structures define this unique and wind swept landscape.
- Amargosa Region- Thank you for recommending the three valleys that form the Amargosa Watershed; California, Chicago Valleys and the Middle Amargosa Basin, which will help protect the largest waterway in the Mojave Desert and its many threatened and endangered species.
- Panamint Valley- Thank you for recommending this large area with many distinct places worthy of conservation, includes areas such as Wildrose Wash, and Knight, Snow and Osborne Canyons.
- Deep Springs Valley- The unprotected BLM lands to the north of Deep Spring Lake and especially north of Hwy 168, including Antelope and Cuna springs should be recommended for NCLs to protect isolated populations of Black Toad. The small dune systems to the north of the lake contain an endemic species of beetle discovered in the early 2000's.
- Little Cowhorn Valley- These BLM lands extending east to the National Park boundary off Eureka Valley road, contain Joshua trees and their associated animal species such as Scott's Orioles and Cactus Wrens, the northern extension of their range. The undisturbed transitional desert habitat in this area warrants NCLs attention.

### **Areas of Critical Environmental Concern (ACECs)**

- Manzannar and Owens Lake ACECs- We support the BLM Bishop Field Office's recommendation to add these areas to the ACEC system for their outstanding cultural values. The Owens Lake ACEC presented in the DRECP maps is an error. The ACEC should border the lake on its southern shore, on BLM lands, not on the lake itself.

We oppose the transfer of WSAs to ACECs along the western foothills of the Inyo Mountains as described in alternatives 1-4. Although ACECs can overlay WSAs and other NCLs designations, stand-alone ACEC designation does not offer the same level of resource protection as WSAs. Although we oppose the BLMs current language in the DRECP to join ACECs and NCLs, we believe ACECs can overlay NCLs

and encourage this practice where appropriate, so that there will be an added layer of protection for more specific values within these areas.

### **Conclusion**

The California desert offers a spectacular collection of American landscapes, rivers and trails that offer visitors the chance to experience the beauty, history and adventure of the American West. We believe that many additional areas within the DRECP and CDCA comprise nationally and regionally significant lands recognized for their outstanding cultural, ecological, and scientific values and should therefore be designated as National Conservation Lands, Areas of Critical Environmental Concern, or as special species conservation areas (wildlife allocations). We are pleased the BLM has come forward with strong leadership in protecting large areas of our desert from renewable energy development through the use of NCLs, ACECs and SRMAs. We urge the CEC and DRECP staff to improve the preferred alternative and work with local counties and organizations to finalize this important document.

We thank everyone who has worked over the last decade to compile the vast disciplines of science and policy as well as geography that comprise the DRECP. We look forward to reviewing a revised version of the DRECP and participating in the implementation of additional conservation lands in the Eastern Sierra.

Respectively Submitted,

/s/ Jora Fogg  
Preservation Manager  
jora@friendsoftheinyo.org