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DOCKET
09-RENEW EO-1
DATE OCT 20 2009
RECD OCT 20 2009

October 20, 2009

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

RE: Best Management Practices & Guidance Manual for Desert Renewable Energy Projects

To Whom It May Concern:

This correspondence and attachment incorporate the County's comments regarding the draft Best Management Practices (BMP) for Desert Renewable Energy projects. Based on the Commission's past representations to the County, we understand that the BMPs will be a component of the Desert Renewable Energy Conservation Plan (DRECP). As has been conveyed to the Commission previously, including at the meeting with County representatives on August 24, 2009 in Ridgecrest, we hope that the local governments that will be most impacted by renewable energy development will be better represented in the Commission's future planning efforts and afforded input into such documents prior to public review. In particular, we understand that several committees are being formed to guide decision-making for this process, and Inyo County should be included on the committees.

Overall, the BMPs are an excellent beginning to providing a menu of mitigation measures that may be appropriate for renewable energy projects, based on site-specific analysis for individual projects. However, the BMPs provide limited guidance for coordinating with local agencies, such as Inyo County.

As the BMPs indicate, the regulatory structure for permitting renewable energy projects is complex, and the County supports streamlining the process to the extent possible. The County encourages appropriate renewable energy development, and welcomes suggestions for alternative processes to combine these reviews to the extent practicable. Nevertheless, local governments must be involved, and the BMPs should include specific sections and references for local coordination, permitting, and consultation. Although mention is made of local jurisdictions in Appendix A, the issue discussions and BMPs

should incorporate local requirements more broadly. Appendix C should include local contact information as well.

Thank you for the opportunity to comment on the BMPs. More specific observations regarding the draft BMPs are attached. If you have any questions regarding these matters, please contact Planning Department staff at (760) 878-0263.

Sincerely,

Beverly A. Brown

Supervisor Beverly A. Brown, Chairperson
Inyo County Board of Supervisors

Attachment

cc: Board of Supervisors
Kevin Carunchio, County CAO
Randy Keller, County Counsel
Doug Wilson, Willdan Associates
Terrence O'Brien, California Energy Commission
Roger Johnson, California Energy Commission
Mignon Marks, California Energy Commission
Andy Horne, California State Association of Counties, Member of RETI Stakeholder Steering Committee
Joe Bertotti, Regional Council of Rural Counties, Member of RETI Stakeholder Steering Committee
California Department of Fish and Game
Bureau of Land Management
U.S. Fish and Wildlife Service

Attachment – Specific Comments

- Introduction and Purpose (Pages 4 and 5) – As the BMPs are by their very nature general, it should be indicated that not all BMPs may be necessary at all locations, and that site-specific analysis should determine the appropriateness of the BMPs for individual projects.

- Figure 1 on page 6 (Line 1) excludes areas of Inyo County that may be appropriate for renewable energy, and in particular the Coso Geothermal Field, the upper Owens Valley, and Fish Lake Valley. As the map is a general location map, it should include the entire County.

- Page 8, second paragraph in numbered list (Lines 10 and 11) – it is not clear why fresh groundwater or surface water may not be utilized for power plant cooling and what is the definition of fresh water, which should be clarified. It is recommended that if deemed necessary, fresh water may be appropriate for cooling, provided that potential environmental impacts have been minimized to the extent feasible.

- Page 8, seventh paragraph in the numbered list (Lines 27 and 28) – include hydrology, aesthetics, and noise in the list of topics to be addressed regarding local agency permitting.

- Page 11, under the subheading Technical Disciplines (Lines 15-21) – should indicate that not all the following activities may be required, depending on site-specific circumstances.

- Page 17, sixth paragraph in the numbered list (Lines 12 and 19) – include hydrology, aesthetics, and noise in the list of topics to be addressed regarding local agency permitting.

- Pages 19 and 20, subsection entitled Soils, Drainage, Erosion, Stormwater, Flooding (Lines 21-44 on Page 19 and 1-18 on Page 20) – include references to local procedures, including local building and water quality permits.

- Pages 20 and 21, subsection entitled Traffic and Transportation (Lines 19- 45 on Page 20 and Lines 1-13 on Page 21) – include references to local procedures.

- Pages 21 - 23, subsection entitled Visual Resources (Lines 36-42 on Page 21 and 1-44 on Page 22 and 1-24 on Page 23) – include references to local procedures and policies.

- Pages 23-25, subsection entitled Water Supply and Quality (Lines 25-46 on Page 23, 1-42 on Page 24, and 1-28 on Page 25) – include references to local procedures.

- Page 28 (Lines 1-25) – indicate that not all BMPs may be necessary at all locations, and that site-specific analysis should determine the appropriateness of the BMPs for individual projects.

- Appendix C – include local agencies.

- General – as most of California is subject to seismic hazards, an issue discussion and BMPs should be provided for seismic hazards, including issues related to Alquist-Priolo Earthquake Fault zones, seismic shaking and related ground failure, and fault rupture.

- General – as local agencies will bear the burden of providing public services and utilities (such as fire and police protection, emergency response, expanded utilities for employees and new facilities, etc.) an issue discussion and BMPs should be included to address these topics specifically.

- General – bonds or other financial sureties may be required to remove abandoned facilities.