

# DOCKET

09-Renew EO-1

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Date: January 23, 2011

To: California Energy Commission  
Dockets Unit, MS-4  
Subject: Docket No. 09-Renew EO-01  
1516 Ninth Street  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

Re: DRECP WORKING DRAFT OUTLINE, OCTOBER 2010  
Docket No. 09-Renew EO-01

Please consider the following for inclusion in the DRECP WORKING DRAFT OUTLINE, October 2010

Sincerely,  
Tim Beaumont  
Friends of Mojave Trails

Please consider the following for inclusion in the DRECP WORKING DRAFT OUTLINE, October 2010

## WORKING DRAFT OUTLINE DRECP

- 1) At Section 1.2 Program Goals: a plan to conserve biological resources while including public uses such as recreation, travel, and other pursuits, and the infrastructure required for such uses to take place, needs to be added to the DRECP. Such a plan, the Desert Public Use Conservation Plan, is included below;
- 2) At Section 1.3.5 Covered Activities: Public Use and Public Use Infrastructure, as defined below, need to be added as Covered Activities;
- 3) At Section 3.2.2 Transmission: Public Use and Public Use Infrastructure, as defined below, need to be included, along with the creation of new Public Use and Public Use Infrastructure;
- 4) At Section 6.0 Description of Covered Activities: Public Use and Public Use Infrastructure, as defined below, need to be added as Covered Activities, along with their maintenance, enhancement, and creation;

5) At Section 8.0 Plan Implementation: the implementation of the Desert Public Use Conservation Plan, as described below, along with its costs, need to be added.

## CONSERVATION PLAN

### Desert Public Use Conservation Plan

#### A) Desert Public Use Conservation Plan Definitions

1) *Public Use* means the activities that take place in the DRECP Planning Area that include but are not limited to such things as camping, backpacking, hiking, horseback riding, bicycling, rock hounding, climbing, hunting, the use of mechanized, motorized and motor vehicles (including off-highway vehicles) of any legal definition, trailers of all types, scientific and educational pursuits, etc; of particular importance is personal presence in the desert and the ability to engage in some personally meaningful or useful activity or activities;

2) *Public Use Infrastructure* means the facilities and lands required for Public Use activities to take place, including but not limited to things such as buildings, campgrounds, roads, (including dirt roads) ways, trails, and open access areas;

3) *Public Use and Public Use Infrastructure* are by definition interdependent concepts and are in practical terms inseparable.

In this Plan, all mentions of Public Use and Public Use Infrastructure will imply the qualifier “AS DEFINED IN THE DRECP”. These terms are used provisionally—other terms, defined in a similar way, could be substituted. The purpose for introducing these terms is to have a vehicle for separating out Public Use activities and Public Use Infrastructure in a way that makes them easily identifiable within the DRECP. These uses are extremely important to the people of California and should be preserved and enhanced as part of a comprehensive public use conservation program.

#### B) Desert Public Use Conservation Plan

I propose the inclusion of a Desert Public Use Conservation Plan for the purpose of protecting Public Use and Public Use Infrastructure while preserving and enhancing biological resources. This is, essentially, what is being done when renewable energy-use land is mitigated by the purchase or designation of conservation land. The intention here is that just as energy production mitigation can actually enhance the overall state of conservation in the desert, Public Use mitigation can provide a further means for improving the desert’s overall health. The trade-off between a dirt road or a campground, for example, and the addition of an equal or greater acreage of conservation land will hopefully come to be seen as a positive action that enhances the health of our deserts. The concept that energy production in the desert can be offset by the addition of mitigation lands can be extended to Public Use and Public Use Infrastructure in a way that actually make makes Public Use attractive in terms of conservation.

- 1) Public Use and Public Use Infrastructure, wherever these occur in the DRECP Planning Area, will be identified and mapped at a scale sufficient to show all individual details, for example the level of detail shown on 7.5 minute maps. This will include all Public Use and Public Use Infrastructure allowed under all existing management plans, Public Use and Public Use Infrastructure closed or restricted by administrative or court actions, and Public Use and Public Use Infrastructure reported by the public.
- 2) Public Use and Public Use Infrastructure, wherever these occur in the DRECP Planning Area, will be included in the DRECP as Covered Activities.
- 3) Public Use and Public Use Infrastructure, wherever these occur in the DRECP Planning Area, will be mitigated at a ratio of X: 1.
- 4) This mitigation will involve the designation or purchase of public or private lands for conservation purposes and a plan to design and implement actions to protect, restore, or enhance the habitat of plants and wildlife on these lands.
- 5) This mitigation will be considered to fully off-set any biological or environmental damage caused by Public Use and Public Use Infrastructure on all Land Types, including on renewable energy and Public Use and Infrastructure mitigation lands.
- 6) Once mitigated, the Public Use and Public Use Infrastructure will be allowed to continue in place, in perpetuity.
- 7) Mitigation of lands used for Public Use and Public Use Infrastructure will be funded by renewable energy applicants.
- 8) Losses to Public Use or Public Use Infrastructure due to any actions taken under DRECP will be compensated for by replacement with or expansion of similar Public Use or Public Use Infrastructure.
- 9) The public will also be given ample time to identify Public Use and Public Use Infrastructure on lands in the DRECP Planning Area including on conservation lands used for renewable energy and Public Use and Infrastructure mitigation purposes.
- 10) Set backs for the purposes of calculating the acreage to be used for determining mitigation shall be set at 35 feet from the centerline. Buffer zones of X feet will be established around all Public Use Infrastructure areas for maintenance and operational purposes.

END