



September 26, 2013

Via Electronic Mail (with Hard Copy to follow)

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California Energy Commission
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| California Energy Commission |
| DOCKETED |
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Re: Considerations for wind energy development in the DRECP

Dear Commissioner Douglas, Director Bonham, Director Kenna, and Director Lohofener,

This letter is intended to follow up from our August 24, 2012 letter regarding inclusion of wind in the DRECP.

We continue to support consideration of more areas in the DRECP Boundary Area for wind development, as we discussed in our August 24, 2012 letter: “[T]he Development Focus Areas in the most recent version of the Alternatives presented to stakeholders in July 2012 appear to focus primarily on finding suitable areas to develop solar and geothermal facilities given the focus on avoiding terrestrial impacts. We recommend an additional process be undertaken to identify DFAs specifically for wind energy technology, as constraints to terrestrial development are not always applicable to wind development and vice versa.”

We also recommended a three-step process for identifying those DFAs by 1) creating an “availability map” excluding high-conflict lands from consideration; 2) establishing siting criteria on the available areas remaining in the “availability map”; 3) aggregating siting criteria to determine the most suitable lands for wind-specific DFAs.

We fully support the Renewable Portfolio Standard of 33% of our energy in California coming from renewable sources by 2020 and we are well on our way to exceeding that goal. In fact, our groups support a higher percentage of our energy to be generated from renewable sources in California than the RPS currently requires and will continue to support reducing carbon emissions from the electric sector in order to mitigate the effects of climate change.

We recommend using the criteria-based approach discussed above augmented by a robust research program to identify all areas consistent with wind development.

The DRECP agencies identified DFAs in the December draft alternatives that they consider appropriate locations for renewable energy in the DRECP area. We hope that additional appropriate wind-specific DFAs

will be designated as necessary to ensure continued progress on meeting California's ongoing need for clean energy.

While we continue to discuss and analyze wind compatibility with areas in the DRECP, we recognize that the DRECP must soon make selections for alternatives for wind energy development areas. As such, we want to provide some clear guidance on what we view as the highest conflict areas in which wind development should not be focused. While other factors, including impacts on avian and bat species will be very important in determining final locations and management practices for wind in the DRECP, we view the characteristics below as the as the key terrestrial components for an "availability map."

1. Development is inconsistent with Critical Habitat for endangered species

We cannot support wind energy development in Critical or essential¹ Habitat for any Endangered or Threatened Species under ESA or CESA, as we have stated in our August 24, 2012 letter to the DRECP on page 3. Our position on this issue stems from the fact we do not consider wind energy development in critical habitat to be consistent or compatible with conservation (i.e., recovery) of listed species, such as the desert tortoise.

In addition, critical habitat will be a foundation of any DRECP reserve design, which must protect a far broader spectrum of species and natural habitats than the single species for which critical habitat was defined. Fragmentation from roads and infrastructure associated with wind energy projects reduces habitat quality and leads to loss of habitat connectivity, which is essential to long-term population viability. The U.S. Fish and Wildlife Service, in a January 2012 white paper on the importance of habitat connectivity for the desert tortoise, states that: "(b)ased on our current understanding, the combination of recommended linkages and existing conservation areas represents the conservation-lands network needed for the Mojave desert tortoise." Such impacts, specific to the desert tortoise, have been identified and analyzed for the recently approved Searchlight Wind Energy Project located in Clark County, Nevada². The biological opinion for this project clearly identifies numerous sources of adverse impact to desert tortoises and their habitat that are associated with wind energy projects located within occupied desert tortoise habitat.

2. Development is inconsistent with existing and proposed Areas of Critical Environmental Concern and Desert Wildlife Management Areas

As we stated in our August 24, 2012 letter on page 3, we do not support wind development in ACECs. We also want to clarify that we do not support development of wind in DWMA's.

Many of the ACECs and DWMA's in the DRECP Area were created for the protection of critical habitat for endangered and threatened species, or for other important biological resources. As noted above, ACECs designated for conservation of listed species, such as the desert tortoise, require full protection if they are to contribute to the conservation or recovery of listed species.

Critical habitat, ACECs and DWMA's are each important components of a conservation network that will serve as a foundation to the DRECP reserve design. These areas, combined with connectivity areas, allow for habitat to be available for inevitable range shifts in response to climate change and help maintain genetic variability through long-term gene flow between populations. This is important for a wide variety of plant and animal species. Similar to critical habitat and essential habitat, the resource agency plans for ACECs and

¹ Identifying habitat "essential for the conservation of the species" is part of the critical habitat analysis – often final CH excludes some areas that were found to be essential habitat during the initial analysis.

² U.S. Fish and Wildlife Service. 2012. Biological Opinion for the Searchlight Wind Energy Project, Clark County, Nevada. September 26, 2012. Nevada Fish and Wildlife Office, Reno, Nevada. 56 pp.

DWMA's may set development caps for these areas; however, we do not support raising those caps for the wind industry or any industry or development.

3. Development is inconsistent with the "Feinstein Monument"

Our groups have worked on the Feinstein bill and hope that Congress protects the lands identified in it. Many of the public lands within in the "Feinstein Monument" were originally acquired with private and public funding for conservation.

We support the values and the intent of the federal Land and Water Conservation Fund as well as that of The Wildlands Conservancy, which used \$30 million dollars in private donations, in the purchase and conservation of these lands. To protect the private and public financial investments in these lands as well as their unique and sensitive natural and other resources, the version of the legislation introduced in the last Congress did not allow renewable energy development on public lands in the proposed monument.

We do not feel it is appropriate that any exemption be made to the Feinstein bill that would allow for wind energy development on these lands.

Sincerely,



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