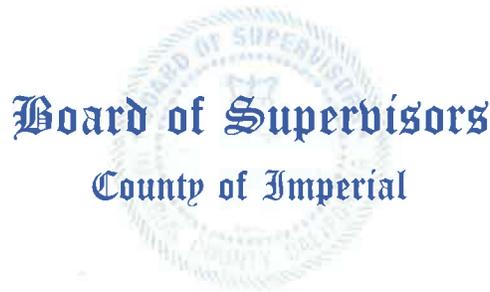


DISTRICT 1
JOHN R. RENISON
DISTRICT 2
JACK TERRAZAS
DISTRICT 3
MICHAEL W. KELLEY
DISTRICT 4
RYAN E. KELLEY
DISTRICT 5
RAY CASTILLO



COUNTY ADMINISTRATION CENTER

940 MAIN STREET, SUITE 209
EL CENTRO, CA 92243-2871
TELEPHONE: (760) 482-4220
FAX: (760) 482-4215

California Energy Commission

DOCKETED

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February 23, 2015

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

SUBJECT: Imperial County Response to the DRECP and Draft EIR/EIS

To Whom It May Concern:

In 2008, pursuant to State law, the Federal (BLM and U.S. Fish & Wildlife Service) and State (California Energy Commission & Department of Fish & Wildlife) staff, collectively known as the Renewable Energy Team (REAT), commenced preparation of the Desert Renewable Energy Conservation Plan (DRECP) and preparation of the Environmental Impact Report/Environmental Impact Statement (EIR/EIS).

In September 2014, the draft DRECP and EIR/EIS was publicly circulated and the deadline for comments on both documents is **February 23, 2015**.

Three of the major goals of the Draft Desert Renewable Energy Conservation Plan are to:

1. Help California and the nation meet renewable energy and greenhouse gas emission reduction goals.
2. Identify suitable area within which the siting of renewable energy projects would be compatible with the conservation of species and habitat.
3. Identify suitable areas for biological conservation, management and enhancement

Background:

With regard to future DRECP impacts on Imperial County and its permitting process for renewable energy, on February 10th, the Imperial County Board of Supervisors addressed the above documents and had the following concerns:

- The DRECP's Interagency "Preferred Alternative Map", Figure 11.3-1, identifies the entire agricultural area for possible conversion to renewable energy facilities. This "Alternative" utilizes private farmland as the majority of its "Development Focus Areas (DFA's)" with only minimal non-farmland and federal lands identified.
- The DRECP should specifically recognize the primacy of local land use jurisdiction in the permitting process of private lands.

- Any reference to the Development Focus Areas contained in the DRECP should not be misinterpreted as the definitive identification of suitable development lands, given the fact that the County has its own land use General Plans and Zoning Maps that will take preference over the DFA's.
- The DRECP proposes to establish the DRECP Coordination Group comprised the BLM, USF&WS, CDFW, CEC, and/or CSLC. Proposed renewable energy projects would be need to undergo an "Initial Assessment" to determine consistency with the DRECP. It is expected that the Coordination Group process would help the proposed project move through the approval process. There are two drawbacks to this: first, the process is expected to take a year to complete; and second, this would be done ahead of any CEQA or NEPA process. By not running concurrently with the environmental review process this new initial assessment would actually increase the permitting time.
- The identified streamlined activities, pre-construction and construction activities, operations and maintenance activities and decommissioning, have the potential to cause long-term adverse effects by way of federal and state regulatory actions.
- Conservation Management Actions (CMAs) are too broad in nature. Language is needed disclosing that there may be additional feasible mitigation measures specific to the jurisdictional air quality organization.
- To assure the streamline process is successful, a requirement for consultation with the local jurisdictional air authority by the DRECP Coordination Group or by the proposed project should be included.
- Consultation with the jurisdictional air quality organization should be well in advance of any permitting or final "consistency" finding by the DRECP's Coordination Group.

The Imperial County Air Pollution Control District (Air District) utilizing historical information derived from modeling exercises of actual construction and operations of current renewable facilities in Imperial County has reviewed the Draft DRECP Chapter IV.2, Air Quality section.

The DRECP identifies some of the analyzed disciplines as having adverse impacts, the majority including "Air Quality" identify a reduced impact with the implementation of existing laws and regulations. This determination is reached despite the acknowledgement that "precise impacts of individual projects cannot be readily be identified at this early planning stage." While the Air District clearly understands that any programmatic EIR/EIS cannot make specific determinations regarding the severity of impacts at a project level, the programmatic Final EIR/EIS should require consultation with the local jurisdictional authority. Failing to do so, may lead to perceptions that local agencies may be uncooperative.

The DRECP identified the proposed streamlined activities as pre-construction and construction activities, operations and maintenance activities and decommissioning. All these activities have the potential to affect air quality adversely. It is important to note that these activities all have the potential (even temporary activities) to have long term adverse effects on air quality, by way of federal and state regulatory actions. Therefore, the Air District strongly encourages additional language within the DRECP that informs the proposed project that early consultation with the appropriate local jurisdictional air agency is required as part of the DRECP process. Currently the Draft DRECP only mentions the local jurisdictional possibility and relies heavily on the three DRECP documents.

CEQA Guidelines, Section 15096, reiterates that projects should not be approved if feasible mitigation measures are available. As such, the Air District strongly recommends the inclusion within the Draft DRECP language that clearly discloses to the project proponent that early consultation with the jurisdictional air agency is required because each local air organization may have additional feasible alternative mitigation measures not identified within the DRECP documents.

Impacts of Renewable Energy Development on Agricultural Lands

Agriculture is the County's "Basic Industry" and sells most of its products beyond the local area and therefore brings outside money into the local economy.

Therefore, converting farmland into other uses:

- Reduces the total gross production value for agricultural commodities, which reduces the money coming into the Imperial County economy.
- Reduces direct agricultural jobs.
- Reduces indirect/support jobs and impacts agriculture-related industries.
- Reduces private sector sales – the “induced” spending in our economy by the direct and indirect/support employees that spend their money locally at restaurants, department stores, etc.
- Lost Direct Jobs:
 - Field crops employ approximately the same number of permanent full-time employees as most solar projects (5 to 7 per 1,000 acres).
 - Produce crops employ 10 permanent full-time employees per 1,000 acres.
 - Some crops, such as citrus and produce, employ many more people seasonally. For example, produce crops employ many more people from September through June to plant, thin, harvest, pack, etc.
- Lost Indirect Jobs: Most of the net job loss is seen in the indirect support industries such as:
 - Seed sales, Trucking and transportation companies, Coolers and packaging suppliers, Brokers, Exporters, Processors, Pest control advisors, Pest control businesses, Pesticide dealers, Fertilizer companies, Custom harvesters, Land preparation companies, Soil amendment companies, Equipment sales and repair companies, Irrigation supply companies, etc.
 - Indirect jobs lost are approximately 15 jobs for every 1,000 acres of field crops and 130 jobs for every 1,000 acres of vegetable crops.

We do not want to convert agricultural lands, e.g. prime farmland, farmland of statewide importance, local and unique farmlands, for renewable energy development if possible and look to non-productive private lands in the County.

If renewable energy projects, e.g. solar are permitted on BLM/federal lands, we have the “win-win” benefit of creating local jobs and conserving agricultural lands.

In the DRECP's Table 6, Range of Total Estimate Cost (in millions) for Biological Objectives Mitigation in the Preferred Alternative within Imperial County, is estimated at a “Low” figure of \$301.4 million and a “High”

figure of \$832.8 million.

Since the IID, County, State and Federal agencies are all looking to help restore the Salton Sea, its receding seabed/playa, and to mitigate future air quality emissions, with the above costs going to the four REAT agencies, how can the Salton Sea Authority and future renewable energy developers help to fund restoration activities if the renewable energy developers have to pay these DRECP Covered Activity fees and administrative costs?

Impacts of Renewable Energy Development on the Imperial County Road System

No real mention of local roadways within Chapter III.19, "Transportation and Public Access" portion of DRECP, specifically Section 111.19.2, "Transportation Facilities within Plan Area". Federal, State and BLM roadways are mentioned and quantified as are UPRR railways and local airports. To the extent local roads would be used in DRECP Plan area, they should be recognized.

Mitigation Measures identified in the DRECP generally mentions the need for local road improvements to facilitate renewable energy construction though no specific Imperial County roads are mentioned in the study. The study only identifies specific federal and state highways. Local roads should be included as well to better clarify regional area impacts and mitigation.

Specific types of mitigation measures are not identified for local roadways. Typical mitigation measures for previous renewable energy development included paving unpaved roadways to offset PM10's, structurally reinforcing bridges to allow for larger construction type loading, and reconstructing/rehabilitating local roadways that were further degraded by construction traffic.

No specific mention of Imperial Irrigation District canal or drain road crossing impacts are identified within the DRECP. Past solar projects have exhibited needs for mitigation improvements to not only local roadways and bridges but also to IID facilities that cross local roadways impacted by renewable energy construction traffic.

Under the CEQA "Determinations of Significance for Congestion Management" for each DRECP alternative, no mention is made regarding impacts to unpaved roadways and construction traffic and assumes no significant impact related to congestion management. Imperial County's renewable energy development utilized many unpaved roads for construction as well as operation and maintenance which required mitigation to reduce PM10 concerns. Furthermore, any unpaved roadway that increases construction vehicle traffic over 50 trips per day requires the County of Imperial to maintain the roadway in accordance with Imperial County Air Pollution Control District's, Rule 805, which places additional burdens on the County.

The DRECP and the Draft EIR/EIS do not address or try to mitigate the above losses and related negative impacts.

In Summary:

The existing County, State and Federal review/permitting process has worked well in the past, and with the future DRECP "Covered Activity" process, we hope that the seemingly duplicative, time consuming and above costly process, won't unduly restrict and constrain future renewable energy applications and result in reduced future funding for the Salton Sea.

The County seeks to work with the REAT in the implementation of the DRECP, but don't agree with its current format and policies. If there is a REAT supplemental document prepared to clarify some of the above concerns, we will be very interested in reviewing it. Thank you for the opportunity to provide the REAT members with

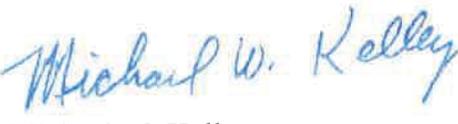
our immediate and long-term concerns as they relate to future permitting, funding and implementation of the DRECP.

Sincerely,


Ryan E. Kelley, Chairman
Board of Supervisors, District 4


Jack Terrazas, Vice Chairman
Board of Supervisors, District 2


John Renison,
Board of Supervisors, District 1


Michael W. Kelley,
Board of Supervisors, District 3


Raymond Castillo,
Board of Supervisors, District 5

cc: Ralph Cordova, Jr. County Executive Officer
Michael L. Rood, County Counsel
Katie Turner, Deputy County Counsel
Andy Home, Deputy County Executive Officer
Brad Poiriez, Air Pollution Control Officer
Monica Soucier, APC Division Manager
Connie Valenzuela, Agricultural Commissioner
Phyllis Cason, Ag. Comm/Special Projects Coordinator
William S. Brunet, P.E., Director, Public Works
John Gay, P.E., Deputy Director, Public Works
Roger Shintaku, SSA Executive Director
Tim Kelley, IVEDC Executive Director
Jim Minnick, ICP&DS Department Director
Michael Abraham, AICP, ICP&DS Interim Asst. Director
Blanca Acosta, Clerk of the Board