

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



Re: DRECP NEPA/CEQA (DEIS)
To Whom It May Concern:

DRAFT DESERT RENEWABLE ENERGY CONSERVATION PLAN EXECUTIVE SUMMARY

September 2014

PART ONE: OVERVIEW AND BACKGROUND

1.1 Background and Framework

Desert renewable energy Conservation Plan overview (page 7)

1. Help California and the nation meet renewable energy and greenhouse gas emission reduction goals.

1 - Please cite examples of how this benefits the counties impacted by this plan. Include specifics on potential loss of income tax and property tax revenues, PILT funds, aesthetics and quality of life.

History of DRECP Planning and Public outreach (page 2, para 2)

On November 17, 2008, Governor’s Executive Order S-14-08, directed the CEC and the California Department of Fish and Game (now the California Department of Fish and Wildlife) to develop a Desert Renewable Energy Conservation Plan.

2 – Please expand on who gave the original “Executive Order” and the additional reaffirmation of said order. Please include in the Executive Summary.

Figure 1. Plan Area (Page 8)

3 – Owens Lake in Inyo County is not identified as “California State Lands Commission” property.

Figure 2. Land Use Plan Amendment Lands (sidebar, page 11, para 1)

The BLM LUPA would amend the BLM’s existing land use plans within the Plan Area – the California Desert Conservation Area Plan, and the Caliente and Bishop Resource Management Plans – to create Development Focus Areas, conservation designations, Special Recreation Management Areas, **and make other land allocations.**

4 – What kind of other land allocations do you plan to make ??

5 – Would this include possible release of BLM lands to counties to offset property tax revenue losses ??

PART TWO: DRECP DEVELOPMENT (page 20)

5. Develop Conservation and Management Actions (bullet 2)

Compensation Conservation and Management Actions, which are compensation requirements that can be met by conserving habitat, implementing eligible non-acquisition compensation actions, or a combination of these measures. **Project proponents will be able to fulfill most or all compensation requirements by payment of an implementation fee.**

6 - Who will be responsible for determining the amount of appropriate implementation fees levied on the project proponents ??

7 - What assurance is there that the fees are adequate to sustain any conservation actions instituted by this plan ??

PART THREE: ALTERNATIVE PLAN DESIGNS

3.1 Overview of the Preferred Alternative (page 28)

Study Area Lands

Future Assessment Areas. Designated areas in certain action alternatives that are subject to future assessment for suitability for renewable energy development or conservation designation. The knowledge about the value of these areas for renewable energy development is ambiguous. The current known value of these areas for ecological conservation is moderate to low; therefore, **the areas are not allocated to either development or conservation and are assigned to future assessment and decisions.**

AND

Exhibit 5. Plan-Wide Acres in the Preferred Alternative (page 32)

Undesignated Lands

8 - Will any of the 1.3Million acres “Undesignated Lands” be designated as DFAs ??

9 - Will a new document be prepared for these lands if it is decided that they are suitable for development ??

3.8 DRECP Alternatives Comparison

Table 7. Summary of the Draft DRECP Alternatives - “Preferred Alternative” (page 40)

Total acres of private (Nonfederal) lands within Development Focus Areas - 1,569,000 (78%)

10 - Please cite examples of how this benefits the counties impacted by this plan. Include specifics on potential loss of income tax and property tax revenues, PILT funds, aesthetics and quality of life.

Figure 8. Preferred Alternative – Land Use Plan Amendment (page 33)

11 - Mislabeled area “Johnson Valley OHV Shared Use Area” in the Owens Valley part of the map (west of “Owens”) Johnson Valley is near 29 Palms Marine Corps base.

III.6**GROUNDWATER, WATER SUPPLY, AND WATER QUALITY****Table III.6-1**

California Department of Water Resources Basins in the DRECP (page III 6-16)

12 – Correction: Owens Valley is shown as not being adjudicated Owens Valley is partially adjudicated.

13 – Correction: Owens Valley is shown as not being in overdraft. Owens Valley is considered to be of medium concern under the CASGEM Groundwater Basin Prioritization under current State legislative law. Suggest that you update you data and include it within the document.

III.22**PUBLIC HEALTH, SAFETY, AND SERVICES**

14 - As a survivor of “disseminated” Valley Fever [Coccidioidomycosis], I appreciate the addition of this hazard into the DRECP document and hope that employee training be a required element of ALL phases of work at ALL renewable energy projects in the plan area.

15 - I would recommend that you also add Plague and Hantavirus Pulmonary Syndrome (HPS) which are both vector borne transmissible through contact with rodents that are common in the plan area.

Appendix M**U.S. Fish and Wildlife Service General Conservation Plan**

*16 - I find no quantitative “maximum take” number by species presented for public response ??
Example: Can I incidentally kill 3 Golden Eagles at a wind generation facility ??*

Table O-1**Summary of Existing Renewable Energy (RE) Projects in the DRECP Plan Area**

Total Acres of RE Projects in DFAs* (footnote) **50,337**

*The DFA locations for the Preferred Alternative are used to define in this exercise. While the sizes and locations of DFAs vary among alternatives, this data provides an example of the locations of the existing renewable energy in comparison with the proposed DFAs. **The total acres of DFAs in the Preferred Alternative is 2,027,693.**

17 – Is this an error or does the plan intend to utilize the entire amount of the listed acreage not just the 9% (177,000) of addressed acreage at full build out ??

General Questions:

18 – Does the DRECP sunset at any time in the future ??

19 - There is no mention of the underlying PEIS lands in the “Executive Summary” except for a couple of obscure footnotes. Does the DRECP sunset all future development regulations in the SEZ areas ??

20 – Will there be further opportunities to make public comments on the development of some of the unresolved issues with siting and regulatory concerns such as “Undesignated Lands” ??

CONCLUSIONS:

The assumptions and evaluations within the document seem inadequate by avoiding evaluation of the impact on future demand for solar energy with distributed, point of use solar production and new developing technology. I concur with the comments presented in response to the DRECP NEPA/CEQA (DEIS) by Basin and Range Watch.

The document does not address past or future unresolved legislation such as WEMO or CASGEM.

A through rewrite of the ground water part of the document with more current information being validated is recommended. This particularly applies to Owens Valley where I found so many errors that I didn't even consider spending my time correcting errors that should have been validated by the consultants you are so generously paying millions of dollars to do that very work.

I find no part of the document that addresses disadvantaged communities that may be impacted by the plan.

The plan appears to be a reassignment/taking of public and private lands for the benefit/profit of big business interests and speculators, be they domestic or foreign. Eminent domain takings are already occurring that involve private property by Public Utilities for transmission corridors.

As a side note:

I find the document cumbersome to review on a computer.

The two column format requires continual scrolling.

The maps are not specific enough to adequately resolve small detail to identify specific plan boundaries.

The clumping of several documents into a file folder makes word searches nearly impossible due to continually have to open individual files which could have been presented as one individual file.

Thank you for the opportunity to make comments and I await your responses,

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