

# Desert Renewable Energy Conservation Plan Interim Project Process

- ❑ Required under the NCCP Act
  - ❑ Fish and Game Code Section 2810 (b) (8) – “The [planning agreement] shall establish an interim process during plan development for project review wherein discretionary projects within the plan area subject to [CEQA] that potentially conflict with the preliminary conservation objectives of the planning agreement are reviewed by the department prior to, or as soon as possible after the project application is deemed complete...and the department recommends mitigation measures or project alternatives that would help achieve the preliminary conservation objectives.”

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## Planning Agreement Interim Project Process

- Separate process for “existing projects”
  - Existing projects are those meeting the SB 34\* criteria
  
- Mutual acknowledgement by parties that substantial progress has been made on Existing Projects
  
- Existing Project review to be conducted pursuant to Fish and Game Code 2069 (c)(2)(A)(ii) (SB 34 process)
  - Existing projects will not require additional review [under 2810] unless “changes in the Existing Project(s) are made after the date of this [Planning Agreement]”

\* Now, Chapter 9 of the Statutes of 2010 (See [http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb\\_0001-0050/sbx8\\_34\\_bill\\_20100322\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0001-0050/sbx8_34_bill_20100322_chaptered.pdf).)

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- Encourage applicants to notify REAT of project subject to Interim Project Process and provide project details.
- REAT intends to recommend mitigation measures or project alternatives that “..achieve preliminary conservation objectives...and that will not preclude important conservation planning options or connectivity between areas of high habitat value”
- Specific project approach to mitigation or development of project alternatives recommended by the REAT or proposed by a project applicant to comply with FESA, CESA, Warren-Alquist, NEPA, and CEQA may not be appropriate for, transferable to, or consistent with the approaches ultimately reflected in the DRECP
- Planning Agreement Parties may develop new mechanisms or modify existing mechanisms intended to provide environmental review and permitting efficiencies including an in-lieu fee program

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## Interim Project Process

