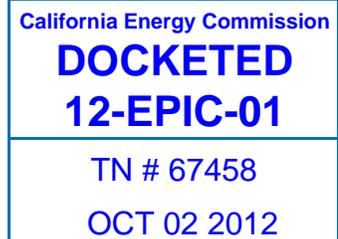




October 2, 2012

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 12-EPIC-01
1516 Ninth Street
Sacramento, CA 95814-5512



Delivered via email to: docket@energy.ca.gov

RE: Docket No. 12-EPIC-01
Comments on: California Energy Commission, 2012. *The Electric Program Investment Charge: Proposed 2012-2014 Triennial Investment Plan*, Staff Report. Publication Number CEC-500-2012-082-SD.

Dear Commissioners:

Thank you for the opportunity to comment on *The Electric Program Investment Charge (EPIC): Proposed 2012-2014 Triennial Investment Plan*. These comments are submitted on behalf of Defenders of Wildlife (Defenders) and the Sierra Club and our combined members and supporters, 450,000 of which reside in California.

Defenders is dedicated to protecting all wild animals and plants in their natural communities. To that end, Defenders employs science, public education and participation, media, legislative advocacy, litigation, and proactive on-the-ground solutions in order to prevent the extinction of species, associated loss of biological diversity, and habitat alteration and destruction.

The Sierra Club is a national nonprofit organization of approximately 1.3 million members and supporters dedicated to exploring, enjoying, and protecting the wild places of the earth; to practicing and promoting the responsible use of the earth's ecosystems and resources; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives. The Sierra Club's concerns encompass protecting our public lands, wildlife, air and water while at the same time rapidly increasing our use of renewable energy to reduce global warming.

We strongly supports the emission reduction goals found in the Global Warming Solutions Act of 2006 (AB 32), including the development of renewable energy in California. However, we urge that in seeking to meet our renewable energy portfolio standard in California, that renewable energy projects be designed, sited and permitted in a manner which results the most sustainable, low impact outcomes possible. This is essential to ensure that project approval moves forward expeditiously and in a manner that does not sacrifice

our fragile landscapes, prime agricultural lands and wildlife in the rush to meet our renewable energy goals.

As we transition toward a clean energy future, it is imperative for our future and the future of our wild places and wildlife that we strike a balance between addressing the near term impact of industrial-scale solar development with the long-term impacts of climate change on our biological diversity, fish and wildlife habitat, natural landscapes, and productive prime agricultural lands. To ensure that the proper balance is achieved, we need smart planning for renewable power that avoids and minimizes adverse impacts on wildlife and lands with known high-resource values.

While we appreciate the effort to fund desert research projects (research initiative S5.2), we do not fully agree that these research projects will necessarily remove barriers and delays in the siting of renewable energy generation and transmission lines. We believe that in addressing critical data gaps in our knowledge of desert ecosystems, we will discover that the desert is even more biologically and ecologically valuable rather than less. Only by siting renewable energy projects closer to load, with minimal need for additional transmission and on previously disturbed lands will we efficiently deploy sustainable renewable energy. Research initiatives should focus less on methods for streamlining permitting for large-scale projects on undisturbed lands and more on strategies and technologies that would allow for efficient deployment of smaller-scale renewable energy projects sited on lands that have been previously disturbed.

With regard to data gaps related to wind energy and wildlife conflicts, we agree that there is a need for more information on the status, distribution and location of avian and bat species. While research related to the regional population of Golden Eagles is necessary, research initiatives related to bat and migratory birds is also needed in order to ensure wind energy facilities are sited and designed in a way to avoid and minimize impacts to these species. A greater understanding of the status and movement patterns of avian and bat species will allow for the development of appropriate and viable mitigation for the take of species at wind facilities.

Overall, we recommend that the Energy Commission make the some key changes to the structure of its grant program to ensure the research being funded is meaningful and actually infiltrates and informs policy and management decisions being made with regard to California's energy system. There needs to be some branch of the grant program that is responsible for actually applying the research being funded to ongoing management and policy decisions.

In addition, we offer the following recommendations for the Energy Commission's EPIC investment plan:

- Programs should focus on promotion of:
 - Energy efficiency, especially with regards to lighting, which consumes 25% of California's electrical power;
 - Distributed generation – small-scale power generation located close to electricity loads. DG can reduce or eliminate the need to build new utility-scale generators, transmission and distribution infrastructure.

- Generation at or near load centers
- Energy storage
- Programs should minimize dependency on remote, utility-scale generation facilities requiring long transmission infrastructure and expensive upgrades that reduce efficiency due to conductor resistance over long distances.
- Local agencies have already been grappling with utility-scale renewable energy permitting for several years without any comprehensive planning. Funding for this work is long overdue. The EPIC funds are an essential tool for accomplishing these planning activities to facilitate sustainable renewable energy development. However, the EPIC funds must be made available expeditiously and in a manner which can actually be accessed and used by local government. The process for crafting and implementing land use planning policy planning is fundamentally different than undertaking an applied research and development (AR&D) or technology research, demonstration or deployment (TD&D) project. The EPIC program administration as currently proposed appears to rely on a competitive bid/proposal process that is far more appropriate for AR&D or TD&D projects than land use policy planning. We strongly encourage the CEC to consult with Governor's Office of Planning and Research (OPR), the California County Planning Directors Association and individuals such as Greg Chew at the Sacramento Council of Governments to better understand how to design a grant program which would be accessible and utilized by local government to meet the goals of Strategic Objective S14. The following guidelines to the program are recommended:
 - Access to grant funding should be continuously available and not tied to an arbitrary grant or RFP period. Application for grant funds should be available on a "revolving" basis instead of a fixed application period.
 - Local agencies often lack the capacity to compete for and manage a typical CEC grant. The grant program must be readily accessible to local agencies with limited staff and resources.
 - The applications must be simple to complete.
 - The grant contracts must be simple to manage.
 - OPR is the State's comprehensive planning agency. The EPIC grant program must be closely coordinated with OPR and OPR should take the lead role whenever possible.

Thank you once again for the opportunity to provide comments on the EPIC program and for considering our comments. If you have any questions, please contact me at (916) 313-5800 x 109 or via email at kdelfino@defenders.org

Respectfully submitted,



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Defenders of Wildlife



Barbara Boyle
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