

July 10th, 2009

To:

RETI Stakeholders
Attn: Clare Laufenberg Gallardo
California Energy Commission
1516 Ninth Street, MS 46
Sacramento, CA 95814

BY EMAIL TO: clausenb@energy.state.ca.us – ORIGINAL BY MAIL

From:

April Sall, Conservation Director
The Wildlands Conservancy
39611 Oak Glen Rd. Bldg # 12
Yucaipa, CA 92399

Re: Renewable Energy Transmission Initiative Phase 2A Report and maps

Dear RETI stakeholders,

Thank you for the opportunity to comment on the draft Phase 2A report and maps. The Wildlands Conservancy (TWC) is a 501(c) 3 non-profit conservation organization with the dual mission to preserve and protect the beauty and biodiversity of the earth and to fund outdoor education programs for the youth. We have a strong vested interest in the current renewable energy discussion and corresponding developments being proposed for federal lands within the California Desert Region. TWC has preserved more land in California with private funds than any other conservation organization and owns the largest non-profit preserve system in California.

The Wildlands Conservancy (TWC) is quite supportive of renewable energy and eliminating our dependency on fossil fuel energy sources and reducing our carbon footprint. TWC leads by example having our first preserve established off-the-grid and being self-sufficient in 1995. We believe that the most environmentally responsible and least-costly strategy is to further our energy-conservation efforts and rapidly expand distributed photovoltaic energy production and installation.

TWC is passionate about land conservation and preserving functional ecosystems. The Wildlands Conservancy participated in the largest land acquisition project known in American history, The Catellus Land Purchase. Over 600,000 acres were purchased with \$40 million in private monies for conservation purposes and gifted to the DOI for management with the understanding that they would be preserved for conservation purposes. These lands are located between the Mojave National Preserve and Joshua Tree National Park, and serve as an important landscape linkage protecting wildlife corridors and ecological processes for current and future environmental conditions. Legislation is currently being reviewed to make these lands part of a national monument to ensure that they remain intact for conservation purposes.

Currently these lands, among others in the core of California's deserts, are under siege for development, namely large, utility-scale solar thermal projects. The California Desert seems like the "out of site out of mind" place to put these experimental large scale renewable energy generation sites. at first glance. There is plenty of wind and sunshine, and open space and to the uniformed developer the desert is not that valuable, right? Wrong. The California Desert region is not the wasteland that some individuals have nonchalantly mischaracterized it to be. For the most part, the lands here are surprisingly intact, thanks to our national parks, wilderness areas and preserves, which are still connected by natural wildlife corridors essential to maintaining healthy species populations and therefore survival. The California desert region comprises some of the most robust ecosystems and spectacular landscapes in the country, things that are irreplaceable and unique. In the most literal sense, this area is our nations' last frontier and should remain as that.

We urge you to consider the following comments and questions on behalf of The Wildlands Conservancy when finalizing the Phase 2A documents:

- Public Comment Period: We appreciate the extension of the public comment period, however, would like to state again that this was still not enough time to properly review the Phase 2A document and maps to provide thorough comments. Since the maps and their data layers are critical to our ability to provide meaningful and adequate comments/suggestions to the RETI, sufficient time is necessary for proper review given the development RETI is encouraging in the fragile desert.
- Inadequate Desert Representation: Although we do appreciate the opportunity to listen in on (via web-ex or conference call) the plenary stakeholder group meetings (yet not allowed to speak let alone vote), we feel that the RETI process has still not improved with respect to being open, transparent and consensus-based. There is still no direct representation of desert stakeholders including local government or environmental entities in the voting and steering committee. San Bernardino and Riverside Counties encompass most of the renewable energy applications and thus transmission planning, yet have not been appropriately represented or consulted. We feel that this has been an ongoing issue since RETI's inception and still needs to be addressed and resolved in order for the RETI process to reflect its claim of a "collaborative, open and transparent process". Also the stakeholder committee is grossly imbalanced and dominated by industry; some utilities (such as LADWP) are receiving representation twice (once as LADWP and once with SCAPPA).
- CREZ Refinement: Since the Stakeholder Steering Committee is primarily industry reps, it is not surprising that there are unforgivable flaws with the CREZ identification methods and their "refinement". , Polygons were intentionally drawn around existing applications in the Phase 1B report and the Phase 2A CREZ revisions without taking into true account appropriate environmental data or ground surveys. Because of this, there are conflicts with sensitive environmental areas and conservation investments in the California Desert region. RETI only identified areas that prohibit development and are protected by law or policy and thus other conservation investments and ecological and

wildlife corridors where implied to be developable.

The CREZ's are based almost exclusively on existing BLM Right-of-Way (ROW) applications which reflects only the desire of industry seeking to maximize profits. Although these lands may have high solarity and be federally owned, the majority have been poorly sited (for a variety of reasons) and should not be used by RETI, which claims to not be endorsing specific projects. It should also be noted that many of these applications are speculators, which further supports our argument that existing application boundaries used as the CREZ boundaries is inappropriate and erroneous. We urge you to revise these CREZ boundaries based on actual land attributes, prioritizing disturbed lands instead of using the land rush of BLM ROW's applications. (Note: The fact that permanent destruction and development of pristine lands is being processed with a ROW application is another baffling oversight and we realize that this is not RETI's mistake to correct however RETI would have gained more credibility and support had it identified appropriate area's (i.e. disturbed and private lands) for CREZ's as a starting point for transmission planning).

- CREZ Revisions: We are most concerned about the CREZ's that still exist in the core of the desert and adjacent to the proposed National Monument boundary between the Mojave National Preserve and Joshua Tree National Park, which include TWC purchased Catellus lands.

These include:

CREZ 43 Pisgah (where it exists east of Troy Dry Lake)
CREZ 37 Iron Mountain
CREZ 38 29 Palms

These CREZ areas are not only located within or adjacent to the proposed monument boundary, but they include lands of sensitive habitat with high environmental value. These CREZ, if developed, possess large footprints that will extend into the Catellus lands, ACEC's and WSA boundaries, just to name a few. These are just a few of the proposed CREZ that ought to be removed; however, these are the most imperative. There is no information in the report as to what data was used to arrive at the results displayed in the bubble charts or table and matrices of economic and environmental scores. We have much familiarity with the areas reflected in the above CREZ's and again the scores posted are off-base and incredulous. (Note: please reference the comments submitted by other groups like Defenders of Wildlife for additional concerns regarding environmental and wildlife impacts in all of the CREZ's).

- RETI's continued failure to prioritize private/disturbed/degraded lands: Although we greatly appreciate the new layer RETI attempted to display of disturbed lands, had this process begun sooner, as suggested by many desert stakeholders, the results and polygons would have been more accurate and helpful to industry and the agencies. We strongly urge you to further consider private and disturbed/degraded lands that are close to existing transmission for potential CREZ's to meet our state's RPS goals, as these are the most appropriate places for utility-scale solar development; rather than needlessly destroying and blading tens of thousands of pristine desert lands that cannot be restored.

Here, the various technologies and grid inter-ties can be fully tested before pristine land is permanently destroyed and public land is hastily developed.

- Proxy projects: While we appreciate the removal of the proxy projects on Catellus lands, we continue to object to the use of proxy projects all together on pristine lands, as this practice artificially inflates the energy production valuation of the individual CREZ's, making some CREZ's score higher in the rankings even if they are not real or developable. We urge that the concept of "proxy" projects be eliminated, unless placed solely on available disturbed lands.
- Importance of avoiding Citizen's Wilderness Areas—Many of the revised CREZ's are overlapping these lands, and they should be avoided because they represent areas that have been inventoried by various citizens groups, conservationists, and agencies and found to have "wilderness characteristics" including naturalness, solitude, and the opportunity for primitive recreation. These lands also provide important wildlife habitat, cultural and scientific resources, invaluable ecosystem services including clean air and water, important economic benefits, and many other resources and values. Though they do not represent all lands with wilderness characteristics in the West, the lands are the most current representation of lands identified by the responsible groups to date. Development in Citizen's Proposed Wilderness areas would be ecologically irresponsible and would lead to high levels of conflict, and need to be eliminated from the CREZ sites.
- CREZ ranking: It appears that RETI has given high numerical rankings to those CREZ that are most economic and where there is most commercial interest, without even considering the environmental value. This ranking system is severely flawed. Not only is difficult to decipher, it does not have any true biological or conservation basis, and therefore should not be called an "environmental" ranking system. It is not sensible to equate environmental values and concerns to numbers; concepts are not finite and cannot be limited numerically. We feel that the process is much more simple than you make it out to be: if a CREZ were to cut off a wildlife corridor, create risk to endemic, rare or endangered species, or borders a highly valuable and protected area (i.e. ACEC, WSA, or any restricted conservation lands) then it should be viewed and treated as a CREZ that needs to be removed, or at the **very least**, given the lowest environmental score. However, this is not what appears to happen in the Phase 2A report.
- Environmental ranking scores: The use of a numerical system rather than one that is narrative is not sensible. More work is needed to accurately portray environmental concerns regarding CREZ's on our public lands. Utilizing a numerical system is hard to follow and difficult to understand the environmental aspects of each CREZ. Therefore, it does not provide the reader with any information as to how the score was derived.
- Preference of utility-scale solar thermal over distributed generation /Photovoltaic: RETI needs to revisit the contribution of Photovoltaic (PV) and distributed generation (DG). as the current figures underplay the value of DG. Once the state accurately assesses the contribution to the RPS goals that can be reached through DG and energy efficiency (i.e. AB-811) **then**, and only then, we can evaluate the role of large, utility scale renewable projects.

- New technologies: RETI also needs to encourage and continue researching cutting-edge technologies as they come on-line for energy transmission, i.e. superconductors, DC, etc. New technology may appear to be costly at first glance, but their benefits to capacity, line efficiency, duration etc. will likely out-weigh the upfront cost of installations and upgrades.
- Power Purchase Agreement timeline: We understand that the Power Purchase Agreements have been written for 20 year period. What is the current plan for how approved and built projects will be treated beyond that benchmark?
- CREZ Charts and Maps--Data presented in this report are extremely difficult to decipher. There seems to be no logic in the CREZ charts/matrices, and the boundaries of the CREZ's outlined in the maps are difficult to delineate. They are very heavy with layers, yet no real topography is illustrated. Also the acreage amounts listed in the CREZ refinement matrices do not add up correctly. This lack of clarity regarding these issues makes it apparent that RETI has not spent enough time and effort to address these problems since the phase 1b report.
 - The CREZ maps are bogged down with layers and the different features are poorly represented by the color scheme (i.e. gray for category one lands as well as CREZ delineation). The usefulness of the CREZ map is further hindered by the ineffective format of the CREZ refinement matrices and their failure to represent the CREZ refinement process and to reflect their visual counterparts. For example, the matrix representing the Iron Mountain CREZ includes absolutely no indication of how it arrived at a "refined CREZ acreage" of 149970 solar acres from Phase 1b acreage of 35840. In addition, the comments are far too simple to have any real meaning to anyone except the person that typed them. Overall, it seems the shortcomings of the RETI CREZ ranking and refinement process are compounded by the maps, and taken as a whole, represent an unsatisfactory product.
- BLM 1% development caps: The 1% development cap seems to lack a comprehensive review of all areas capped and has limited analyses. For instance, Table 2-1 only looks at 4 DWMA's and needs more explanation. Based on review of the maps provided for the Phase 2A draft report, there appears to be CREZ's within Mojave Ground Squirrel Conservation areas but there is not discussion of the ground squirrel.
- Degraded/Disturbed Lands: The concept and issue of "degraded" lands to be further addressed, as has been suggested to RETI countless times throughout this process. Why are fallowed farmlands being left out of the CREZ identification in the RETI process when many of these areas are the **most** appropriate places for such developments, especially since many use untested technology? These lands, along with private lands need to be considered first in this process, as opposed to looking only at public lands to carry the burden of large scale utility projects.

- County resources: If private lands are further considered, San Bernardino and Riverside counties may be willing to help in the identification and mapping of these lands, taking some of the load off of RETI and making this step a reality in the overall process.
- We urge you to utilize other professional ecological studies and reports, such as those of South Coast Wildlands and their Missing Linkages and connectivity studies to aid in the environmental screening process used by the Environmental Working Groups members.
- Ecological Issues: The development of large-scale utility solar farms on pristine desert lands will require blading of land, which will destroy the natural cryptobiotic soil crusts that function to stabilize soil, provide essential nutrients to native plants, and create a barrier to seeds of invasive plants (like Red Brome and Sahara Mustard). In summary they are essential to proper arid land ecosystem functioning. When lands are disturbed and these crusts no longer exist, the land is given way to invasive non-native species which accumulate fast and provide excellent fuel for fires. Imagine an 8,000 acre solar thermal farm an abundance red brome and Sahara Mustard growing underneath the panels: when a fire occurs, these farms will inevitably be destroyed. The land is truly wasted.

In summary, we wish for you to refine and update your process before releasing a final product for one critical reason: we have only a limited amount of pristine lands that remain untouched in the fragile California desert. We are certain no one wants our “legacy” 20 years from now to reflect a sea of inoperable solar farms sprawled across the area that was once a lush, pristine desert landscape. We all look forward to the greening of California’s energy supply and want to pass on all of the resources and opportunities of the last great frontier to future generations.

We have attached and urge you to utilize the Renewable Siting Criteria for the California Desert Conservation Area memo to aid in the identification of more appropriate lands for renewable energy development in the California desert.

Thank you for reviewing these comments in preparation for the final Phase 2A report and corresponding maps.

Sincerely,

A handwritten signature in black ink, appearing to read 'April Sall', written in a cursive style.

April Sall, Conservation Director
The Wildlands Conservancy

