

**CALIFORNIA ENERGY COMMISSION**

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Main website: [www.energy.ca.gov](http://www.energy.ca.gov)

**DEPARTMENT OF FISH AND GAME**

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September 14, 2009

Ms. Linda Resseguie, Project Manager, BLM  
Solar Energy PEIS Scoping  
Argonne National Laboratory  
9700 S. Cass Avenue – EVS/900  
Argonne, Illinois 60439

Dear Ms. Resseguie:

The California Energy Commission (Energy Commission) and the California Department of Fish and Game (Fish and Game) appreciate this opportunity to comment on the solar energy study areas announced in the June 30, 2009 *Federal Register* Notice of Availability. In the solar programmatic environmental impact statement (Solar PEIS), these study areas will be analyzed in depth for significant environmental impacts and economic viability. The results of this analysis will then be used to designate solar energy zones in which large-scale solar energy generating facilities would receive priority for accelerated siting and permit processing.

California has also initiated planning efforts to accelerate the permitting and development of new renewable energy projects, while protecting sensitive wildlife habitat. We offer these comments to improve the synergies between state and federal efforts.

In November 2008, Governor Schwarzenegger issued a renewable energy executive order<sup>1</sup> directing the California Natural Resources Agency to lead state-agency efforts to facilitate environmental permitting of Renewable Portfolio Standard-eligible energy projects located in the Mojave and Colorado Desert regions of California. The Energy Commission and Fish and Game have been working closely with the Bureau of Land Management (BLM) California Office and U.S. Fish and Wildlife Service (USFWS) Region 8 to implement this executive order.

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<sup>1</sup> Executive Order S-14-08, See <http://gov.ca.gov/executive-order/11072/>.

One implementation activity will be to prepare a Desert Renewable Energy Conservation Plan (DRECP), which will identify areas where renewable energy development should be directed and where habitat conservation would occur to offset the environmental impacts from development of utility-scale renewable energy generating facilities. A program-level Environmental Impact Report will be prepared to comply with the California Environmental Quality Act (CEQA) and which will accompany the DRECP as it undergoes final public review and moves toward formal adoption. Similar to Secretary of Interior Salazar's Order<sup>2</sup> to identify and prioritize acceptable sites for renewable energy development on BLM-managed lands, the Governor's Executive Order is focused on renewable energy development in California's desert regions.

All four solar energy study areas were proposed within the geographic boundaries of the DRECP. As shown in the list below and enclosed maps, the proposed study areas in California have been co-located with selected competitive renewable energy zones (CREZs) from the Renewable Energy Transmission Initiative (RETI):<sup>3</sup>

- Imperial East Solar Energy Study Area: CREZ 30, Imperial South
- Iron Mountain Solar Energy Study Area: CREZ 37, Iron Mountain
- Pisgah Solar Energy Study Area: CREZ 43, Pisgah and CREZ 45, Barstow
- Riverside East Solar Energy Study Area: CREZ 36, Riverside East

We appreciate BLM's inclusion of these CREZs in the solar energy study areas and the linkage this creates between our state and federal efforts. Differences between a CREZ area and the solar energy study area are due, in part, to land ownership/management responsibility; only BLM-managed lands were included in the proposed solar energy study areas. As a result, blocks of land within a solar energy study area have been excluded because they are privately owned or managed by the California State Lands Commission. We believe this fact will reduce the effectiveness of the Solar PEIS in facilitating renewable energy development in California since projects located on adjoining private land may not be able to tier-off the document to assist with CEQA compliance. We also believe that limiting the scope of the review solely to federal land raises issues regarding the usefulness of the cumulative impacts analysis. In addition, the CREZ conceptual transmission line routes, which are necessary to move power from generation facilities to the load centers, may have been excluded.

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<sup>2</sup> Order 3285, See [http://www.doi.gov/news/09\\_News\\_Releases/SOenergy.pdf](http://www.doi.gov/news/09_News_Releases/SOenergy.pdf).

<sup>3</sup> <http://www.energy.ca.gov/2009publications/RETI-1000-2009-001/RETI-1000-2009-001-F-REV.PDF>

## Comments

Pursuant to the Governor's Executive Order, California currently has a goal of obtaining 33 percent of its electricity from renewable generation by 2020. To meet this ambitious RPS goal will require extensive development of solar, wind, geothermal and other renewable resources. Limiting the Solar PEIS in California to four study areas, and excluding private land, results in a project scope that is overly narrow and which will not facilitate the most economic and environmentally preferred development outcome. For example, none of the solar study areas are located in the western Mojave Desert which is more developed than other California desert areas, is closer to existing transmission infrastructure and load centers, and has more previously disturbed land that can be developed without the magnitude of environmental impacts that can occur when undisturbed land is developed.

The Renewable Energy Action Team (REAT) agencies will soon be working with a comprehensive group of stakeholders to create a DRECP that will identify areas for renewable development and areas to conserve, and will ultimately result in a California Endangered Species Act (CESA) permit for renewable energy projects within the DRECP planning area. The DRECP will also likely provide the basis for one or more large-scale Habitat Conservation Plans (HCPs) pursuant to Section 10 of the Federal Endangered Species Act (FESA). We believe that expanding the number of solar study areas in the Solar PEIS will serve to better coordinate the work of the Solar PEIS with the DRECP and lead to improved development and conservation plans for the Mojave and Colorado Deserts in California. We request that the California solar energy study areas be expanded to include the following as study areas, with the following caveats. First, we recognize that further study may determine that some of the areas we are proposing for review may not be appropriate for development for a variety of reasons, e.g., potential impact to biological resources – the suitability of these areas will be further evaluated through the DRECP planning process. Second, in recommending these areas for further study we have not had the benefit of input from the broad range of stakeholders who will be participating in the DRECP's development. Based upon this additional analysis and input, we may reach a conclusion that some of the areas we are asking to be studied should be removed from further consideration, and we may also determine that areas not identified would be good candidates for development.

Regardless, we believe it is important to perform a more robust analysis in the Solar PEIS and as a consequence, recommend the following be added to the current solar study areas.

The individual areas that we are requesting be examined in the Solar PEIS possess some or all of the following attributes, which indicate they could be suitable for

development: 1) have been previously identified in the RETI process as possessing significant renewable resource development potential; 2) have proximity to existing transmission line infrastructure; 3) have proximity to load centers; and 4) are located in areas that have been more heavily impacted by development and possess greater amounts of previously disturbed land.

These areas are numbered and shown on the enclosed maps. The boundaries shown are approximate but correspond closely to the general area the Energy Commission and Fish and Game believe warrants further joint study by BLM and the State.

1. Pisgah Expansion -- We recommend that the BLM extend the boundary of the Pisgah solar study area to the west and to the north. This expanded area would encompass private land immediately to the west and adjacent to the Pisgah CREZ; some of this land is highly disturbed due to former agricultural activities. The area is crossed by Interstate 15 and several high voltage transmission lines. The area north of Interstate 15 includes a mixture of BLM and private land with minimal slope that could accommodate a large amount of generating capacity and is adjacent to the Barstow CREZ.
2. Searles Valley -- We recommend that BLM add the area south of Searles Lake and State Highway 178 within the Searles Valley to the solar energy study areas. This area would be located to the north, west, and east of the Trona Pinnacles National Natural Landmark Area of Critical Environmental Concern (ACEC) so an appropriate buffer area would have to be established. The Searles Valley is one of the most highly impacted and industrialized areas of the Mojave Desert. There is a power plant in the community of Trona with an existing transmission line that runs to the west. The area is bounded on three sides by the China Lake Naval Air Weapons Station. The area recommended for further study is almost entirely managed by BLM. It is also located close to the Inyokern CREZ and a proposed solar thermal project, solar photovoltaic, and wind lease applications on BLM land, and RETI solar proxy projects.

3. Harper Lake Area Expansion -- The area shown on the map significantly expands the area around Harper Dry Lake but would exclude any ACECs. It is part of the area covered by the Kramer CREZ. We recognize there may be issues regarding significant impacts to Mojave ground squirrel, including connectivity issues between core population areas. Consequently, after further study, parts of the recommended study area could be determined to be inappropriate for development. However, given the current and proposed solar development adjacent to Harper Lake and the proximity of existing transmission lines, this area warrants further study. BLM is the majority land owner in the area and the region is served by two major highways. There is some previously disturbed land and the slope aspect of much of the land appears suitable for solar development.
4. Imperial South – For this proposed BLM solar energy study area, we recommend expanding the area to be studied to the northwest which would effectively double its size. BLM manages more than 90 percent of the land in this northwest expansion area. This area is being recommended, because it has been identified as having low biological resource potential, and the area has excellent access to existing transmission line infrastructure.
5. Eastern Shore of the Salton Sea -- This area is a mixture of BLM, private, and State-managed land with BLM and private land predominating. It borders the southeastern shore of the Salton Sea and extends south toward the Imperial Sand Dunes, which is a protected area. It is recommended for study, because it has been identified as having low biological resource value. This is also an area that has the potential for geothermal resource development. If it can be determined that solar development would not inhibit geothermal development in this area, this area merits review in the Solar PEIS.
6. Southwestern Shore of the Salton Sea -- This is part of the Imperial North CREZ. State Highway 86 bisects the area. The land is predominantly privately owned with several BLM parcels, and it appears to be highly disturbed. There is good transmission access, and as with the Eastern Shore of the Salton Sea, if this area can be developed without inhibiting geothermal development it appears to warrant further review.

7. Western Mojave (areas not yet mapped) -- The State is evaluating large areas of the Western Mojave for its suitability for renewable energy development. The proposed areas are not shown on the enclosed maps. The areas under consideration overlap several CREZs including the Fairmont, Tehachapi, Kramer, and Victorville CREZs. Obviously, there are areas within the Western Mojave that should be excluded from development due to factors such as zoning incompatibility and significant impacts to biological resources. However, this area possesses several distinct advantages for potential solar projects such as high solar insolation, proximity to load centers and transmission infrastructure, large tracts of previously disturbed land, and greater general development. Much of this area is also privately owned, which results in BLM being reluctant to include it for study, but which also means less public land is used for development if projects are located on private land. If private land ownership is problematic for BLM regarding including this large region as a solar study area, then BLM should consider including a smaller portion of the region, specifically the area where BLM ownership is significant, specifically the area north and west of Kramer Junction, bounded on the south by State Highway 58 and on the east by US Highway 395. If it is found that this area does not support high value habitat for the State Threatened Mojave ground squirrel, or that it is not critical for maintaining connectivity between Mojave ground squirrel core population areas, it would be an area where development could take advantage of proximity to existing transmission line infrastructure. The State proposes to work jointly with the BLM to designate additional solar study areas within the Western Mojave.

#### General comments

- Solar energy projects which straddle both BLM-managed and private/state-managed land have been proposed by several developers. By excluding non-BLM-managed lands, BLM will not be able to accelerate permitting of these projects, because state and local agencies would not be able to tier-off of the Solar PEIS for their environmental analyses, nor would BLM be able to use the Solar PEIS for projects on which BLM would be providing a Section 7 Federal Endangered Species Act nexus for the entirety of a project with mixed land ownership, a common scenario in the California desert. Instead, local lead agencies will need to prepare their own CEQA analysis and environmental document, and BLM would have to prepare a focused NEPA document that could not tier-off of the Solar PEIS. Similarly, state and local agencies would need to prepare their own environmental studies of solar energy projects that are inside a solar energy study area, but

located on private or State Lands Commission-managed land. If the California portion of the Solar PEIS was developed as a CEQA-equivalent document, all solar energy projects within the final, designated solar energy zones could benefit from accelerated approvals and permit processing. In areas where the Energy Commission and Fish and Game have proposed incorporating significant amounts of private lands into the proposed BLM solar study areas, the State will participate in the joint environmental analyses of these areas through the DRECP planning process, as a cooperating agency on the Solar PEIS effort, and as lead for the purposes of achieving CEQA equivalence.

- Riverside East Study Area – The Riverside East Study Area includes McCoy Wash in Eastern Riverside County. Although not identified in the BLM Northern and Eastern Colorado Desert Plan as an area of high biological diversity, this area contains an exceptional example of Desert Dry Wash Woodland. Desert Dry Wash Woodland provides habitat for numerous resident and migratory sensitive bird species, such as southwestern willow flycatcher, summer tanager, LeConte's thrasher, and gila woodpecker. In addition, it provides habitat for desert mule deer, and mountain lions. We are not recommending that this area be removed from the study area but that the analysis and any ranking of areas that occurs in the Solar PEIS should recognize the importance of focusing development in preferred areas that have already been impacted and avoiding, whenever possible, undisturbed areas and areas of high biological value.
- Iron Mountain -- The Energy Commission staff provided comments in November 2008 on the proposed RETI CREZs, including Iron Mountain. In those comments the staff expressed concern over the development of this and other CREZs based upon their remote location in the eastern Mojave. In these comments staff indicated a preference for development to occur in the Western Mojave, to the extent feasible, where there has been more development and which is located closer to load centers, and often in closer proximity to transmission line infrastructure. We agree that it is desirable to avoid development in pristine areas. While we do not recommend that Iron Mountain be eliminated as a solar energy study area, the analysis and any ranking of areas that occurs in the Solar PEIS should recognize the importance of focusing development in preferred areas that have already been impacted and avoiding, whenever possible, undisturbed and remote areas.

Ms. Linda Resseguie, Project Manager, BLM

September 14, 2009

Page 8

We would like to thank you for the opportunity to provide comments on the Solar PEIS and look forward to working together collaboratively as your work continues. The Energy Commission and Fish and Game have appreciated the close and productive working relationship that has developed between our agencies, the BLM (California Office), and the USFWS (Region 8) on the solar power plant applications and the work of the REAT on the DRECP. We look forward to working with BLM on all aspects of renewable energy development in California in the future. Questions on these comments can be directed to Terrence O'Brien, Deputy Director of Siting, Transmission and Environmental Protection at the Energy Commission at (916) 654-3933 or [tobrien@energy.state.ca.us](mailto:tobrien@energy.state.ca.us) or Kevin Hunting, Deputy Director at the California Department of Fish and Game at (916) 653-1070 or [khunting@dfg.ca.gov](mailto:khunting@dfg.ca.gov).

Sincerely,



KAREN DOUGLAS  
Chairman,  
California Energy Commission



*For*  
KEVIN W. HUNTING  
Deputy Director  
California Department of Fish and Game

cc: Jim Abbott, CA BLM  
Darrin Thome, USFWS

Enclosures

## Legend for Maps Recommending Additional Solar Energy Study Areas in Southern California

### Renewable Energy Transmission Initiative (RETI)

-  Draft Conceptual RETI Wind Projects
-  Draft Conceptual RETI Solar Projects
-  BLM Wind Lease Application
-  BLM Solar Lease Application
-  BLM Solar Energy Study Areas
-  Draft Conceptual RETI Transmission Trunk Lines to connect a Competitive Renewable Energy Zone to the Transmission Grid
-  Draft Conceptual RETI Substation to collect energy from projects in a Competitive Renewable Energy Zone

### Renewable Project Data Sources

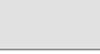
Bureau of Land Management solar and wind right of way applications at [http://www.blm.gov/pgdata/content/ca/en/fo/cdd/alternative\\_energy/SolarEnergy.html](http://www.blm.gov/pgdata/content/ca/en/fo/cdd/alternative_energy/SolarEnergy.html)

Renewable Energy Transmission Initiative Phase 1b Final Report at <http://www.energy.ca.gov/reti/documents/index.html>

### Prohibited, Restricted & Limited Lands

-  Category I Lands - Energy Development Prohibited or Restricted by Policy including National Park Service (NPS), and Bureau of Land Management and US Forest Service Wilderness Areas.

### Other Features

-  Community
-  Road
-  Historic Route 66
-  County Boundary
-  Water Body
-  Dry Lake Bed
-  The Wildlands Conservancy (Catellus)
-  Area of Critical Environmental Concern
-  Draft Conceptual RETI Competitive Renewable Energy Zone Boundary
-  CEC/DFG Proposed Study Area Expansion

### Substations

-  Imperial Irrigation District
-  Los Angeles Dept. of Water & Power (LADWP)
-  Southern California Edison (SCE)
-  Western Area Power Administration
-  Metropolitan Water District
-  All Others

### Land Ownership

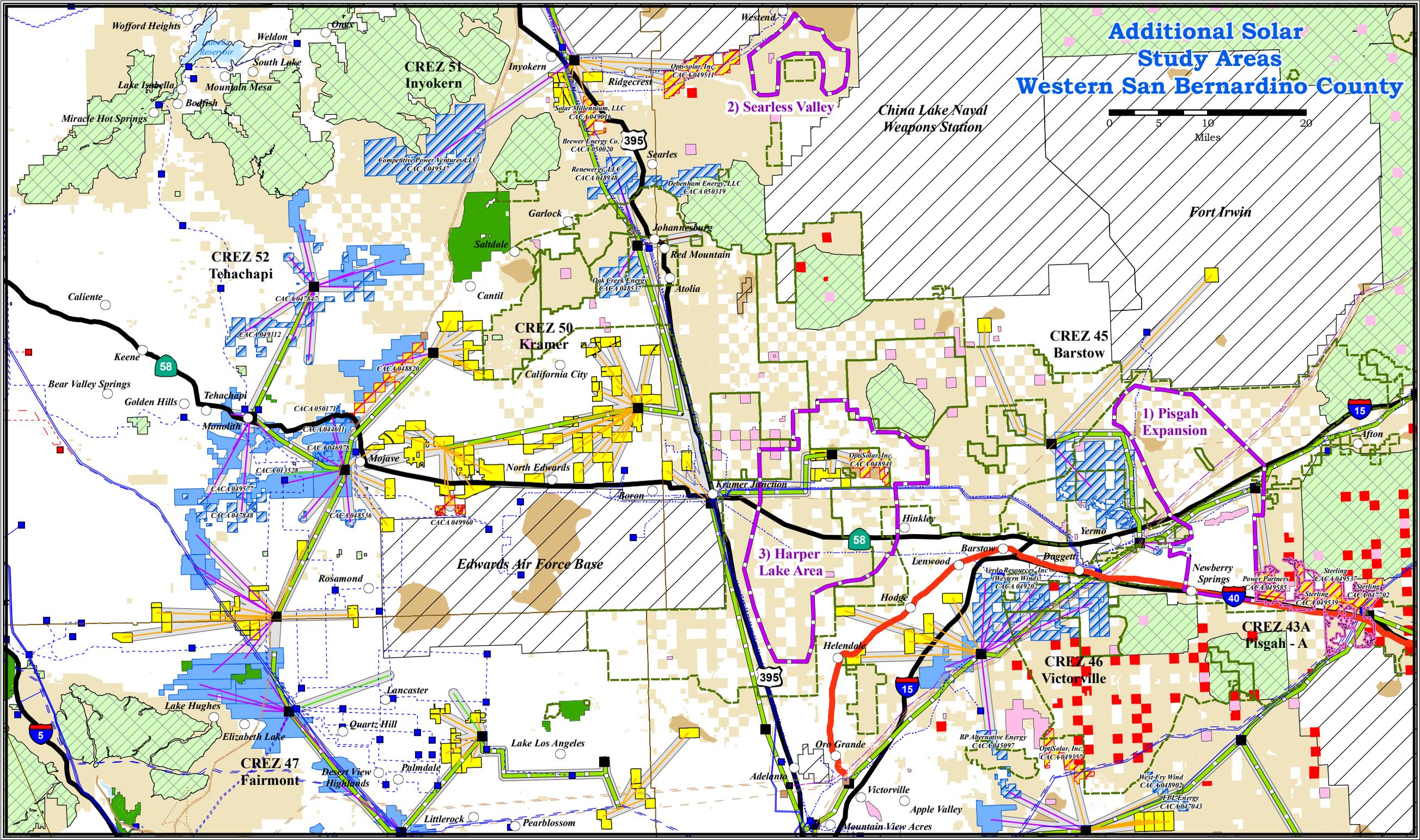
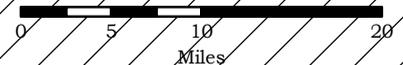
-  State Owned Lands
-  Bureau of Indian Affairs (BIA)
-  Bureau of Land Management (BLM) and US Forest Service (USFS)
-  Bureau of Reclamation (BOR)
-  Department of Defense (DOD)
-  US Fish and Wildlife Service
-  CA State Parks
-  Private Land

### Transmission Lines

(Colorized according to Utility Ownership)

-  12 kV - 59 kV
-  60 kV - 92 kV
-  110 kV - 161 kV
-  220 kV - 287 kV
-  345 kV - 500 kV
-  345 kV - 500 kV DC

# Additional Solar Study Areas Western San Bernardino County



# Additional Solar Study Areas Imperial County

