

PUBLIC UTILITIES COMMISSION

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July 15, 2008

Ms. Linda Resseguie, Project Manager, BLM
Mr. Frank "Tex" Wilkins, Project Manager, DOE
Solar Energy Development Programmatic EIS Scoping
Argonne National Laboratory EVS/900
9700 S Cass Ave.
Argonne, IL. 60439

Re: California Public Utilities Commission (CPUC) Scoping Comments on the Bureau of Land Management (BLM) and Department of Energy (DOE) Solar Energy Development Programmatic Environmental Impact Statement (PEIS)

Dear Ms. Resseguie and Mr. Wilkins:

The CPUC appreciates the opportunity to provide scoping comments on the Solar Energy Development PEIS being prepared by the BLM and DOE. We are strongly in support of the proposed action in this PEIS which is for the agencies to develop and implement programs that would facilitate environmentally responsible utility scale solar energy development in six western states including California. As BLM and DOE are likely aware, California has an aggressive renewable portfolio standard in place. At this point, the California utilities must meet 20% of their demand with renewable resources by 2010; the Governor's goal is to reach 33% by 2020.

In May 2008, the CPUC requested cooperating agency status for this PEIS. In addition, the CPUC will be actively involved in the Solar PEIS Interagency Working Group along with other state and federal agencies. Even though as a cooperating agency we will have continued active involvement with the PEIS process, we would like to provide the BLM and DOE with some general comments regarding this process as follows:

BLM Continued Acceptance of Solar Applications

The CPUC supports BLM's decision to continue accepting applications for future potential solar development on their lands. Even though this may place an additional demand on staffing resources at BLM, it is important that solar development applications continue to be processed to avoid lengthy delays in bringing properly sited utility scale solar facilities online.

PEIS Consideration of the California Renewable Energy Transmission Initiative (RETI) Results

The DOE/BLM Notice of Intent (NOI) for the Solar PEIS indicates that the PEIS will consider ongoing transmission planning efforts underway including the California RETI process. The NOI also states that the agencies will create a reasonably foreseeable development scenario for the Facilities Development Alternative which will identify lands available for development, available with restrictions, and not available for development.

The CPUC supports DOE/BLM consideration of the California RETI process as this planning effort can help inform the BLM PEIS process in identifying lands for utility scale solar development. As you may be aware, the RETI process that is now well underway is designed to identify and quantify renewable resources that can provide cost effective, environmentally sound energy to meet RPS goals and to identify the transmission developments necessary to deliver the renewables to California load centers. RETI is carrying out this purpose by 1) identifying Competitive Renewable Energy Zones (CREZ) that best justify transmission development; 2) Ranking the CREZ based on environmental considerations, development certainty and schedules, and on cost and value to the California customers; 3) Developing conceptual transmission plans to the highest ranking CREZ; and 4) Supporting the California Independent System Operator Corporation (CAISO), Investor-Owned Utilities (IOUs), and Publicly-Owned Utilities (POUs) in developing detailed plans of service.

The RETI process is on schedule to complete its identification and ranking of CREZ by September 2008. Phase 2 of RETI – identification of conceptual transmission plans – is scheduled for completion in spring 2009. Since the PEIS process has just started, BLM and DOE would be able to utilize this RETI information particularly for the Facilitated Development Alternative.

Consideration of Areas of Critical Environmental Concern (ACEC) or other Special Management Areas

The NOI indicates that, “The PEIS also will not include certain lands that the BLM has previously identified in its land use plans as environmentally sensitive, such as Areas of Critical Environmental Concern or special management areas.” Based on public comments both pro and con, it is still not clear whether BLM is considering including these areas in the exclusion category or as lands available with restrictive stipulations. This issue needs clarification in the PEIS including whether BLM is considering in their analysis the possibility of allowing some ACEC project specific solar sites with restrictive stipulations particularly if they are high solar potential lands.

Consideration of an Additional Alternative – Facilitated Development Alternative Utilizing Other Federal Lands in Addition to BLM Lands

Under the National Environmental Policy Act (NEPA) Regulations Section 1502.14 (c) alternatives including the proposed action can include reasonable alternatives not within the jurisdiction of the lead agency.

The NOI indicates that the Facilitated Development Alternative will create a reasonably foreseeable development scenario to define the potential for future utility scale solar development activities over a 20 year period. If feasible, the CPUC would like the BLM to consider an additional alternative that would augment this alternative by including possible solar sites on military lands which are quite numerous in the California Desert District. Given the lower profile of certain solar technologies, unlike wind turbines, it may be possible to site development in areas with height restrictions. Based on the BLM California Desert District map, there appears to be a number of solar applications on or near military lands. In addition, it is our understanding that Edwards Air Force Base specifically has an active interest in renewable development.

The CPUC has worked with BLM on a number of joint CEQA/NEPA documents related to transmission projects. We again look forward to working with BLM as well as DOE on the PEIS document preparation as a cooperating agency and as a member of the Interagency Working Group. If you have any questions, please call Billie Blanchard at 415-703-2068 or email at bcb@cpuc.ca.gov.

Sincerely,



Sean Gallagher
Director, Energy Division

Cc: Ken Lewis, Program Manager Energy Division
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