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PUBLIC SCOPING MEETING

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UNITED STATES DEPARTMENT OF ENERGY

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BUREAU OF LAND MANAGEMENT

7

SOLAR ENERGY DEVELOPMENT

8

PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

9

(PEIS)

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HILTON SACRAMENTO ARDEN WEST

15

2200 HARVARD STREET

16

SHASTA ROOM

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SACRAMENTO, CALIFORNIA

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TUESDAY, FEBRUARY 22, 2011

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7:28 P.M.

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1 A P P E A R A N C E S

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3 Ashley Conrad-Saydah, United States Bureau of Land

4 Management

5 Heidi Hartmann, Argonne National Laboratory

6 Linda Resseguie, United States Bureau of Land Management

7 Jane Summerson, United States Department of Energy

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1 PROCEEDINGS

2 MR. ZICHELLA: Good evening. My name is Carl
3 Zichella. And I am speaking tonight on behalf of the
4 Natural Resources Defense Council. NRDC is an
5 international nonprofit organization of scientists,
6 lawyers, and environmental specialists dedicated to
7 protecting public health and the environment with more
8 than 1.3 million members and on-line activists. I'm
9 NRDC's Director of Western Transmission.

10 NRDC strongly supports the deployment of
11 appropriately sited renewable energy and related
12 transmission development and recognizes that excellent
13 sites can be found on federal land. The challenge of
14 climate change requires that we transition our economy to
15 low and no carbon fuels as quickly as we can.

16 NRDC believes that this can best be done and most
17 rapidly be done by guiding development to most suitable
18 places, which are those with the fewest environmental
19 impacts and excellent resource values.

20 We thank BLM and DOE for their efforts in
21 producing a Draft Programmatic EIS. We strongly support
22 the direction the agencies are headed with the development
23 of a zone-based solar system -- solar program. Zone-based
24 siting will accelerate needed renewable energy development
25 while decreasing environmental conflicts, public

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1 controversy, and helps rationalize transmission planning
2 enabling us to obtain the most efficient use of the
3 existing grid and avoiding the expense and delay involved
4 with siting transmission new rights of way.

5 This approach can help us avoid reporting --
6 repeating the mistakes of oil and gas development on
7 public lands, which has scattered projects across the
8 landscape, harmed sensitive species habitat, and limited
9 climate adaptation opportunities for habitats and
10 wildlife.

11 NRDC also firmly believes that to succeed with a
12 guided development approach it's critical that development
13 be limited to appropriately selected zones within an
14 effective mechanism for establishing new zones in a timely
15 manner.

16 While the current preferred alternative in the
17 PEIS would allow for development in zones, it would
18 unnecessarily open up an additional 22 million acres of
19 solar development. We believe that additional needs for
20 development areas should be met by the efficient
21 designation of new zones in suitable locations.

22 In fact, the Reasonably Foreseeable Development
23 Scenario in the PEIS forecasts that the demand and need
24 for solar development will require a little over 200,000
25 acres of development west-wide. Opening up 22 million

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1 acres for development is not justified under this
2 scenario, nor is it the right direction for solar energy
3 development on our public lands. We believe it will be a
4 prescription for delay, and unneeded controversy.

5 Under a 22 million acre scenario, many lands that
6 are inappropriate for solar development would be on the
7 table, defeating the purpose of the zone approach in the
8 first place. This includes such areas as citizen proposed
9 wilderness areas, mitigation corridors, migration
10 corridors, and impose -- and important wildlife habitat.

11 Leaving such clearly inappropriate areas
12 available for development will not only endanger --
13 engender environmental opposition, it potentially could
14 cost developers many millions of dollars in project
15 development costs for areas the agencies could have led
16 them away from. This not only potentially harms the
17 environment; it also harms the renewable energy industry
18 too.

19 It's clear to us that the preferred alternative
20 will lead to continued uncertainty and conflict. It is
21 almost certain to slow down rather than speed up our clean
22 energy transition.

23 For these reasons, BLM should select a Solar
24 Energy Zone alternative as the preferred alternative in
25 the Final PEIS.

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1 NRDC will be submitting detailed comments on the
2 proposed Solar Energy Zones in California, including
3 recommendations for boundary modifications to minimize
4 resource conflicts. We urge BLM to remove the Pisgah and
5 Iron Mountain zones from consideration.

6 We're also recommending that BLM consider adding
7 zones on lands identified by the conservation community in
8 the west Mojave and Chocolate Mountains area for solar
9 development. These lands to date have not been evaluated
10 in the PEIS.

11 Finally, we recommend that coordination between
12 the Desert Renewable Energy Conservation Plan and the PEIS
13 be emphasized. These things need to be congruent. They
14 need to really be mutually supportive.

15 In closing, we'd like to thank BLM for
16 undertaking the Solar PEIS effort, and furthering the
17 concept of guided resource development in appropriate
18 zones. We believe this program can only be successful if
19 the BLM chooses the Solar Energy Zones program as the
20 preferred alternative in the Final PEIS.

21 Thanks for the opportunity to comment.

22 MS. DELFINO: Good evening. My name is Kim
23 Delfino, and I'm the California Program Director with
24 Defenders of Wildlife. Defenders of Wildlife is a
25 national nonprofit conservation organization dedicated to

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1 the protection and restoration of wild animals and plants
2 in their natural communities. We have a million members
3 and supporters nationwide, 200,000 here in the state of
4 California. And I want to thank you for the opportunity
5 to speak this evening.

6 Similar to what Carl said, we will be submitting
7 very detailed comments commensurate with the 11,000 pages
8 that we've been diligently reviewing.

9 You know, it's obvious that California and the
10 Obama administration is committed to building more
11 renewable energy projects, and to kick our addiction for
12 polluting fuels and create new jobs. But we must also
13 ensure that rapid solar energy development, particularly
14 in the desert, does not destroy wildlife opportunities,
15 lands, and natural resources. We can protect these lands
16 and resources and develop quickly renewable energy
17 projects. But in order to do so, we have to plan wisely.

18 The Solar PEIS lays out three options. The
19 no-project option, in our mind, is -- you know, it's the
20 continuation of the status quo, where projects are
21 essentially strewn across the landscape with sometimes
22 little consideration for the impacts to wildlife and
23 habitat and cultural resources.

24 The BLM's preferred alternative, or preferred
25 option, the solar development option, would open up 20

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1 plus million acres, including the zones. And to us, this
2 doesn't seem much different than the current status quo,
3 frankly, and we believe would result in significant loss
4 of habitat for many species, such as the desert tortoise,
5 which is a threatened species, Mojave Fringe-toed Lizard,
6 Burrowing Owl, Golden Eagle, Desert Bighorn Sheep and
7 many, many rare plants. Essentially, the preferred
8 alternative is a free-for-all approach.

9 Moreover, we don't believe that the preferred
10 alternative really reflects the smart-from-the-start
11 principles that have been articulated by the Department of
12 Interior Secretary Salazar or by the BLM Director Abbey,
13 Bob Abbey.

14 Instead, we strongly support the adoption of the
15 solar zone approach, and we ask that that be the program
16 that moves forward in the future. The solar zone approach
17 directs development to the well placed and well analyzed
18 areas and would hopefully avoid some of the conflicts that
19 we've seen so far.

20 This is really the very essence of smart
21 planning. We've been doing planning for many years.
22 We've seen this with transportation and housing
23 development. This is why we call it smart growth. We've
24 got a lot -- we've learned a lot and I think we should
25 be applying it here to our public lands.

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1 The zone approach -- I'm not going to repeat
2 that.

3 We believe the zone approach would not only avoid
4 unnecessary and serious resource conflicts, but it also is
5 going to meet the necessary level of energy identified by
6 the BLM in its programmatic document. In fact, as you
7 noted, the PEIS says that BLM projects it only needs
8 214,000 acres of land to produce 24,000 megawatts of
9 energy renewable energy in the next 20 years. In
10 California alone, the solar zones are 339,000 acres.

11 While we support the solar zone approach, we
12 believe that the current approach needs to be improved.
13 And I'm going to offer three things that I think to focus
14 on just generally.

15 First, we need to revise the zone approach in
16 California to eliminate the Iron Mountain and the Pisgah
17 zones. Iron Mountain is in the middle of various
18 wilderness areas. It's isolated. It's an important
19 connectivity area for bighorn sheep and desert tortoise.

20 The Pisgah zone, as the Fish and Wildlife Service
21 has noted recently, is an important connectivity area for
22 three subpopulations of desert tortoise. We think it
23 would be a huge mistake to develop additional projects in
24 that zone.

25 Further, we believe additional detailed analysis

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1 needs to be conducted by the BLM in the zones. And while
2 this isn't related to the zone-only alternative, I would
3 take the opportunity to point out that the preferred
4 alternative that's been identified by the BLM really
5 suffers from a serious problem of lack of adequate
6 analysis of impacts on natural resource and wildlife in
7 the 20 plus acres. The analysis has been conducted in the
8 677,000 acres, but there's really been no analysis
9 conducted in the additional 20 million acres.

10 And then lastly, we really believe that the zone
11 approach needs to adopt and layout a process for new
12 zones. Because we're asking for the Chocolate -- for the
13 Iron Mountain and the Pisgah zones to be eliminated, there
14 are other places that would be appropriate for development
15 in the California desert.

16 We've offered maps up of areas in the west Mojave
17 that could be identified or could be chosen. And we think
18 that the PEIS, in order for it to really be lasting and
19 enduring, needs to put in a process for additional zones.

20 As far as DRECP, really quickly -- Carl already
21 touched on it -- we believe the DRECP is a very important
22 component for planning, because it integrates not only
23 development on the public lands but private lands. We
24 believe the PEIS should lead into the DRECP. We are
25 assuming the PEIS will be adopted before the DRECP, and

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1 then the DRECP will subsume the PEIS when it is adopted.

2 You know, there's a real opportunity here for the
3 federal government to do renewable energy right. And
4 therefore, we urge you to address our comments. And like
5 I said, we'll be providing more detailed comments in our
6 written letter later. And I really appreciate the
7 opportunity for the public to comment on this.

8 Thank you.

9 MR. DONNELLY-SHORES: Hi. My name is Patrick
10 Donnelly-Shores. I'm from Berkeley, California most
11 recently, though I lived in Yucca Valley for a number of
12 years just down the road from the Iron Mountain proposal.

13 I spent a number of years working for the SCA and
14 for BLM in the California desert. And I feel I might lend
15 a little insight to the kind of unique character of some
16 of the lands that are being proposed for development.

17 I guess I'd like to begin by applauding BLM for
18 approaching this issue in a systematic and comprehensive
19 manner like this. The PEIS is a really big step forward
20 it seems like in managing this issue. It sort of felt
21 like the wild, wild west for a minute with the proposals
22 coming in left and right.

23 I agree with the previous speakers that the Solar
24 Energy Zone alternative is the needed alternative. The
25 preferred alternative kind of perpetuates the same sort of

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1 willy-nilly development of solar proposals, as opposed to
2 more specific concentrated development in a more
3 systematic way like is proposed with the SEZs.

4 I'd like to spend a moment addressing very
5 specifically though the issues to designated wilderness
6 and to wilderness study areas. While there are no buffers
7 on wilderness areas, there are indirect impacts that will
8 be felt by these Solar Energy Zones, specifically impacts
9 to visual resource and impacts to biological connectivity.

10 The wilderness is by definition -- by BLM's own
11 definition, Class 1, Visual Resource Management, which
12 means it needs to be maintained as it is, and it must not
13 attract -- new impacts must not attract attention. But
14 the proposed Solar Energy Zones would actually degrade
15 both Rodman Mountains Wilderness Area and Palen-McCoy
16 Wilderness Area to Class 3 VRM, where impacts are
17 substantially noticeable.

18 And it was over 76 percent of Palen-McCoy would
19 experience this, which is -- Palen-McCoy is the biggest
20 wilderness in the California desert district. It's
21 214,000 acres. It is part of this kind of central core in
22 the eastern Mojave, Northeastern Colorado Desert of the
23 Old Woman Mountains, the Palen-McCoy, the Sheep Hole and
24 the Turtles is really kind of the heart of the wilderness
25 out there. It's almost a million acres of wilderness

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1 combined with those four wilderness areas.

2 And Iron Mountain is right smack in the middle of
3 those four wildernesses. So developing that area would
4 really have significant impacts to the visual resource
5 there and also to the biological connectivity. Those four
6 wilderness areas are really important for bighorn sheep.
7 I've seen bighorn sheep in three of those wilderness areas
8 as recently as last week actually, and Palen-McCoy. And
9 so putting a large industrial development in the middle of
10 those would have really negative impacts to that.

11 Pisgah is also sited right next to the Cady
12 Mountains Wilderness Study Area. And Wilderness Study
13 Areas, by statute, have to be managed for non-impairment
14 of wilderness values, until Congress decides whether or
15 not they're going to be designated or not.

16 And so putting a big solar development right on
17 the boundary of this Wilderness Study Area would violate
18 the non-impairment clause, which I believe is in FLPMA, of
19 Wilderness Study Areas.

20 There's sort of some addressing of these effects
21 in the PEIS. But I think, in some cases, it's a little --
22 it doesn't address it far enough. For instance,
23 Palen-McCoy it says that the boundary of Palen-McCoy is
24 largely disturbed already, because there's some highways
25 there.

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1 Well, I was just out in Palen-McCoy last week and
2 I got on top of the Granite Mountains and I looked out as
3 far as I could see in any direction, and you really could
4 not see anything. There was maybe a highway out there.
5 But the view if Riverside East was developed and if Iron
6 Mountain was developed would have been solar fields on all
7 four sides of me at that point. It would greatly diminish
8 the wilderness character of these areas. And that is
9 something I think that needs to be heavily considered when
10 considering which of the SEZs to develop.

11 So I definitely agree with the previous speakers
12 that Iron Mountain is not appropriate. I think Pisgah is
13 not appropriate for the impacts to wilderness adjacent to
14 there. And I think Riverside East could be easily
15 adjusted to concentrate the impact along Highway 10. That
16 is an area that is developed already and it does about the
17 southern portion of Palen-McCoy, but it wouldn't sort of
18 penetrate the heart of Palen-McCoy up in that kind of
19 eastern side of Palen-McCoy that really is undeveloped as
20 of now. So Riverside East could definitely be adjusted to
21 concentrate impacts where there already is impact. And I
22 guess that's all I have to say.

23 So thanks.

24 MR. HAUBENSTOCK: I think I used up half of my
25 five minutes walking up. I apologize.

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1 I'm Arthur Haubenstock with BrightSource Energy.

2 Thank you very much for the opportunity.

3 BrightSource Energy is the designer, developer,
4 and soon to be owner and operator of large scale solar
5 thermal power plants that will lead the world in energy
6 efficiency, in cost efficiency, and in reducing overall
7 emissions.

8 And I wanted to, first of all, thank you very,
9 very much for all the tremendous amount of work that has
10 gone into the PEIS. And it's not just the quantity of
11 documents -- of pages of the document, but clearly
12 reflects a tremendous amount of work by a large number of
13 people. And we appreciate the sincerity of effort and all
14 of the thought that went into that.

15 I wanted to talk a little bit about why I'm here,
16 and take the opportunity to thank some in particular for
17 that. My grandmother, Ethel Solo, was 99, passed away
18 last Thursday, and she loved nature. She was a member of
19 several environmental organizations as she -- all
20 throughout growing up. She took me to California for the
21 first time when I was about 11. She insisted on going to
22 Joshua Tree. And she was very interested in biology and
23 science, and very interested in the miracle of nature,
24 particularly in the desert. And taught me, at a pretty
25 early age, that the desert is not a desolate place, not a

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1 barren place, but a place where there really is a miracle,
2 in both the plant life and the animal life, the way that
3 nature manages to create such a thriving ecosystem in an
4 area where life is really so very difficult.

5 And that really drove me to a career in
6 environmental issues and in renewable energy, because
7 renewable energy is an opportunity for us to provide our
8 economy with a clean and sustainable basis for going into
9 the future, to reduce our overall emissions, to reduce our
10 overall impact on the land. It does involve some
11 compromises.

12 But it's very important to me and to the company
13 that I work for to tread lightly. And so it's very
14 important that we conduct the kind of planning that's
15 involved in the Solar PEIS and to work together to try to
16 hit the right balance, so that we can create a cleaner and
17 greener world while minimizing the impact of the things
18 that we're doing to create that cleaner and greener world.

19 So we do support a very strong solar energy
20 program that involves both BLM and DOE and the other
21 federal and State agencies that are going to look to
22 ensure that solar development takes place on the best
23 lands that are available, whether those are private or
24 public lands, and that those lands are well used by
25 projects that are going to actually create the most amount

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1 of -- the highest amount of renewable energy from the
2 least amount of land, so that we can again reduce the
3 overall impact while creating the best overall good.

4 We do believe that the preferred alternative is
5 the best way to go about doing that. And there are
6 several reasons for that.

7 One is that, as some of the testimony has pointed
8 out, it's not clear that, despite all the hard work of the
9 agencies, that the zones are in necessarily the best lands
10 or that the best lands are necessarily in the zones.

11 There are a number of areas in which, for
12 example, you might be seeing private land development that
13 is adjacent to federal lands or that has federal lands
14 mixed in it that are not appropriate for the zone or the
15 zoning process, but would provide the best mix of
16 renewable energy production and least environmental
17 impact. And those are important considerations.

18 Other considerations that haven't been touched on
19 in the PEIS include -- that haven't been fully analyzed,
20 include the availability of transmission and how
21 transmission timing fits into the overall renewable energy
22 and climate energy -- or climate goals that drive
23 renewable energy development in California, throughout the
24 west, in the nation, and globally.

25 In addition to that, renewable energy integration

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1 is an issue that is being looked at by the California ISO,
2 the California Energy Commission, the California Public
3 Utilities Commission, all of the energy agencies
4 throughout the southwest and the FERC. We're all trying
5 to grapple with how you go about integrating the maximum
6 amount of solar and other renewable energy with the least
7 amount of conventional power. The way in which that's
8 geographically distributed is something that we're still
9 looking at and trying to struggle with.

10 And for a PEIS that's going to last over, one
11 hopes, 10 to 20 years, we have to be thinking into the
12 future and have sufficient flexibility to allow renewable
13 energy to be located in a way that, considering weather,
14 considering transmission, considering the way that the
15 grid works, which is very much like an ecosystem, will
16 again reduce the overall emissions and overall impact of
17 the renewable energy program.

18 We recognize that change is difficult, and the
19 ability to use renewable energy from public lands, while
20 at the same time protecting public lands, is a very tough
21 balance to strike. But it's very important that we do
22 that, particularly now, when renewable energy is really
23 facing a very challenging time. It's a very capital
24 intensive industry. It's something that requires a great
25 deal of public support.

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1 We want to see renewable energy develop in such a
2 way that the public, including everybody here, feels good
3 about the way that renewable energy is being developed.
4 And so we do want to make sure that when we talk about
5 lands available for development, we're not intending, by
6 any means, to take up very much more than a fraction of
7 that. It's certainly not going to be open season on
8 federal lands. It shouldn't be.

9 The recent instruction memoranda that BLM
10 adopted, we think, creates the kinds of boundaries for use
11 of federal lands that would mean that, in addition to
12 zones, only those additional lands that are most
13 appropriate for development are actually developed.

14 And so we're looking for the implementation of
15 the Solar PEIS that will enable that kind of careful
16 balancing.

17 Again, I want to thank you very much for all the
18 hard work that has gone into the PEIS so far. Thank you
19 very much for the opportunity to comment. And we look
20 forward to all of the great product that we are sure are
21 going to come from all of the work that is remaining to
22 bring this process to completion, including integration
23 with the DRECP. And we do think that that's a very
24 important consideration and would be very interested to
25 hear more about how the BLM's timeline with the PEIS will

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1 fit into the DRECP and the DRECP's more detailed analysis
2 of the appropriate areas in which renewable energy should
3 be developed.

4 Thanks again very much for the opportunity.

5 MS. EDDY: Hello. My name is Shannon Eddy. I'm
6 the Executive Director of the Large-scale Solar
7 Association. We represent utility scale solar developers
8 building projects throughout the southwest.

9 I want to echo my colleagues in thanking the BLM
10 for the good work that's gone into this. The southwest
11 United States has some of the best solar insolation in the
12 world. And as Arthur pointed out, finding the right areas
13 with the right insolation will ensure that we're
14 protecting actually more of the habitat areas by not
15 having projects that are too big because they're in areas
16 with lower insolation.

17 I think generally what I'd like to say is that,
18 you know, we applaud the BLM's thoughtful consideration of
19 figuring out how to do solar development on public lands.
20 The oil and gas development has been going forward for
21 years. And it seems like the BLM is now looking for a way
22 to do more targeted development in a way that protects the
23 conservation areas more effectively. And we think that's
24 important.

25 We do support zone development. And we also

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1 strongly believe that thoughtful development outside the
2 zones should absolutely be a part of this process. And
3 we'll be supporting the preferred alternative, obviously
4 tonight, and in our written comments going forward.

5 A few other comments. We believe that a clear
6 process for identifying and designating additional zones
7 is going to be important. Some of the conservation
8 community has talked about the fact that the Pisgah and
9 Iron Mountain zones are problematic. We've heard that
10 before.

11 I think generally we need to do a little bit more
12 work on identifying more robust zone areas, particularly
13 the west Mojave, as Carl mentioned, and as others will
14 probably mention after me.

15 In order for the zones to be effective, the BLM
16 needs to establish a process for expedited project
17 permitting within the zones. And we also need to ensure
18 that the zone lands themselves are appropriate for solar
19 development, which I've already mentioned.

20 We also need to figure out how to do good
21 development within those zones, to make sure that the land
22 that's being proposed, and especially if there are going
23 to be incentives for going to those zone areas, that we
24 figure out how to use those in a smart way.

25 I do want to raise some concerns about a

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1 zone-only process. I won't repeat what Arthur had said,
2 but we do need to identify more robust zones. There is a
3 concern that if we do have zone-only development, we're
4 going to be forcing projects that have right-of-way
5 applications outside of the zones onto private lands.

6 And, in fact, there will be a higher demand for
7 projects on private lands. I think private lands are a
8 great place to build solar facilities. However, if we
9 have a zone-only approach, and a very limited framework
10 within which we can develop on public lands, the cost of
11 the private lands is going to go up. And it's going to
12 make it more difficult to site on private lands going
13 forward. And there's also no guarantee that we won't face
14 similar species and biological impacts on the private
15 lands as well. So this isn't an easy solution.

16 I think we need to do a little more work on
17 transmission. The Solar PEIS looks like kind of a 60,000,
18 70,000 foot look at transmission capacity in the general
19 public lands areas of the zones. But I think we need to
20 do a lot more work to discern what the capacity issues are
21 and how to site transmission, when to site transmission,
22 as Arthur had pointed out, on both public and private
23 lands as we contemplate doing development throughout the
24 area.

25 And as some of the other speakers had mentioned,

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1 we do need to clarify the relationship between the DRECP
2 and the PEIS for all the reasons that have already been
3 expressed.

4 I guess what I want to say is that given the
5 Obama administration's commitment to clean energy, the
6 climate crisis in which we find ourselves, and the really
7 nascent stage at which solar is right now, it's imperative
8 that we focus less on how to limit development of this
9 crucial renewable resource and more on how to do it in a
10 thoughtful way.

11 And this is new. This is a new process for the
12 industry. I think it's new for the conservation
13 community. It's new for the land managers.

14 It's going to take time, and it wouldn't hurt if
15 the BLM decides to pull back a little bit on its timing
16 and be even more thorough in its analysis of the lands and
17 of the zones and how to be even more effective in its
18 approach.

19 So we do look forward to working with BLM and the
20 stakeholders to identify more robust study areas to
21 clarify how permitting and siting of both solar projects
22 and transmission lines is going to proceed on public
23 lands, and also to identify ways to avoid conflict in
24 permitting facilities outside the zones.

25 I think I'll leave it there. Thanks for your

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1 time.

2 MR. GARABEDIAN: Hi. I'm Michael Garabedian. I
3 live in Citrus Heights. And I've been -- I'm here because
4 I like the desert. I've been wandering and driving from
5 Modoc County to the Wasatch Front and down to Utah and
6 back across Nevada, Death Valley, and into the Mojave for
7 a long time.

8 I'm going to talk about three things. A little
9 public lands perspective that I have, give an example of
10 the Dry Lake Valley North over in Nevada and talk about my
11 great concerns about how the EIS and policies you have
12 need to be made much more strong, in terms of the need for
13 mandatory reclamation and clean up and restoration of road
14 sites and transmission lines.

15 The first big scandal in our public lands was
16 when Congress decided to fund the Revolutionary War by
17 selling off the public lands. And they -- you know, two
18 bucks -- two cents an acre or whatever. They couldn't do
19 it. It was the first big failure.

20 The second big failure was the disposal period
21 where Congress, around 1840, started enacting laws to
22 settle -- responsibly settle the public lands. In 1862,
23 the Homestead Act. Of course, the best ag lands had
24 already been settled, and this turned into an incredible
25 scandal with -- rife with corruption and influence.

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1 People, you know, pushing a wagon with a boat -- pushing
2 a rowboat with wheels across the desert or whatever,
3 saying it was a swamp. And terrible mismanagement by the
4 agency, just chicanery and miserable -- well, now, as I
5 see the PEIS, it is a blueprint for the number three huge
6 scandal.

7 I see that solar energy, as near as I can tell,
8 is a fad. I'm not convinced that it's necessary. I think
9 the way it's being approached is like someone -- an
10 individual going into the desert without the necessary
11 appropriation.

12 I think Congress's actions to subsidize this and
13 push the agency into this is totally irresponsible. And I
14 think you have a huge, huge challenge to figure out how to
15 not follow Congress into the abyss.

16 Dry Lake Valley. This is a valley on the other
17 side of Nevada. It's proposed, when it's one of the
18 zones, 77,000 acre -- one of these industrial facilities.
19 That's 120 square miles. Now, San Francisco is maybe
20 about 50 square miles.

21 What happens when you put a facility in the
22 middle of one of these beautiful expansive values is you
23 convert it. You convert it to a solar energy factory.
24 Another fellow suggested the Dry Lake Valley -- this is
25 north -- is about a million acres. Well, yeah, I looked

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1 at it. Maybe it's 400,000, maybe it's 500,000, maybe it's
2 a million. But this process takes it out of FLPMA. BLM
3 becomes a cop to try to monitor and protect a desert
4 that's already been destroyed by this process visually.
5 The whole valley, the whole region becomes dominated by
6 this energy facility.

7 Twenty-two million acres, 33,000 square miles for
8 your preferred -- I'm trying to think. I don't know how
9 big Connecticut is. I think it's at least that big. You
10 drive halfway across Nevada you've probably covered about
11 half that. What a shame, what a disgrace, really, that
12 that's your preferred alternative.

13 I can't tell that the existing policy on
14 reclamation requires people to remove unneeded
15 transmission lines after they're built. I don't see that
16 in there.

17 But there really have to be strong policies. The
18 language in Chapter 5 where all the different issues are
19 talked about, ecological factors and so forth. Chapter 5
20 very specifically indicates one mandatory bonding area.
21 It says, "It shall be a bond for vegetation
22 reestablishment". It doesn't say that for any of the
23 others.

24 But now there's a loophole right there. That
25 chapter and the first part of the discussion is a loophole

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1 inviting lawyers from all over the world. I don't know
2 why we have foreign countries and foreign governments on
3 our public lands. I don't think they should be, but I
4 guess that's another discussion.

5 But yeah, it invites people -- the PEIS seems to
6 me it undermines the policies you have now. Gosh, the
7 Regional Solicitor is going to be able to review the bonds
8 that are required. But the problem is there's no -- what
9 are the bonds -- are they going to require bonds or not
10 for different things? Which parts of these -- of the
11 areas that need reconsideration -- need to be dealt with
12 when a project is abandoned or fails or ends is not clear
13 at all. Those pages 820 to 22 are full of a lot of
14 problems.

15 It creates a Solar Bond Review Team. This needs
16 to be -- this needs to have public members on it. And
17 that needs to meet in a manner that's open to the public.

18 The language in these pages sends a lot of bad
19 messages. You know, if we use up a whole bond on one
20 aspect, then they'll get to require more bonding. That
21 doesn't sound like they're very confident that they'll be
22 able to figure out how to charge proper bonds for
23 everything in the first place in one band.

24 Oh, and there's language on page 821, "If
25 separate bonds are held", one minute it's saying bonds are

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1 mandatory and it's one package, and then it has language
2 that says, "If separate bonds are held". Someone can't
3 write or read. What does that mean? It doesn't mean what
4 it said in the earlier paragraph.

5 There's language, "BLM can require right of way".
6 I mean, these pages are full of "wills", there's that one
7 page for vegetation where it says "shall". And I will be
8 submitting more comments.

9 But I wish -- thank you for this program tonight.
10 I wish you good luck. I don't know if BLM and Department
11 of Interior can survive this fiasco.

12 MR. BOYD: Hello. My name is Mike Boyd, and I'm
13 the President of Californians for Renewable Energy, Inc.,
14 CARE.

15 My group CARE has six pending lawsuits in the
16 federal court against six of the southern California
17 projects. Specifically, Ivanpah Solar, Imperial Valley
18 Solar, Chevron Lucerne Valley, Calico Solar, Blythe Solar,
19 Palen -- or not Palen yet, because you haven't got our
20 Record of Decision. And I think I got them all.

21 The point -- the main reason that we're
22 litigating this, and I'll read this letter that my
23 attorney gave me, to give a disclaimer.

24 He says, "I represent CARE and La Cuna de
25 Aztlan Sacred Protection Circle Advisory

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1 Committee, ("La Cuna"), and various individuals
2 who are either members of one or more Native
3 American tribes or the descendants of such
4 members in connection with the above referenced
5 fast-track solar projects in California.

6 "La Cuna is a nonprofit 501(c)(3)
7 organization and a party to that certain
8 Amendment number one to the Memorandum of
9 Understanding between the United States,
10 Department of Interior, Bureau of Land Management
11 and the Southern Low Desert Resource Conservation
12 and Development Council, in which your agency
13 recognizes La Cuna as being comprised of 15
14 indigenous and culturally aware individuals
15 dedicated to physically protecting the Blythe
16 giant intaglios, other geoglyphs and several
17 hundred sacred sites that are located along the
18 Colorado River from Needles, California to Yuma,
19 Arizona.

20 "My clients are deeply concerned about the
21 effect that these eight solar projects will have
22 on their religion, culture, and heritage and on
23 the environment. Your agencies are required to
24 initiate and complete consultation under the
25 National Historic Preservation Act before giving

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1 approval to actions like these projects.

2 "The first six were approved without proper
3 consultation. They are the subject of the
4 lawsuits in Southern and Central Districts of
5 California. And my clients are concerned that
6 the last two will likewise be approved without
7 proper consultation.

8 "The purpose of this letter is to request
9 that you initiate and complete the legally
10 required consultation for all these projects
11 before any further action is taken on them,
12 including, but not limited to, the issuance of
13 notices to proceed to the project developers."

14 And he invites you to schedule an appointment
15 with him, and I provided Heidi there a copy of the letter,
16 so that you can -- so essentially La Cuna de Aztlan is --
17 translated means the cradle of Aztec civilization.

18 La Cuna de Aztlan is considered the sacred home
19 land of many tribes in California. Some of those tribes
20 trace that location as far as Alaska and South America.
21 California is what's called a nahautl word, Uto-Azteca
22 language. "Cali" means house. "Fornia" means hot.

23 This is one of the most sacred areas of the
24 world. It's like Jerusalem in the Judeo-Christian
25 religions. And these projects are located on top of

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1 geoglyphs.

2 One in particular in Blythe is called Kokopelli.

3 Kokopelli means -- "Koko" means Lord, "Pelli" means hurt,

4 Our Hurt Lord. He represents the end of the third age.

5 That's when he left the world. And he's returning

6 supposedly at the end of this age that we call the Fifth

7 Age, which ends on December 21st, 2012.

8 This is very sacred land to the tribes. And the

9 BLM has not consulted with the tribes nor with the native

10 peoples. They have rights that -- aboriginal rights to

11 protect their native resources that have been put up to

12 bid for profit is what it appears to us to be.

13 Now, I'm going to start by giving some specific

14 issues that I'm concerned with from the BLM. And if I run

15 over my time, I'll wait -- you said I could wait till the

16 end, is that correct?

17 MS. HARTMANN: You're at about five minutes now.

18 MR. BOYD: Oh, I can wait. I can come back.

19 MR. O'BRIEN: Good evening. First of all, thanks

20 to the Bureau of Land Management and Department of Energy

21 for hosting this event this evening in Sacramento.

22 Obviously, there are a lot of individuals and

23 organizations who have concerns and want to provide input

24 regarding development in California's desert. And also

25 thanks to you for holding a series of meetings, including

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1 tomorrow night's meeting in Barstow to allow the local
2 population an opportunity to come forward and provide
3 comments.

4 You've heard a lot of, you know, valuable
5 comments tonight. I'm here speaking on behalf of not only
6 the California Energy Commission, but the California
7 Department of Fish and Game. And as you know, we're part
8 of the Renewable Energy Action Team that includes a number
9 of State agencies, including the Public Utilities
10 Commission and also the California ISO that have been
11 active members in the REAT.

12 And we're very grateful for the cooperation that
13 we've received going back several years with the federal
14 government and look forward to further cooperation in the
15 future.

16 I have some comments that have been -- that we've
17 prepared. I'm going to read those into the record. And
18 then we'll be submitting written comments along these
19 lines by the deadline in mid-March.

20 First of all, the California Energy Commission
21 and the Department of Fish and Game comments on the
22 initial SEZ development were not fully addressed in the
23 Draft PEIS. For example, we recommended the deletion of
24 the Iron Mountain SEZ and recommend a no further
25 consideration of this SEZ in the PEIS.

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1 And while the Draft PEIS identifies a reduced
2 amount of acreage that would be available for solar
3 development in this SEZ, the analysis does not address the
4 issues that were identified. These issues include the
5 lack of existing electric transmission to potential
6 development in this SEZ and the high conservation value of
7 the public lands in this area, including habitat
8 connectivity.

9 We also recommended a joint State-federal
10 approach that would address the designation of private
11 land areas directly adjacent to some of the identified
12 SEZ, and a potential new SEZ in the western Mojave. This
13 approach would serve to both provide a larger area to
14 consider for potential renewable energy development in
15 California and would help to redirect the siting of
16 projects on high value public lands to relatively more
17 disturbed private lands.

18 The California Desert Renewable Energy
19 Conservation Planning effort will contribute to resolving
20 these outstanding issues. As these California specific
21 issues were not fully addressed or were considered outside
22 the scope of the Solar PEIS, it is recommended that
23 whatever version of the BLM solar program, or PEIS,
24 alternative is eventually adopted, its implementation is
25 closely coordinated with the DRECP development and

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1 implementation.

2 Number two, the currently identified preferred
3 alternative in the PEIS includes the identified SEZ, plus
4 additional areas suitable for solar development outside of
5 the SEZ. The DRECP planning effort in California has
6 recognized and included the Solar PEIS identified SEZ with
7 the exception of Iron Mountain in its evaluation of
8 potential development areas, and has identified lands
9 adjacent to these SEZ that may also be suitable for
10 renewable development.

11 However, this is the first look for the
12 California Energy Commission and the Department of Fish
13 and Game at the other areas that are identified in the
14 Draft PEIS. On first look, it appears some of these areas
15 could be in conflict with lands that have high wildlife
16 value and are being considered in the DRECP for potential
17 conservation through additional protection or management
18 actions. The agencies are just initiating analyses for
19 the overall DRECP conservation strategy and recommend not
20 including these additional lands as a component of the
21 NEPA preferred alternative.

22 The California Energy Commission and
23 the Department of Fish and Game would instead support
24 adopting a SEZ only alternative that includes the Pisgah,
25 Riverside East, and Imperial SEZs as identified in the

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1 Solar PEIS.

2 Third, and finally, the California BLM has
3 committed to, and initiated a scoping for, the California
4 Desert Conservation Area amendment that would allow BLM to
5 consider plan amendments for recommending additional
6 conservation and development that align with the DRECP and
7 the DRECP Conservation Strategy.

8 The DRECP planning effort is scheduled to be
9 complete in 2010, and is moving forward on schedule.
10 Initially, it seems premature, and redundant, to initiate
11 CDCA plan amendments in California upon completion on the
12 Solar PEIS and prior to the completion of the DRECP, which
13 may then trigger further amendments and/or changes to
14 proposed or recently adopted amendments in the subsequent
15 land use amendment process.

16 These issues represent only initial overarching
17 comments of the Energy Commission and California
18 Department of Fish and Game. We are working on detailed
19 comments that will be submitted by the close of the formal
20 public comment period as I indicated.

21 We remain committed to work with the REAT
22 agencies, including BLM and the California Office of the
23 BLM to coordinate our joint planning processes and efforts
24 to responsibly and efficiently site and permit renewable
25 energy facilities in appropriate locations in California.

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1 And finally, just once again, thanks on behalf of
2 the REAT. I think we have an excellent working
3 relationship with the federal agencies. I think it's been
4 valuable to all of us and we look forward very much to
5 working cooperatively with you in the future.

6 Thank you.

7 MR. SUBA: Good evening. My name is Greg Suba.
8 And I'm providing these comments on behalf of the
9 California Native Plant Society, CNPS. CNPS is a
10 nonprofit conservation organization here in California.
11 It was established in 1965 with the mission of preserving
12 California's native flora. We have a membership of
13 approximately 9,400 members currently.

14 So I don't get the card, I think I'll echo many
15 comments that have already been stated. But for the
16 record, our organization would like the BLM to adopt the
17 zone alternative, and limit the scope of the PEIS to the
18 zones with the Iron Mountain and the Pisgah zones removed
19 because of resource conflicts in those areas.

20 Let's see, also we would like to have the PEIS
21 explain more clearly how the BLM anticipates an
22 integration of the PEIS, the DRECP and CDCA amendments,
23 and how those will be -- how those will unfold, how the
24 timing will unfold. Particularly in this time of limited
25 resources when we're looking at making more efficient use

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1 of budgets and staff time and resource time, to
2 potentially entertain the idea of multiple CDCA amendments
3 in the next few years seems redundant and perhaps
4 unnecessary.

5 We will be providing written information
6 regarding important vegetation communities and sensitive
7 plant species to consider within the four SEZs in our
8 comments that will be submitted by March 17th.

9 I think really for tonight, the most detailed
10 comment I think I can provide, that maybe isn't a rehash
11 of things that have already been stated, is something
12 about the language that appears in Appendix A and
13 throughout Chapter 9 regarding requirements and
14 recommendations at both the programmatic level and the SEZ
15 specific level.

16 And our organization would like to make the
17 comment that BLM has chosen a leadership role in planning
18 how and where private for-profit companies can build
19 projects in the Sonoran and Mojave Deserts in California.
20 These represent areas of vast intact landscapes, and in
21 many places represent areas for which we know very little,
22 which is all to say that we should adopt the precautionary
23 principle when applying planning to these areas.

24 So therefore, we feel strongly that BLM must
25 follow through as leaders in the desert Solar PEIS process

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1 by employing strong, unambiguous language within the PEIS
2 document regarding requirements and recommendations to be
3 followed in order to avoid and/or minimize negative
4 project effects to the environment in question.

5 For example, rather than use ambiguous wording
6 like, "specific vegetation communities should be avoided
7 to the extent practicable", the PEIS needs to be reworded
8 for something more specific like, "specific vegetation
9 communities must be avoided to the extent practicable".

10 These are examples of -- a couple more, "an
11 integrated planning" -- I'm sorry. "In an integrated
12 plan, addressing restoration and management should be
13 approved", that type of language can be amended to, "shall
14 be approved", or, "must be approved".

15 The reason is that these are examples of places
16 in the PEIS that must be unambiguous in their
17 recommendation requirements, but which still provide a
18 range of choices to the project developer as to how they
19 meet those requirements.

20 What we've learned, at least in the siting cases
21 over the past year and a half, is that these requirements,
22 when adopting the precautionary principle, aren't
23 optional, but the range to which they apply will differ
24 from project to project.

25 The rest of our comments, the more specific plant

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1 and vegetation community comments, will be submitted by
2 March 17th.

3 Thank you very much for the opportunity to speak
4 this evening.

5 MR. ROTH: Good evening. Dan Roth with the
6 Nature Conservancy. I think we've reached the point in
7 the evening where just about everything has been said, but
8 not everyone has said it. So I will attempt to get
9 through my remarks as quickly as possible.

10 I represent the Nature Conservancy. And for over
11 50 years that we have worked to preserve the plants,
12 animals, and natural communities that represent the
13 diversity of life on earth by protecting the lands and
14 waters that we need to survive. We have over a million
15 members and offices in all 50 states and in 31 nations.

16 We rely on science to identify the highest
17 priority places, landscapes, and seascapes, that, if
18 conserved, promise to ensure biodiversity over the long
19 term. We will also provide extensive written comments and
20 look forward to working with the Bureau of Land Management
21 and DOE as we move forward as a nation to produce more
22 renewable energy.

23 The Nature Conservancy recognizes and agrees with
24 both policy makers and the American public that we must
25 produce energy from renewable resources, but this

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1 development must be done in a way that protects the
2 environment and fragile desert ecosystems. A zone
3 approach simultaneously protects these ecosystems while
4 providing more than enough land for renewable development
5 as you have heard already this evening.

6 California's deserts are home to amazing, but
7 fragile, ecosystems. But the preferred alternative puts
8 these ecosystems at risk. The preferred alternative would
9 open an additional 21 million acres of public land to
10 solar development. These 21 million acres include many
11 areas that are inappropriate for solar development,
12 because they are areas of core and intact biodiversity,
13 important wildlife habitats and corridors and important
14 water resources.

15 Using a coarse multi-state conservation analysis,
16 the Nature Conservancy found that 24 percent of the land
17 in the preferred alternative, or just over five million
18 acres, would directly impact regional conservation areas.
19 There are 117 endangered, threatened, candidate, and
20 proposed species under the Endangered Species Act within
21 these conservation areas. In fact, we found almost 1,000
22 vulnerable species that could be jeopardized by
23 development on these lands and for which there might be
24 significant opposition to development.

25 Adopting a zone-based approach is a starting

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1 point for solar energy development on public lands,
2 however will protect natural habitat and provide solar
3 companies with enough land to meet their demand for
4 producing renewable energy. The development program
5 alternative would designate 677,000 acres of solar energy
6 zones.

7 BLM states under the most optimistic reasonable
8 future development scenarios, that about 300,000 acres
9 will be needed to develop approximately 24,000 megawatts
10 by 2030, double the amount that's needed. The zone
11 approach will facilitate timely processing of application.

12 Opening so much land and so many sensitive areas
13 to development is likely to lead to unacceptable
14 environmental impacts, costly conflicts and delays, and
15 could jeopardize both biodiversity and the BLM's Solar
16 Energy Program.

17 A zoned approach would instead decrease the
18 amount of possible land that would be open to development,
19 allow BLM to focus its resources on processing the
20 application in these areas, and facilitate other types of
21 planning, such as transition planning, since the project
22 will not be spread over 21 million acres.

23 In addition, BLM has already initiated a program
24 to conduct ecoregional assessment over the southwest --
25 across the southwest. If in the future, additional public

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1 lands are needed for solar development, these landscape
2 scale planning efforts should inform where solar
3 development is most appropriate.

4 In particular, it will be important that BLM
5 ecoregional assessments identify lands with lower
6 ecological resources, particularly already degraded and
7 disturbed lands. This information, along with a clear set
8 of criteria for identifying areas that are appropriate
9 from a department perspective and have the least possible
10 impact from an ecological perspective, will provide a
11 long-term approach for BLM to evaluate the use of public
12 lands for renewable development.

13 Again, the Nature Conservancy wants to thank BLM
14 and the Department of Energy extensively. And we really
15 value the partnership that we work together. And that we
16 hope over the process, once we submit our comments, that
17 we can draw on each other's science and expertise to adopt
18 a policy that leads to greater renewable production while
19 preserving a great natural resource in our deserts.

20 Thank you very much and have a great evening.

21 MS. RUSSO: Good evening. I'm Elizabeth Russo.
22 And I'm coming here as a private citizen. I am on the
23 Email list for Defenders of Wilderness and the Nature
24 Conservancy. And I also want to support this young man's
25 comments for the American Indian and not to destroy what

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1 their culture has left behind.

2 But I have been on this earth nearly 69 years. I
3 was born in New York State. And at age seven, my mother
4 got her first new car after the Second World War. It was
5 not air conditioned. It was a Packard. And we drove to
6 Tucson, Arizona along Route 66, and we spent two and a
7 half months there.

8 And during that time, we took some time off with
9 my aunt who worked at the Valley National Bank and we went
10 picnicking and horseback riding in the mountains, the
11 White Mountains of Arizona, took the mules down into the
12 Grand Canyon. I took my first airplane ride over the
13 Grand Canyon. I took the water slide down Oak Creek
14 Canyon. Beautiful.

15 We traveled to California. We slept on the
16 desert occasionally, because we didn't have much money
17 back in 1949 or in the early fifties. And we also slept
18 on cliffs overlooking La Jolla and the Pacific Ocean. I
19 very carefully placed myself between my mom and my aunt.

20 But this country is beautiful. I have traveled
21 by car extensively in all but four of the 50 United
22 States. It's gorgeous. We must leave it for future
23 generations. We must do everything we can to preserve it.

24 At the same time, I've always supported what our
25 Governor Schwarzenegger had -- his policies relative to

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1 alternative energy sources, and President Obama, for whom
2 I voted.

3 I went so far as, after I retired and at great
4 expense to myself, I put solar panels on my roof. And now
5 five months out of the year SMUD pays me for the
6 electricity that my solar panels generate.

7 I've never owned a car that has had more than
8 four cylinders. And I now have a classic Saturn. And I
9 can get on the freeway with the best of you and climb any
10 mountain there is with my Saturn. It is wonderful.

11 But I love nature. I love wilderness.
12 California, Arizona, Bryce Canyon and Zion in Utah. New
13 Mexico. It's a religious experience crossing the desert
14 in New Mexico.

15 We must preserve the wilderness to the best of
16 our ability, the very best, and the animals and wilderness
17 that live there.

18 And I understand that there are some alternative
19 zones to the Solar Energy Zone Program. And I do not
20 support the development of Iron Mountain or Pisgah zones
21 or the zones that this young man was talking about. I
22 understand that it would be safe to use the Riverside East
23 zone and the Imperial zone. That would be wonderful.

24 But we have a great responsibility on our
25 shoulders as we have all this new technology and all these

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1 modern things. Let's keep some of the original beauty
2 that was here before the European man ever stepped on this
3 land. It is gorgeous. It is our jewel box, and we must
4 protect our crown jewels, our wilderness, the animals, the
5 tortoises, the bighorn sheep, the lizards, all of it.
6 It's beautiful.

7 So I urge you to be very careful where you
8 develop your alternative energy sources.

9 Thank you.

10 MR. WHITE: Good evening, and thank you for
11 having me. My name is John White. I'm the Director of
12 the Center for Energy Efficiency and Renewable
13 Technologies. And we are a hybrid non-governmental
14 organization that includes representatives of both the
15 environmental community and the renewable technology
16 community. So we find ourselves struggling with the
17 proposal, as you've heard from some of our colleagues.

18 We are, as a community, of two minds about this
19 proposal. And I think that reflects some of the
20 weaknesses of the proposal. And I thank you for coming
21 here and letting us speak. I thank you for all the work
22 that's put in, but this is not a satisfactory effort so
23 far. It needs work.

24 And I don't want to go over points that have
25 already been made, so I'll just try to emphasize the

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1 points that I think are the most important and the most
2 lacking in the document.

3 First of all, we are inclined, I think, to
4 support a zones-only approach based on our experience, and
5 our hopes for why it might work and the danger that we see
6 in continuing to do a project-by-project approach, which
7 is what's represented with the preferred alternative.

8 That having been said, however, the document
9 doesn't provide an adequate basis for relying upon a
10 zones-only approach. You've heard the criticisms of the
11 two zones that Iron Mountain and Pisgah, especially Iron
12 Mountain. I mean, why is that still in here? I mean, we
13 submitted comments on the earlier effort and virtually
14 none of those comments have been incorporated. And
15 there's a great deal of continuity in the comments,
16 despite disagreements and how people interpret them. So
17 you all need to go back and listen more to all the things
18 that have been said tonight and not continue to keep what
19 you have, given the level of concern and opposition.

20 Secondly, I think you have not done anything yet
21 with regard to the linkage that is crucial with the Desert
22 Renewable Energy Conservation Plan. If we're going to
23 have a zones-only approach, it's going to have to be
24 informed by the DRECP. And so to borrow from a theme of
25 the wildlife community, we need connectivity between the

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1 DRECP and the PEIS. We're glad that BLM has started
2 coming to the DRECP, but we need that relationship to be
3 made vivid and clear.

4 Third, as has been mentioned, there needs to be a
5 better understanding and appreciation and a quantification
6 of the actual transmission constraints that exist. You
7 have put a lot of -- if you take away Pisgah and Iron
8 Mountain, then we're left with two zones. And one of the
9 zones, Riverside East, is constrained by transmission,
10 significantly constrained. So there's not going to be all
11 of the projects that are envisioned out there, which means
12 that you basically have much less acreage to work with
13 within the existing zones.

14 So I agree with my colleagues from NRDC and
15 Defenders, that the proposal lacks a process for creating
16 new zones. Therefore, my friends in industry are saying
17 we can't survive. You send us to these zones and it's
18 like sending us to hospice. We're not going to get out of
19 these zones, the projects that we need to meet the
20 requirements, so you need to inform this with a better
21 understanding of transmission. And this is something that
22 the State agencies can help.

23 Lastly, we have nothing in the way of a zone in
24 the west Mojave. And this is more than a failure of the
25 PEIS. This is a failure of the BLM to recognize the

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1 inadequacies of the existing West Mojave Plan. Because it
2 is an existing plan, it is taken as a given. And so under
3 either alternative, there's nothing for us in the west
4 Mojave.

5 And so in addition to adding a zone in the west
6 Mojave, which is again agreed to by a broad cross section
7 of people, maybe we don't agree on which plots of land are
8 there. But the west Mojave illustrates another weakness
9 in the draft, which is the relationship between the
10 private and the public land. This also relates to the
11 transmission issues, because if you're not informed of
12 what's going on on the private land, you're not going to
13 understand what's really going on with respect to
14 transmission.

15 The other problem with the west Mojave is that it
16 didn't at all consider, when it was adopted, the needs for
17 renewable energy. It's based on, what I will say, is a
18 controversial species designation with very limited
19 biological science, and that which is known is argued
20 about in the case of Mojave ground squirrel. And yet, if
21 you look on the global solar radiation map, there is no
22 place in the world with the solar radiation in the west
23 Mojave that's within 100 miles or even 500 miles of a
24 population center. So maybe in the Gobi Desert there's
25 something as good as that. So this is a prime resource,

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1 very prime resource. And yet, it's left out. And there
2 isn't a pathway to get it in or to even understand how we
3 go about allocating the previous limited amount. So this
4 is an area where we need a redo of our underlying
5 assumptions.

6 I think the California Energy Commission and
7 Department of Fish and Game also have a role to play. And
8 we may not reach consensus, but we all agree that this is
9 an area that needs to be studied further to be on the
10 list. I think it will be taken up in the west Mojave --
11 excuse me in the DRECP. And so I think if you take more
12 time, which I know you're under pressure to produce a
13 document and meet certain deadlines. But if the document
14 isn't ready and the underlying science and biological
15 work -- I'm sure that Fish and Wildlife Service can help
16 you with the mapping and the understanding of the species.

17 Our Fish and Game process can also -- our Fish
18 and Game agencies and the public comments, the expertise
19 represented here in this room, we can do this. We can, I
20 think, get to a zones-only approach, but we can't get
21 there based on the document that we have.

22 And so we need, I think, to take a page out of
23 the book of the past year of when we have seen
24 extraordinary cooperation. And on this, I want to thank
25 the BLM and the staff for all the hard work that has been

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1 done on the project reviews and the expedited fast track.
2 The Energy Commission staff also performed wonderfully.
3 The NGOs performed wonderfully. The companies --
4 everybody worked really hard.

5 And the reason it was successful was in part
6 because folks worked together. And I think we need to
7 bring that same spirit of innovation, of interaction, of
8 not being afraid to change our mind when we've learned
9 that there's new evidence, and really have this not just
10 be a BLM document, but a document that will fit in with
11 the plans that other agencies are undertaking and will
12 also be up to date with the facts and circumstances that
13 we've now discovered.

14 So I know that there will be pressure to finish
15 this quickly, but -- and that some of the things we've
16 talked about today are going to require more time. And so
17 know that we'll be there to help you when it comes time to
18 asking for more time. And we'll also try to help you
19 with -- all of the people that are here tonight, I think
20 it's an illustration of how much concern there is.

21 But I think if you step back from the comments,
22 you'll see there's more common ground than disagreement,
23 but it requires you all to be a little creative and
24 flexible in how we go about this. So I would urge you to
25 do and I thank you for your attention.

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1 MR. ROBINSON: Hi. My name is Terry Robinson.
2 I'm from Citrus Heights, the former director of Artists
3 for Responsible Energy.

4 But 1976 is when the first solar panels were sold
5 in the United States for residential purposes. I bought
6 mine in 1980. I went off the grid for 20 some years, and
7 have a 100 percent passive solar home.

8 I would think that the people in federal
9 government are the ones that want to speak up about these
10 projects should step forward and put solar panels on their
11 own homes and all the federal places. My best
12 recommendation for the solar -- these power plants would
13 be at the 29 Palms Marine Base, the Yuma testing grounds
14 and the Naval artillery base down there. They're already
15 owned by the federal government. And since they're using
16 the rest of the world for artillery practice, they don't
17 need those things anymore. They're outmoded.

18 In the 1840s, nine million acres were given away
19 as the Railroad Act to anyone who would be part of getting
20 the railroad across America, which mainly went to Leland
21 Stanford and his gaggle of goons and they distributed the
22 nine million acres. My concern is how many acres are left
23 in the BLM after you've given away this land grant again?
24 In the 19 -- I mean, the 18 -- well, the Black Hills, for
25 instance, when General Custer supported the takeover of

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1 gold in the Black Hills after the Fort Laramie Treaty was
2 already signed.

3 Now, solar is the gold that Custer is defending
4 again, as we take this land mass that is going to be
5 distributed. The Bureau of Land Management seems to be
6 only concerned in leasing land. The federal government is
7 not going to make solar happen. They're just going to
8 give this land away carte blanche. And it's probably
9 cheaper to get a solar land grant than it is to get an oil
10 drilling land grant.

11 And if we want to take the sheep's clothing off
12 of the wolf, we say that maybe you can only give 10 feet
13 of the top surface of the desert to these solar people,
14 because basically you're giving away the land to the core
15 of the earth, and this is what they want. They want to
16 get in there for the mineral rights and whatever.

17 I ended up getting solar panels for my home two
18 years after the Mojave Desert power installation --
19 demonstration power installation was put up and it was a
20 boondoggle because they couldn't get the transmission or
21 the power out of there. And we ended up getting those
22 solar panels for \$50 or something.

23 The point being is that solar is meant to be
24 decentralized. Amory Lovins proved in the early eighties
25 that a nuclear power plant took more energy to build it

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1 than it was capable of giving off in its lifetime, when
2 you take in the mixing of the concrete and the melting and
3 forging of the steel and trucking the parts in and out of
4 there, and the ripping the land up and whatever. You're
5 taking a good concept of solar energy -- the first
6 photovoltaic panels were discovered in the mid-1800s,
7 1860.

8 And being as I've lived off grid for so long and
9 being as I was a pioneer, where they say that, you know,
10 by 1990 there was like 1,000 solar homes in California, we
11 lived without any inverters and stuff, we created the
12 industry. And now you're taking the good name of it and
13 muddying it with these big conglomerates coming in and
14 building these bogus installations out in the middle of
15 the desert. By the time the electricity gets from the
16 Mojave to L.A. where it's needed, you've lost 90 percent
17 of the power.

18 We talk about people going out and robbing the
19 copper out of homes these days. You're basically robbing
20 the copper out of the ground and out of other nations in
21 the name of war to take these minerals to create these
22 high tension lines that Obama talks about needing the
23 grid. We need to start building the grid for this.

24 It's not creating jobs. Creating the jobs is for
25 solar installers on people's homes and businesses and

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1 things like that. Those jobs that those guys are going to
2 get are boom and bust. And basically the ones that are
3 left with it are the individuals that are paying the fees
4 for that electricity that's going to climb ever higher and
5 ever higher.

6 And when they talk about nuclear power being a
7 clean energy and almost green these days, America has five
8 percent of its uranium needs. It imports 95 percent,
9 pretty much about the same as oil. So don't think someone
10 is going to be in control and put a stranglehold on their
11 energy. The same with these power plants. The workers
12 themselves are not going to be able to pay for the
13 electricity that's generated. And until you can create
14 jobs that actually amounts for those that are paying the
15 end result, like the user, the unemployed people are not
16 going to be able to continue to support this kind of
17 activity. So it's bogus.

18 I'd like to say thank you for having us here, but
19 I've seen too many of these hearings come and go. And
20 thanks.

21 MR. DONALDSON: Thank you. I'm Milford Wayne
22 Donaldson. I'm the California State Historic Preservation
23 Officer. And thanks to DOE and BLM for taking out the
24 time to -- in the leadership role for the management of
25 their federal lands by holding these public hearings.

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1 With over 65 percent of the renewable energies
2 and transmission corridors coming to California, our
3 office, the California State Historic Preservation Office,
4 is really required to be consulted by BLM and DOE in the
5 early portion of our process under Section 106 of the
6 National Historic Preservation Act.

7 And in this case, our lead federal agency, BLM,
8 we want to make sure that we get in early and we get in
9 with a lot of consultation for the protection of the
10 cultural resources.

11 And although we do not comment on NEPA documents,
12 we are still very integral with the consultation process
13 finally leading to the Record of Decision. You need to
14 get through the Section 106 process before that happens.

15 So we want to stress that as a part of the
16 Section 106 compliance, also that BLM fully implements
17 their responsibility to conduct the government to
18 government consultation with California tribes. And this
19 is determined by our California Native American Heritage
20 Commission, not just to address the federal list of
21 federally recognized tribes, but to include all the
22 affected tribes that may be within the area.

23 Also, in addition through the consultation, I
24 know that BLM has had with the National Conference of
25 State Historic Preservation Officers, we are still

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1 continuing to work on our national programmatic agreement,
2 but we need to conclude this document as quickly as
3 possible as it pertains to these large public lands
4 undertakings.

5 So we are here to assist you in the development
6 of these renewable energies, but we need to be more
7 effective and efficient under our consultation with the
8 106 requirements of the National Historic Preservation
9 Act.

10 We look forward to continuing our working
11 relationship with you as we continue to protect our
12 cultural resources.

13 Thank you.

14 MR. BOYD: Okay. Mike Boyd again of CARE.

15 First, I wanted to address an issue of what I
16 call racism. Essentially, the policy of siting these
17 so-called renewable projects on culturally significant
18 sites is a policy that goes to the highest level of the
19 Department of Interior. It ends in Secretary Salazar's
20 office.

21 Secretary Salazar is a 15th generation descendant
22 of conquistadors, okay. If you don't know your history,
23 the Spanish, when they came to the new world, the Indians
24 were enslaved.

25 In the United States our white culture, we didn't

00058

1 enslave them and intermarry with them, we killed them.
2 Ours was a direct genocidal approach. Their approach was
3 more brutal, let us say. Salazar is a descendant of a man
4 who's famous in New Mexico for cutting the legs off the
5 Indians.

6 This policy is reflected in another project that
7 was approved in Massachusetts called Cape Wind. The
8 Wampanoag Tribe was trying to consult with the Department
9 of Interior, Minerals Management Service, and the
10 Secretary ended the consultation because the tribe wasn't
11 willing to go along with the plan. They left the chairman
12 of the tribe in tears as he rode off with the developer
13 with his cowboy hat on. This is racism. And it should be
14 recognized as such, and it's not appropriate.

15 Now, the problem with this programmatic EIS
16 you're doing is you're calling -- what you're calling a no
17 action alternative is not the legal no action alternative.
18 The legal no action alternative means that exactly, no
19 action.

20 If I look at your description here, it says solar
21 energy row applications could be considered on the 99
22 million acres of BLM administered land. That's nonsense.
23 That's not no action. No action means no project.
24 Nothing there. You look at the existing status of the
25 land without any development, period. No action means no

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1 action. You can't hedge this, okay.

2 Now, my group has challenged a permit for a
3 life-of-mine permit for the Black Mesa Complex in Arizona
4 on the Hopi-Navajo Reservation. We got the EIS vacated in
5 January 2010 by Administrative Law Judge Holt at the
6 OSMRE.

7 And the reason he vacated it was a couple of
8 reasons. One was that they didn't do the consultation
9 right. They didn't consult with the Hopi tribe. And as a
10 result, the decision was vacated because it wasn't made
11 public for comment.

12 So if you don't do the consultation process,
13 you're not making your thing public. You have to do that
14 first or else it violates NEPA. And it can be challenged
15 on that ground, so your no action alternative has to be a
16 real no action alternative.

17 Now, the other gentleman before brought up the
18 issue of distributed generation. In California, we have
19 over 800 megawatts of solar panels already installed on
20 people's roofs throughout California. Not waiting for a
21 transmission line, not waiting for a hedge fund to lend us
22 money to build it, it's not an investment banker's dream,
23 it's something for you and me, okay. That's what you need
24 to look at when you're looking at your no action
25 alternative, not doing more stuff in the desert, doing it

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1 where it's needed at the load center in the community.
2 Look at rooftop solar. Look at what already
3 exists. Look at how feasible these projects are that
4 you're proposing in consideration to rooftop solar. Many
5 of these projects when you look at all the moving parts,
6 all the maintenance that's going to be required and
7 everything, there's just no comparison to rooftop solar, a
8 solid state device with no moving parts. You can't
9 compare the two.

10 It's cheaper. If you put in the transmission
11 costs, you put in all the costs associated with these
12 desert projects, and you will see that the scientists, the
13 analysts that are experts in this are saying the rooftop
14 solar is cheaper, okay.

15 This isn't a boondoggle for investment bankers.
16 Okay, this is our money we're talking about here. This is
17 our land. You have a Public Trust responsibility not just
18 to the tribes, but to all the people of this nation, if
19 not the world, to make sure that this is the best use. If
20 you're going to replace -- industrialize the wilderness,
21 you've got to be able to show a judge that you can't do it
22 cheaper and can't do it with less environmental impacts
23 than putting it on the roof of somebody's home.

24 Now, my group predominantly targets helping low
25 income people, people of color, native peoples. That's

00061

1 who our -- we're set up to serve. We serve them

2 nationwide, but focus on California.

3 We're in favor of breaking up the monopoly

4 utility holding companies. We're in favor of getting rid

5 of PG&E, Southern California Edison, San Diego Gas and

6 Electric, and the industrial solar wind companies like

7 NextEra, like BrightSource. We want to get rid of them.

8 We're for giving power back to the people. And the way we

9 do that is one roof at a time.

10 Thank you.

11 (Thereupon the hearing adjourned at 9:03 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing public hearing was reported in shorthand by me,
7 James F. Peters, a Certified Shorthand Reporter of the
8 State of California;

9 That the said proceedings was taken before me, in
10 shorthand writing, and was thereafter transcribed, under
11 my direction, by computer-assisted transcription.

12 I further certify that I am not of counsel or
13 attorney for any of the parties to said hearing nor in any
14 way interested in the outcome of said hearing.

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 this 28th day of February, 2011.

17

18

19

20

21

22 _____
JAMES F. PETERS, CSR, RPR

23 Certified Shorthand Reporter

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