Thank you for your comment, Loretta Mitson.

The comment tracking number that has been assigned to your comment is SEDDsupp20160.

Comment Date: January 27, 2012 18:52:54PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20160

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Attachment: SOLAR PEIS.doc

Comment Submitted:

Given the State of the Union address by President Obama this past week, it seems moot to offer any public input contesting the wisdom of opening public lands to large scale solar development. It seems that his mind is made up and the tens and tens of thousands of comments from the public will go unheeded.

However, I have some concerns to address that, no doubt, others have already pointed out. Maybe if our concerns are voiced by enough concerned people someone will realize the huge error that the federal government is making.

FIRST, I would agree that public lands under the administration of the federal government NEED to be managed for multiple use. Certainly oil, natural gas, and coal are necessary for the survival of our country and certainly they do not exist everywhere, so when they are discovered on federal land and are economically and environmentally feasible to mine, then the government has to make some hard choices to make that resource available for the public good.

Solar, however, is an entirely different resource and so it needs to be addressed differently. Obviously the sun shines everywhere, not just on publicly managed lands. The federal government is making a huge mistake in making public lands available for solar development because there are already ample sites on private property for this kind of development.

In my home area of the San Luis Valley of southern Colorado there exist about 400 agricultural center irrigation pivots about to be decommissioned due to the state mandate to shut them down, in order to preserve the aquifer. This is scheduled to begin in the next year. Most of these 400 parcels of land have about 160 acres which are already connected to the existing electrical grid. So that translates to 64,000 previously productive acres not generating any revenue for their owners, for their counties, or for this state. What an opportunity to make that land available for solar development. How sad that the federal government plans to make OUR public lands available for solar development, in DIRECT COMPETION with private property which would be a much better choice for solar collector siting.

SECOND, if the federal government is so interested in creating jobs, the creation of large scale industrial solar development on remote public lands does nothing long term to create meaningful numbers of “green jobs” in

these areas. Industrial scale solar brings in trained developers from other areas to get them built, and then they leave. If this administration wants to create employment in every corner of the southwest, them medium scale solar gardens and individual and small business solar installations need to be encouraged. Imagine a sort of modern day "WPA" to encourage the growth of solar. Solar training programs could be created in every region to train young people to become community installers and resource people to maximize the employment opportunities and to maximize the value added by giving communities more autonomy over their energy use. Imagine that… more jobs everywhere and more money returned to communities all across the country in terms of their ability to meet their own energy demands. What a saving for individual households all over the country.

The current plan by the Department of Interior, the Department of Energy, and the Administration, while sincere in its intent of trying to make this country more energy independent is seriously FLAWED. What is happening is the creation of another opportunity for the existing power industries to create wealth for their investors at the expense of the consumers. Once again the "1%" is offered an opportunity to continue to exploit the rest of us, the "99%". Here is an opportunity for the Obama Administration to make some serious change in the paradigm and really be visionary. It is time to create an opportunity to give the "power to the people".

THIRD, our agricultural area is enduring an ongoing drought. Has anyone done any studies on micro climate change resulting from large areas of open land being covered with solar collectors? This is one of the most productive agricultural areas in the state of Colorado, but it is in a precarious environmental position. Anything that would exacerbate the drought could negatively impact the agricultural economy, as well as the vast regions of wildlife habitat that are already severely stressed.

FOURTH, if energy security is a concern, then solar development in smaller clusters provides us more security from natural or manmade disasters, than does massive concentrations of large scale collectors.

FIFTH, if Ken Salazar and the Department of Interior are so interested in creating a corridor to preserve the heritage and natural resources of the Sangre De Cristo Mountain and Rio Grande corridor, why would they want

to carve up the vistas with unnecessary solar development on public land? These are OUR public lands. The San Luis Valley is our Grand Canyon. The San Luis Valley is one of the last, best, great places in Colorado. It is not necessary to despoil it with industrial development of public land. This policy of Ken Salazar and the Department of Interior is contradictory!

SIXTH, if countries like Germany are anticipating being energy independent by 2020, we should be learning something from their model. Germany has utilized much of their agricultural lands for medium scale solar generation as a way of subsidizing agriculture, thus killing 2 birds with one stone, so to speak.

SEVENTH, we are encouraging a solar model that is almost obsolete before it is even being built. The best siting of small scale solar and industrial scale solar is closer to the point of use. Industrial scale solar so far from the point of use is wasteful of the energy generated and destructive of lands to create transmission corridors.

EIGHTH, if the federal government wants to create industrial scale solar on public lands, then why not consider the corridor along the US/Mexico border. Didn't the INS place a concrete wall along some of that? Certainly it is an area that receives an exceptional amount of solar radiation. Certainly it is an area for which there is no practical use, other than staffing with INS agents trying to catch desperate immigrants. How about that: a solar generation corridor 1,969 miles long, in an area with maximum solar gain, with no other useful purpose?! And while they are out there, the INS agents could keep the collector panels clean! Seriously, though, something to think about.

Thank you for your comment, Olive Toscani.

The comment tracking number that has been assigned to your comment is SEDDsupp20161.

Comment Date: January 27, 2012 18:57:13PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20161

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Attachment: Solar Energy PEIS Letter.docx

Comment Submitted:

Comments attached, thank you

Solar Energy PEIS Scoping Argonne National Laboratory 9700 S. Cass Ave. – EVS/900 Argonne IL 60439

Re: Scoping Comments on the Solar Energy Development Programmatic Environmental Impact Statement

To Whom It May Concern:

I appreciate the opportunity to comment on the Solar Energy Development Programmatic Environmental Impact Statement (PEIS). My sentiments and comments follow:

1. The PEIS must thoroughly analyze potential economic, material, and nonmaterial impacts to desert communities if the greater desert areas are industrialized with solar energy and transmission projects. Many desert communities depend economically on location- and resource-reliant industries such as tourism; location shooting for film, television, and advertising; recreation, both motorized and nonmotorized; and other cultural activities such as art, historical, and spiritual tours and retreats. Loss of greater-desert viewshed and open space means loss of livelihood for desert communities. Desert communities also increasingly rely on the aesthetic and environmental quality of their setting to attract today's increasingly mobile workforce that has become less geographically tethered and can choose where they live. Retirees are also a significant part of our communities that can choose where they live based on natural amenities and appeal. Therefore, our property values depend on those amenities and that appeal. A diminishment in the quality of desert life will mean income directly lost and future potential thrown away for

our communities. Desert towns will lose their meaning, their heart, and their health if the

surrounding desert is essentially "taken away" by industrialization.

2. The PEIS should include a thorough survey of impacts to

potentially culturally and historically significant lands, including areas developed as part of the historic 1938 Small-Tract Homestead Act that shaped many of the outlying, low-density communities in the Morongo Basin and elsewhere in the Southwest deserts. These unique communities in some cases lie largely intact, but their cultural and historical significance is only recently becoming recognized. Refer for example to the 2008 Wonder Valley Homestead Cabin Festival, which generated interest and participation from its cousin homestead-based communities such as Landers and Johnson Valley (http://homesteadcabin.wordpress.com/) and was featured in the 2008 Architectural Annual issue of Dune Magazine.

3. The PEIS should include consultation with Native American tribal governments to determine whether there are sites or specific areas of particular concern, including sites of traditional religious and cultural significance.

4. The PEIS should study the impacts of increased vehicular traffic and congestion on desert communities, environmental resources, road infrastructure, and public safety during both construction and operational phases of solar and transmission development.

5. The PEIS should study the impacts of worker populations on sensitive desert resources during both construction and operational phases of solar and transmission development.

6. The PEIS should study the impacts on resources that would follow from the introduction of new routes, in view of the known problems caused by off-road vehicle activity and the "invitation" effect of new routes.

7. The PEIS should study impacts on limited water resources

and the effects of competition with desert communities, as well as biological communities, for those resources.

8. The PEIS needs to include the proposed expansion of the Marine Corps Air-Ground Combat Center when considering cumulative and long-term impacts.

9. The PEIS needs to consider how the desert communities' own energy needs will or will not be served by these projects.

10. The PEIS must thoroughly analyze the socioeconomic, security, and environmental effects of remote installations versus locally distributed power and consider alternatives that focus renewable energy development close to the load centers. The impacts and benefits of a comprehensive program involving rooftop solar across the developed Southwest, as well as additional potential energy alternatives, must also be thoroughly analyzed and considered. To single out the desert to bear the brunt of providing energy for the urban areas is an ENVIRONMENTAL JUSTICE issue. To demand sacrifice only of the desert areas and not the load areas is not acceptable!

11. Areas that have already been degraded should be prioritized for consideration for solar and transmission development. No public lands that are basically still relatively undisturbed should be considered for solar energy or transmission use until all degraded lands have been utilized.

12. Removed from any consideration for solar and transmission development should be all protected lands, such as national and state parks, monuments, and preserves; environmentally significant areas such as Designated Wildlife Management Areas and Areas of Critical Environmental Concern; and lands with significant environmental

resource potential such as Wilderness Study Areas, other lands with wilderness

characteristics, and areas that are under consideration as potential wildlife corridors.

13. The PEIS must include a programmatic evaluation of cumulative impacts to Endangered and Listed species, especially the Desert Tortoise.

14. The PEIS must study the potential of construction and operational phases to introduce or encourage invasive vegetation, including *Brassica tournefortii* or Saharan Mustard, not just at project locations but throughout the desert areas, as vehicles are one of the biggest culprits for spreading invasives.

Thank you for your attention to these comments,

Sincerely,

Olive Toscani

Thank you for your comment, David Festa.

The comment tracking number that has been assigned to your comment is SEDDsupp20162.

Comment Date: January 27, 2012 19:03:34PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20162

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Attachment: SolarEnergyDevelopment_Letter.pdf

Comment Submitted:

EDF
ENVIRONMENTAL
DEFENSE FUND
Finding the ways that work

January 27, 2012

Jane Summerson
NEPA Compliance Officer
U.S. Department of Energy
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Bureau of Land Management
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SUBJECT: Comments on Supplement to the Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States

Dear Dr. Summerson and Ms. Stewart:

Thank you very much for the opportunity to comment on the Solar PEIS.
Our comments are limited to those portions of the Draft PEIS and associated supplement that pertain to impacts on wildlife and special status species.

The Draft PEIS does an excellent job of identifying avoidance and minimization measures (referred to as "design features") for wildlife and special status species (Appendix A, page A-55, Section A.2.2.11.1 Siting and Design). We also support the requirement to develop an Ecological Resources Mitigation and Monitoring Plan (Appendix A, page A-62, line 24) that will include "Compensatory mitigation and monitoring to address any significant direct, indirect, and cumulative impacts on, and loss of habitat for, special status plant and animal species (Appendix A, page A-62, lines 38-40).

We strongly support the mitigation hierarchy of first avoiding the most sensitive areas, then minimizing adverse impacts to the maximum extent practicable, then restoring adversely impacted areas to the maximum extent practicable, and finally offsetting residual and cumulative impacts. In the best-case scenario, avoidance, minimization and restoration measures will result in no change to the baseline conditions (e.g., extent and quality of habitat) for wildlife and special status species. However, best-case scenarios are rarely, if ever achieved and limiting mitigation to avoidance, minimization and restoration will typically result in a net

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reduction in baseline conditions. In order to achieve no net-loss, or better yet net-gain, and to fully compensate for residual and cumulative impacts, it is essential that offsets be a required component of all Ecological Resources Mitigation and Monitoring Plans.

We recommend that the mitigation hierarchy be applied to regional landscapes in a structured, consistent, transparent and environmentally-beneficial manner. We further suggest that this be achieved through the establishment of regional, market-based credit systems that provide for avoidance, minimization, restoration and offsets in a way that maximizes conservation benefits and cost-effectiveness of mitigation investments.

A regional, market-based credit system identifies and prioritizes habitat areas and management actions that are vital to wildlife and special status species conservation, ideally across the entire range of the species. This information is often already available in state wildlife actions plans or other conservation plans developed by agencies or conservation organizations. Habitat areas and improvements in baseline conditions that result from management actions are then quantified based on their conservation value and this quantification is identified as credits, which becomes the currency of mitigation. Specifically, the process for generating credits would involve (a) an assessment of current baseline conditions (evaluating factors such as threat of conversion and habitat extent and quality) and setting specific goals to increase the baseline, (b) planning protection (e.g., permanent easements) and management actions to increase the baseline, (c) implementing the prescribed protection and/or management actions (d) ongoing monitoring to determine if adequate progress is being made, (e) implementation of adaptive management if necessary and (f) accrual of credits once the specific increases to baseline have been achieved. In some cases credits may be generated immediately, such as when implementing a permanent easement to avoid near-term conversion of habitat.

Credits may be generated and accrued on both private and public lands. The options for generating credits on federal lands that already include a conservation mission and are permanently protected would be limited to actions that clearly resulted in an increase in baseline conditions such as purchasing and retiring grazing rights so as to benefit the desert tortoise (see the Clark County Desert Conservation Plan for additional examples: http://www.clarkcountynv.gov/Depts/dcp/Documents/Library/Guiding%20Docs/previous/2971_DesertConservationPlanAugust_1995.pdf).

Credits can be a simple measure such as acres of habitat (as is typically done for conservation banks), but we suggest that the science is sufficient for many species and habitats to enable a more robust measure of conservation value; one that incorporates habitat quality and contribution to conservation goals, in addition to acres. Adverse impacts (i.e., "debits") are quantified using the same metrics that are used to determine credits, such that a common currency is established. This type of credit-debit valuation enables us to establish a market-based trading system for offsets, to more accurately measure and monitor mitigation outcomes, and to accurately determine if all residual and cumulative impacts are being fully offset.

Regional market-based credit systems work by enabling landowners to generate and sell credits in a competitive environment to energy companies that need to offset debits resulting from residual and cumulative impacts. We envision that these systems will be most effective when a

program administrator serves to aggregate and broker the marketing of credits, perform management activities on enrolled lands, coordinate monitoring efforts and insure compliance. Funding for monitoring and managing a typical conservation bank is too often insufficient: the higher these expenses, the lower the potential profit of the conservation banker. Centralizing the monitoring and management roles in a program administrator will maximize the consistency with which these activities are conducted and minimize their expense by capturing economies of scale.

In part, a regional market-based credit system can be viewed as a programmatic conservation bank: Private landowners can sell credits based on the placement of a permanent easement on qualifying areas of their land. The process of establishing regional credit systems includes completing the administrative and legal requirements necessary to enable any qualified landowner within the designated landscape to easily and quickly convey a permanent easement and thereby sell permanent credits. This approach is essential to getting significant numbers of landowners engaged in the generation and sale of permanent conservation credits as the complexity, expense and time required for establishment of a typical conservation bank is beyond the resources of most landowners.

Regional credit systems also provide the ability for landowners to participate in species conservation and recovery efforts through term agreements (if appropriate for the species and habitat); a type of participation that is appealing to a broad range of landowners. Some adverse impacts are not perpetual and, in these cases it makes sense to offset temporary debits with temporary credits. Temporary credits that are generated through term agreements enable the accommodation of substantial shifts in species habitat distribution and/or quality over time due to climate change, disease, invasive species or other reasons. Term agreements may be allowed to expire in areas where habitat value may be declining due to one of the aforementioned reasons and new agreements may be executed in areas where habitat value is relatively higher or increasing.

Regional credit systems provide a mechanism that incentivizes the participation of large numbers of landowners across broad landscapes to achieve desired mitigation and conservation outcomes. The credit valuation and trading process insures that transactions result in conservation occurring at the highest priority habitat areas. The market-based nature of the system insures that the desired mitigation outcome is achieved at the lowest possible cost.

We request that the BLM and DOE incorporate regional market based habitat credit approach mitigation strategy described in this letter into the Final EIS as an approach to mitigating cumulative impacts.

Sincerely,

David Festa
Vice President, West Coast
Environmental Defense Fund

cc:

Mike Mantell, Resources Legacy Fund
Kim Delfino, Defenders of Wildlife
Laura Cane, The Nature Conservancy
David Hayes, Department of Interior
John Laird, Secretary of Resources, State of California

Thank you for your comment, Brendan Hughes.

The comment tracking number that has been assigned to your comment is SEDDsupp20163.

Comment Date: January 27, 2012 19:08:10PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20163

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Attachment:

Comment Submitted:

To whom it may concern:

The Supplemental DEIS is somewhat improved from the original Solar DEIS. However, BLM and DOE still have light-years to go to get a document that makes sense and suits the needs of the American people. The SDEIS fails to take a common sense and balanced approach to renewable energy. It should address the renewable energy issue like the Restoration Design Energy Project in Arizona, which is looking at degraded and disturbed private lands as well as public lands. The EPA has already given suggestions (they even have a Google Earth layer-I've seen it) for suitable solar and wind locations on contaminated lands like Superfund sites. These documents and processes should be included in any analysis of solar development.

Another part of the problem is that the US government does not have a unified, national energy strategy that projects the growth in energy demand and how renewables play a part in addressing the energy issue. The scattershot approach of the BLM and DOE has led to the land rush on our public lands, and this document should have addressed reining this chaos in.

Instead of allowing for the large-scale privatization and pillaging of our public lands for private profit, as is the current model of the SDEIS and the Ivanpah Solar Project, BLM and DOE should assess the potential for the widespread installation of rooftop solar in residential, commercial, and industrial areas. BLM has dismissed this option time and time again, without ever stopping to assess the feasibility and viability of this type of approach. Rooftop solar is more cost effective while creating more jobs for American workers than industrial-scale, remote solar arrays. The only downside is that it spreads the wealth out amongst many individuals and entities, instead of profiting one giant corporation. Think of how many megawatts could have been installed on rooftops with the more than $1 billion in government aid that BrightSource received for the Ivanpah project. Rooftop solar is the best option for the American people, and it preserves our precious public lands all the while.

Finally, as part of a national energy strategy we need a greater focus on energy conservation and efficiency, as President Obama emphasized in his 2012 State of the Union address. We could reduce our energy use by approximately one-third with improvements in technology and by educating citizens about changes in habit. This should be the first order of business in any energy scheme, because it saves consumers money, creates jobs that cannot be outsourced, and truly protects our environment.

I implore BLM, DOE, and the Obama Administration to please take a wise, conscientious approach to energy development and use. Please don't sacrifice our pubic lands for political expediency and private profit.

Thank you for your consideration.

Brendan Hughes

Thank you for your comment, David Myers.

The comment tracking number that has been assigned to your comment is SEDDsupp20164.

Comment Date: January 27, 2012 19:14:04PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20164

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Attachment: SPEIS_TWC Comments_Jan 27 2012.pdf

Comment Submitted:

THE WILDLANDS CONSERVANCY

January 26, 2012

Solar Energy Draft PEIS
Argonne National Laboratory
9700 S. Cass Avenue – EVS/240
Argonne, IL 60439

Dear Ladies and Gentlemen:

As an introduction to our comments on the Supplement to the Draft Programmatic Environmental Impact Statement (PEIS), The Wildlands Conservancy (TWC) is taken aback after several years of working closely with the Bureau of Land Management (BLM) and the Department of the Interior (DOI) to resolve conflicts. Lands donated by this organization were removed from the Solar Energy Zones except for several thousand acres. Now we find over 50,000 acres of donated lands within the variance area of the PEIS. Once again, it is important that we recount the history of these donated lands.

The Wildlands Conservancy negotiated a sale of more than 600,000 acres to the DOI from Catellus Development Corporation at less than half the fair market value of these lands. TWC went on to raise $45 million in private monies toward the acquisition of these lands. TWC also spent hundreds of thousand of dollars in what was the largest Phase I/land cleanup in California history. This cost TWC hundreds of thousand of dollars to just demolish wells and mining sites that were unacceptable to the BLM. Trash and dump sites were removed from more than 100 parcels, all paid for by TWC. The United States government repeatedly represented that these lands would be protected in perpetuity. Please see the attached letter from former President Bill Clinton, a press release by former Vice President Al Gore, a press release by former Interior Secretary Bruce Babbitt, a letter from Senator Dianne Feinstein, a letter from past BLM National Director Tom Fry, and a letter from past BLM California State Director Al Wright.

Specific strategies were employed to protect these lands in perpetuity. BLM rendered a written opinion to TWC that if we commingled our private monies with Land and Water Conservation Fund monies, then use of the LWCF monies would make clear the intent of Congress that these lands would be set aside for conservation. In addition, BLM did a mineral survey of Catellus lands outside of Wilderness Areas and National Parks, and requested that TWC retain the mineral estate on properties of high mineral value so that those lands could not be exploited. In Imperial County, where no LWCF monies were

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available to commingle with private funds, BLM sought to ensure conservation values by asking TWC to retain the entire mineral estate. As further assurance, the mineral rights were split from the surface entry rights, to be held by BLM, so that both parties could mutually assure these lands would not be exploited in the future.

Now we find 50,000 acres of these donated lands, which were pledged for permanent protection, proposed as "variance" areas for energy projects. How can a small nonprofit organization that cannot by law contribute directly to political campaigns, protect its conservation legacy when the donors to the Obama administration, who want to exploit these lands, are receiving billions of dollars in federal stimulus money? If theses lands are allowed to be exploited, the vision and idealism of our organization, which has never taken public money and looks at all of its work as a gift to the American people, will be eviscerated. If this exploitation of donated lands goes forward, it will be looked at in a historic perspective in the same manner the U.S. government broke its treaties with the American Indians. It will also confirm the lowest form of cynicism that is so prevalent in our society today: that no good deed goes unpunished, that government only responds to monetary influence, and that the word of U.S. Presidents, Vice Presidents and Interior Secretaries are without merit or meaning.

The comments attached for the Supplemental Draft Solar Programmatic Environmental Impact Statement are by young TWC preserve managers who have degrees in biology, live on our desert preserves, and interface with tens of thousands of desert visitors each year. These young people are in tune with natural rhythms of the land and have their hands on the pulse of the desert. These comments are much different than those of the National Defense Resource Council whose comments are influenced by their attorney, Robert F. Kennedy, Jr., who is a major investor in BrightSource and is working closely with British Petroleum, Chevron Energy and Bechtel, preventing the democratization of energy through rooftop solar. The roughly $35 billion given to major energy projects for stimulus grants could have installed rooftop solar on 3.5 million houses. Instead this administration touts the BrightSource project as its signature project, a project that is not green but is actually a natural-gas-fired plant which has destroyed tortoise populations and public lands at an increase to rate payers.

TWC spent considerable time identifying enough private disturbed and degraded land for all California's renewable energy goals. What is it in our changing culture that has made us rush to destroy the beauty, solitude and inspiration of pristine public lands?

Sincerely,

David Myers

David Myers
TWC Executive Director

January 27, 2012

Solar Energy Draft PEIS
Argonne National Laboratory
9700 S. Cass Avenue – EVS/240
Argonne, IL 60439

Comments on the Supplement to the Draft Solar Programmatic Environmental Impact Statement

The Bureau of Land Management's (BLM) current Preferred Alternative in the Supplement to the Draft Solar Programmatic Environmental Impact Statement (Supplement) is pushed by an Obama administration agenda to open far more public land to utility scale solar development in the California desert than is necessary, even by the Supplement's own calculations (Supplement Table 1.6-1). The proposed "variance" process goes against the entire idea of siting development areas in responsible ways to minimize conflicts. **For this reason, The Wildlands Conservancy (TWC) opposes the BLM's current "Preferred Alternative" of the modified program approach that includes a variance process.** By sacrificing public lands, the program forces resources away from degraded and other private land, robbing local communities of much of the benefit from energy projects. This process would put 1.5 million acres of land currently open to the public for recreation under threat of becoming privatized for the purpose of feeding profits to some of the same corporations that have presided over environmental and financial catastrophes elsewhere. We would hope that the development of renewable energy to meet the challenge of global climate change would be encouraging and fruitful. Unfortunately, the decision to steamroll local stakeholders in the interest of corporate politics has turned what could be a unifying effort into a divisive conflict.

Because of the consensus process completed to identify and refine the solar energy zones, we support the modified SEZ alternative. Siting has long been recognized as the key issue in developing land intensive renewable energy projects, which is why TWC signed on with a group of organizations to Renewable Siting Criteria (Attachment 1). The zone-only approach is the closest alternative to this criteria.

Catellus Lands

The Wildlands Conservancy absolutely rejects the idea that a variance process can or will be carried out in a responsible way. Under the variance process, nearly 50,000 acres of conservation lands purchased by TWC with private monies and donated to the Department of the Interior (DOI) will be opened to industrial solar development (see attachment 2). TWC's purchase of these and other private checkerboard lands was hailed by the BLM at the time as being of great value to its conservation goals. The total purchase represents the largest nonprofit land gift to the American public in United States history, and was intended to keep land open for public enjoyment and ecosystem health. It was completed using not only 45 million dollars of TWC's privately raised funds, but also millions of public dollars through the Land and Water Conservation Fund. Including these lands in a variance process is an egregious violation of public trust, and goes against promises made to TWC by the Clinton administration and BLM Director Tom Fry at the time of the donation agreement (see attachments 3-8). All of these donated lands should immediately be taken out of the variance envelope and put in the

"Proposed Right-of-Way Exclusion Areas" (Section 2.2.2.1 in Supplement). That they were included in the variance at all is alarming.

Here is just one example of the blatant disregard for good faith stewardship of these donated lands: Just south of state Highway 78 near the San Sebastian Marsh/San Felipe Creek ACEC, several thousand acres of donated Catellus lands are on the table for variance applications, while all of the other public lands that surround these checkerboard sections are closed to variance applications. This is a direct affront to TWC's multi-year effort. How is it that these lands, purchased and donated for conservation, would come open for variance applications, while public lands just next to them remain closed to applications under the preferred alternative?

Furthermore, while the Supplement states that lands inside of the proposed Mojave Trails National Monument will be in an Exclusion Area, an application still exists on these lands on the "Pending Applications" list in the Supplement. BrightSource Energy holds application CACA 048875 for a project in the Broadwell Valley, inside the proposed Monument. The only language that suggests pending applications in Exclusion Areas may not be ultimately be accepted is found in lines 14-16 on page 31 of the Supplement: "Pending applications on lands proposed as exclusion areas for utility-scale solar energy development in the Final Solar PEIS are likely candidates for denial." The continued presence of this project and the gentle language in the Supplement regarding its future only add to the feeling that this process is being completed in bad faith. This project should be removed from the application list immediately.

The Wildlands Conservancy intended that the Catellus purchase would be a gift to the American public, keeping huge areas of the California desert permanently open for outdoor enthusiasts, wildlife, and ecosystem processes. We now see, after repeated attempts to permit these donated lands for development, that the administration is intent on pushing agendas, not conservation or public recreation. For this reason, we are demanding that for every acre of donated Catellus land destroyed by development, DOI shall make reparation payments to TWC at fair market value, rather than make it available for energy exploitation at no cost to the administration's donors.

Solar Energy Zones

The solar energy zones were chosen with the intent of minimizing possible conflicts with existing land uses, and more than enough land has been identified in these zones to meet imminent renewable energy goals. According to the estimates included in the Supplement, the amount of public land needed for solar energy development (138,769 acres by 2030) is less than the acreage identified in the zones (over 150,000 acres), and far less than the variance areas plus the zones (1.5 million acres).

The Desert Renewable Energy Conservation Plan (DRECP) is creating a process in California by which additional solar energy zones, including both private and public land, will be identified. In short, there is no need for a variance process to be a part of the solar energy program to meet our renewable energy goals. Any form of a variance process should be dropped from further consideration; the zone-only approach should be pursued; and continued refinement of existing zones and establishment of future zones should be left to the DRECP.

Low Conflict Alternatives

It is apparent that any of the three alternatives in this document could create a self-fulfilling prophecy that the majority of solar development will occur on public land unnecessarily and to the public's detriment. The PEIS has undercut a truly low conflict alternative to use hundreds of thousands of acres of marginal or abandoned farmlands in the California Desert and the San Joaquin and Central Valleys. TWC completed an inventory in 2010 of over 225,000 acres of disturbed and degraded lands with willing sellers along transmission corridors that could host utility scale renewable energy development on large parcels of land (Attachment 9). Instead, the administration has chosen to unnecessarily sacrifice vast landscapes, habitats, open space areas, and wildlife corridors. Beginning with the assumption that 75% of solar energy development would occur on public lands, the Obama administration has been pushing its agenda through any obstacle. By forcing the process of renewable energy onto public land, the administration has undercut the possibility that this development could have happened on private degraded lands or on rooftops that exist throughout the state. Despite continued requests for alternatives that would address distributed generation in any serious way, no sound discussion has taken place in the Draft Solar PEIS or the Supplement, just a categorical dismissal. This is in spite of thorough research indicating that rooftops in California could provide incredible amount of solar generated power, according to a study published by the California Energy Commission in April of 2005, "California Solar Resources".

While it is true that the Bureau cannot influence the development of private solar rooftops and other sources of distributed generation on private land, the Department of Energy (DOE) is contributing to the Solar PEIS. If DOE is co-authoring the PEIS and supplement, then it can and should create a thorough discussion of a distributed generation and degraded lands alternative to utility scale approaches in the document. There has been no national effort from DOE to encourage rooftop solar installation or private degraded lands installation, but rather a rush to site projects on public lands, and spend public monies on grants and loan guarantees. DOE should justify why billions of stimulus dollars are flowing to corporations instead of private land owners for energy conservation investments and roof top solar, programs like the California's AB811, or being used as incentives to direct companies to degraded farmland.

Ecosystem Functions

The Mojave Desert is a storied landscape and one of the last remaining intact ecosystems in the world. As we learn more about the desert, we realize what a unique place it is. Ancient creosote rings, old growth yucca forests, an amazing diversity of reptiles, unique lava flows frozen in time, and cryptobiotic soils and mycorrhizae that soak up carbon dioxide: All are special attributes that science and agencies have identified and are making attempts to manage properly. Not only does the variance process threaten to cut the desert ecosystem in two between Blythe and Barstow, but it could directly threaten ecosystem functions; here are two examples.

The Sheephole Mountains Wilderness south of Amboy is home to a resident herd of bighorn sheep, many of which were part of a reintroduction effort to boost dwindling numbers. The northwest edge of the Sheephole Mountains Wilderness gives way to the Cadiz Valley and the Cadiz Dunes Wilderness, named for sand dunes that

are dependent on the sand transport corridor in the area. We know from studies of the bighorn sheep populations in the desert that there is occasional movement between home ranges which leads to long term stability of populations (Epps, et al. 2010) and that development inside a corridor affects this movement negatively. South Coast Wildlands is currently working on a study of this and other movement corridors in the California Desert to elucidate what possible routes of travel sheep and other animals have between the Sheephole Mountains, the Cadiz Dunes Wilderness, and the Old Woman Mountains, which could be negatively impacted by industrialization in the Cadiz Dunes area. Industrializing the landscape around the Cadiz Dunes not only could block a sand transport corridor, but also runs directly counter to the conservation investments that the American people have made to reintroduce sheep, and is a breach of public trust.

Another example that is well known is the effect on desert tortoise populations by the Ivanpah Solar Energy Generating Station in the Ivanpah Valley. While Brightsource completed a survey of tortoise in its project area as part of an environmental review, its predicted number of affected tortoises was underestimated by an order of magnitude. This project illustrates one of the major problems with the proposed variance process. Allowing industrial scale energy projects on large patches of pristine land will have unforeseen and unmitigatable consequences on the local ecosystem. These destructive projects run counter to years of investment and many millions of dollars to save the desert tortoise from extinction, and to protect the resources of the California Desert. We request that all further development in the Ivanpah Valley be prohibited, and that area become as Area of Critical Environmental Concern as outlined by the Basin and Range Watch, Desert Tortoise Council and Desert Protective Council.

To avoid conflicts such as these while our understanding grows, TWC recommends that the Solar PEIS adopt the Recommendations of Independent Science Advisors (ISA) for the DRECP. In particular, a “no regrets” strategy should be adopted as outlined in the ISA recommendations. To achieve this end, the variance process should be dropped, and a zone only approach adopted, and only those portions of zones that are appropriate.

Conclusion

The PEIS does not provide for any alternatives that are truly for the greater good. Instead, they have laid out yet another set of limited options that waste public funds, destroy public lands needlessly, and line the pockets of profit driven corporations.

We encourage the Final PEIS to address the issues raised here that are of great importance to local stakeholders who recognize the long term value of keeping our desert intact.

Literature Cited

Epps, Clinton W. John D. Wehausen, Per J. Palsbøll, and Dale R. McCullough. April 2010. Using Genetic Tools to Track Desert Bighorn Sheep Colonizations. *Journal of Wildlife Management.* 74(3):522-531

Audubon California
California Native Plant Society * California Wilderness Coalition
Center for Biological Diversity * Defenders of Wildlife
Desert Protective Council * Mojave Desert Land Trust
National Parks Conservation Association
Natural Resources Defense Council * Sierra Club * The Nature Conservancy
The Wilderness Society * The Wildlands Conservancy

Renewable Siting Criteria for California Desert Conservation Area

Environmental stakeholders have been asked by land management agencies, elected officials, other decision-makers, and renewable energy proponents to provide criteria for use in identifying potential renewable energy sites in the California Desert Conservation Area (CDCA). Large parts of the California desert ecosystem have survived despite pressures from mining, grazing, ORV, real estate development and military uses over the last century. Now, utility scale renewable energy development presents the challenge of new land consumptive activities on a potentially unprecedented scale. Without careful planning, the surviving desert ecosystems may be further fragmented, degraded and lost.

The criteria below primarily address the siting of solar energy projects and would need to be further refined to address factors that are specific to the siting of wind and geothermal facilities. While the criteria listed below are not ranked, they are intended to inform planning processes and were designed to provide ecosystem level protection to the CDCA (including public, private and military lands) by giving preference to disturbed lands, steering development away from lands with high environmental values, and avoiding the deserts' undeveloped cores. They were developed with input from field scientists, land managers, and conservation professionals and fall into two categories: 1) areas to prioritize for siting and 2) high conflict areas. The criteria are intended to guide solar development to areas with comparatively low potential for conflict and controversy in an effort to help California meet its ambitious renewable energy goals in a timely manner.

Areas to Prioritize for Siting

- Lands that have been mechanically disturbed, i.e., locations that are degraded and disturbed by mechanical disturbance:
  - Lands that have been "type-converted" from native vegetation through plowing, bulldozing or other mechanical impact often in support of agriculture or other land cover change activities (mining, clearance for development, heavy off-road vehicle use).[1]
- Public lands of comparatively low resource value located adjacent to degraded and impacted private lands on the fringes of the CDCA:[2]
  - Allow for the expansion of renewable energy development onto private lands.
  - Private lands development offers tax benefits to local government.
- Brownfields:
  - Revitalize idle or underutilized industrialized sites.
  - Existing transmission capacity and infrastructure are typically in place.

- Locations adjacent to urbanized areas:[3]
    - Provide jobs for local residents often in underserved communities;
    - Minimize growth-inducing impacts;
    - Provide homes and services for the workforce that will be required at new energy facilities;
    - Minimize workforce commute and associated greenhouse gas emissions.
- Locations that minimize the need to build new roads.
- Locations that could be served by existing substations.
- Areas proximate to sources of municipal wastewater for use in cleaning.
- Locations proximate to load centers.
- Locations adjacent to federally designated corridors with existing major transmission lines.[4]

High Conflict Areas

In an effort to flag areas that will generate significant controversy the environmental community has developed the following list of criteria for areas to avoid in siting renewable projects. These criteria are fairly broad. They are intended to minimize resource conflicts and thereby help California meet its ambitious renewable goals. The criteria are not intended to serve as a substitute for project specific review. They do not include the categories of lands within the California desert that are off limits to all development by statute or policy.[5]

- Locations that support sensitive biological resources, including: federally designated and proposed critical habitat; significant[6] populations of federal or state threatened and endangered species,[7] significant populations of sensitive, rare and special status species,[8] and rare or unique plant communities.[9]
- Areas of Critical Environmental Concern, Wildlife Habitat Management Areas, proposed HCP and NCCP Conservation Reserves.[10]
- Lands purchased for conservation including those conveyed to the BLM.[11]
- Landscape-level biological linkage areas required for the continued functioning of biological and ecological processes.[12]
- Proposed Wilderness Areas, proposed National Monuments, and Citizens' Wilderness Inventory Areas.[13]
- Wetlands and riparian areas, including the upland habitat and groundwater resources required to protect the integrity of seeps, springs, streams or wetlands.[14]
- National Historic Register eligible sites and other known cultural resources.
- Locations directly adjacent to National or State Park units.[15]

EXPLANATIONS

[1] Some of these lands may be currently abandoned from those prior activities, allowing some natural vegetation to be sparsely re-established. However, because the desert is slow to heal, these lands do not support the high level of ecological functioning that undisturbed natural lands do.

[2] Based on currently available data.

[3] Urbanized areas include desert communities that welcome local industrial development but do not include communities that are dependent on tourism for their economic survival.

[4] The term "federally designated corridors" does not include contingent corridors.

[5] Lands where development is prohibited by statute or policy include but are not limited to:

National Park Service units; designated Wilderness Areas; Wilderness Study Areas; BLM National Conservation Areas; National Recreation Areas; National Monuments; private preserves and reserves; Inventoried Roadless Areas on USFS lands; National Historic and National Scenic Trails; National Wild, Scenic and Recreational Rivers; HCP and NCCP lands precluded from development; conservation mitigation banks under conservation easements approved by the state Department of Fish and Game, U.S. Fish and Wildlife Service or Army Corps of Engineers a; California State Wetlands; California State Parks; Department of Fish and Game Wildlife Areas and Ecological Reserves; National Historic Register sites.

[6] Determining "significance" requires consideration of factors that include population size and characteristics, linkage, and feasibility of mitigation.

[7] Some listed species have no designated critical habitat or occupy habitat outside of designated critical habitat. Locations with significant occurrences of federal or state threatened and endangered species should be avoided even if these locations are outside of designated critical habitat or conservation areas in order to minimize take and provide connectivity between critical habitat units.

[8] Significant populations/occurrences of sensitive, rare and special status species including CNPS list 1B and list 2 plants, and federal or state agency species of concern.

[9] Rare plant communities/assemblages include those defined by the California Native Plant Society's Rare Plant Communities Initiative and by federal, state and county agencies.

[10] ACECs include Desert Tortoise Desert Wildlife Management Areas (DWMAs). The CDCA Plan has designated specific Wildlife Habitat Management Areas (HMAs) to conserve habitat for species such as the Mohave ground squirrel and bighorn sheep. Some of these designated areas are subject to development caps which apply to renewable energy projects (as well as other activities).

[11] These lands include compensation lands purchased for mitigation by other parties and transferred to the BLM and compensation lands purchased directly by the BLM.

[12] Landscape-level linkages provide connectivity between species populations, wildlife movement corridors, ecological process corridors (e.g., sand movement corridors), and climate change adaptation corridors. They also provide connections between protected ecological reserves such as National Park units and Wilderness Areas. The long-term viability of existing populations within such reserves may be dependent upon habitat, populations or processes that extend outside of their boundaries. While it is possible to describe current wildlife movement corridors, the problem of forecasting the future locations of such corridors is confounded by the lack of certainty inherent in global climate change. Hence the need to maintain broad, landscape-level connections. To maintain ecological functions and natural history values inherent in parks, wilderness and other biological reserves, trans-boundary ecological processes must be identified and protected. Specific and cumulative impacts that may threaten vital corridors and trans-boundary processes should be avoided.

[13] Proposed Wilderness Areas: lands proposed by a member of Congress to be set aside to preserve wilderness values. The proposal must be: 1) introduced as legislation, or 2) announced by a member of Congress with publicly available maps. Proposed National Monuments: areas proposed by the President or a member of Congress to protect objects of historic or scientific interest. The proposal must be: 1) introduced as legislation or 2) announced by a member of Congress with publicly available maps. Citizens' Wilderness Inventory Areas: lands that have been inventoried by citizens groups, conservationists, and agencies and found to have defined "wilderness characteristics." The proposal has been publicly announced.

[14] The extent of upland habitat that needs to be protected is sensitive to site-specific resources. For example: the NECO Amendment to the CDCA Plan protects streams within a 5-mile radius of Townsend big-eared bat maternity roosts; aquatic and riparian species may be highly sensitive to changes in groundwater levels.

[15] Adjacent: lying contiguous, adjoining or within 2 miles of park or state boundaries. (Note: lands more than 2 miles from a park boundary should be evaluated for importance from a landscape-level linkage perspective, as further defined in footnote 12).

Attachment 2

TWC DOANTED CATELLUS LANDS WITHIN PROPOSED BLM VARIANCE AREA

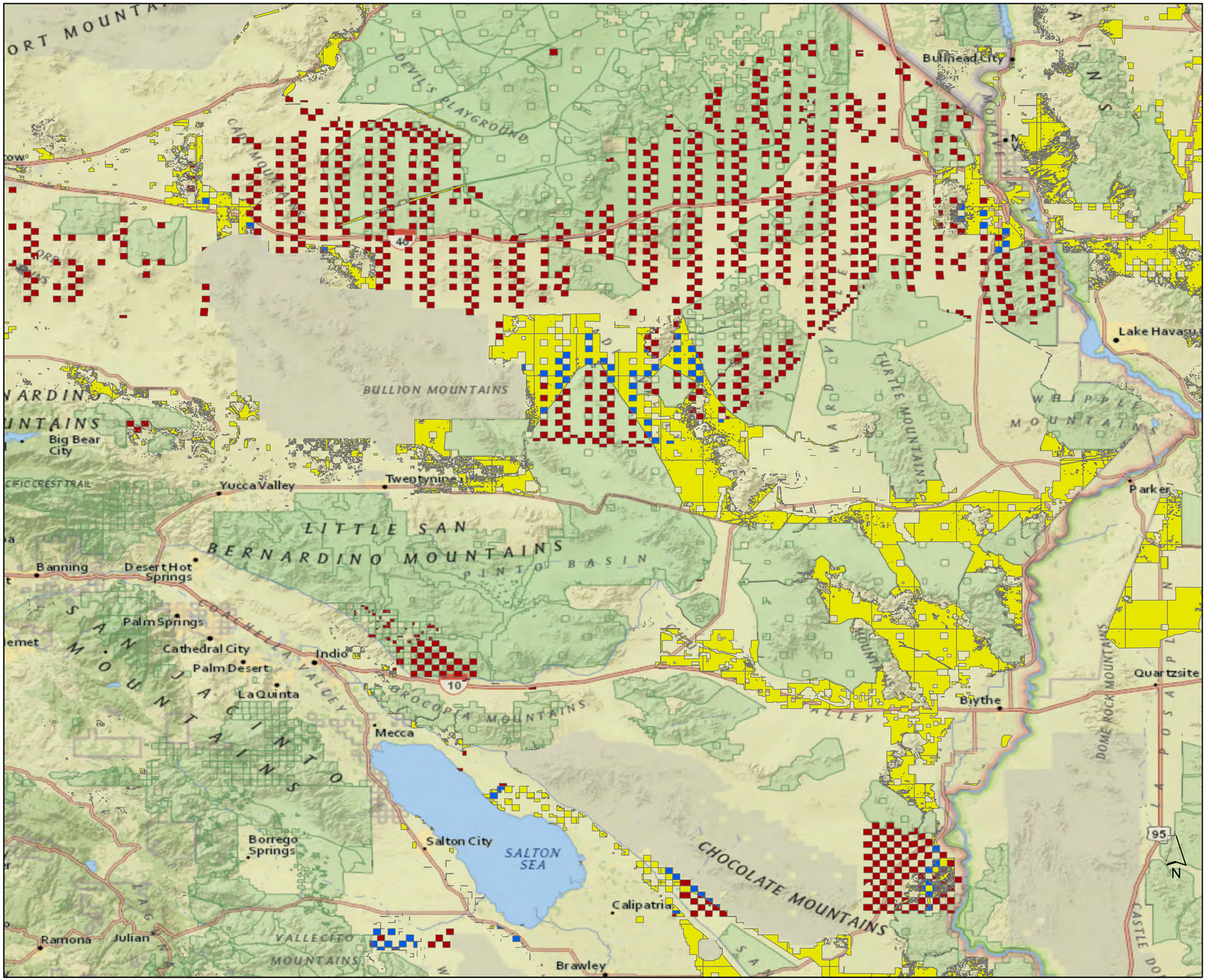
Catellus Lands

BLM Variance Area

1,354,559 acres in California

Catellus Lands Within BLM Variance Area

Just under 50,000 acres



Data Sources:
TWC GIS data created by TetraTech
Solar Energy Development PEIS - Information Center
ESRI ArcGIS Online (base map)

Data Retrieved: January 24, 2012

Date Saved: 1/27/2012 4:12:35 PM

DISCLAIMER: The Wildlands Conservancy (TWC) has made best efforts to ensure accuracy and quality in producing this map. However, the information on which it is based may have come from any of a variety of sources of varying degrees of accuracy beyond TWC's control. TWC cannot guarantee complete accuracy of this map and is not responsible for any unintended consequences derived from its use.

The Wildlands Conservancy
39611 Oak Glen Road, Bldg. 12
Oak Glen, California 92399
www.wildlandsconservancy.org

Path: C:\TWC_GIS\Maps\TWCProjects\DraftSolarPEIS\DraftSolarPEIS_VarianceArea_2.mxd

THE WHITE HOUSE

WASHINGTON

May 10, 2000

Mr. David Myers
Executive Director
The Wildlands Conservancy
3961 Oak Glen Road
Yucaipa, California 92399

Dear David:

I want to thank you and The Wildlands Conservancy for donating land to the United States for inclusion in Joshua Tree National Park. Your donation of more than 14,000 acres will help protect and preserve fragile desert resources and provide the American people with additional natural areas to treasure and enjoy.

I deeply appreciate your efforts to protect sensitive lands in the California Desert for the National Park Service and Bureau of Land Management. I assure you that my Administration will work to protect and manage the donated lands.

Please convey my appreciation to the Conservancy's Board of Directors, staff, donors, and supporters for this historic donation and all of your work to acquire additional lands for permanent protection.

Sincerely,

Bill Clinton

THE WHITE HOUSE

Office of the Vice President

For Immediate Release
Thursday, May 18, 2000

Contact:
(202) 456-7035

VICE PRESIDENT GORE ANNOUNCES NEW LAND PROTECTIONS IN CALIFORNIA DESERT

Calls on Congress to Pass Administration's Lands Legacy Initiative

Washington, DC -- Vice President Al Gore announced today that the Administration and a non-profit conservation organization have secured the money needed to complete a historic acquisition of pristine desert lands in Southern California. The Vice President also called on Congress to support the Administration's Lands Legacy initiative, which includes funding to protect nearby lands from future development.

Under the funding package announced today, the National Park Service (NPS) and the Bureau of Land Management (BLM) will acquire 180,605 acres within and adjacent to federally protected lands between Barstow and Needles. The land will be purchased from the Catellus Development Corporation with $5 million in federal funds secured by the Administration in the fiscal year 2000 budget and a $15 million donation from The Wildlands Conservancy.

"These stunning California Desert lands are being preserved for future generations through a true public-private team effort that could serve as a model in other areas," said Vice President Gore. "I commend the Wildlands Conservancy for its hard work and generosity. Protecting magnificent lands through this type of partnership is a central goal of our Lands Legacy initiative."

The purchase, to be completed within the next month, builds on the California Desert Protection Act signed by President Clinton in 1994. The Act, sponsored by Senator Dianne Feinstein, provided new or enhanced protection for 6.6 million acres, including the new Mojave National Preserve and 69 BLM wilderness areas.

Under an agreement in principle announced in December 1998, Catellus agreed to transfer to the federal government a total of 405,000 acres within and around the lands protected by the 1994 Act. Although the lands were valued at $61.6 million, Catellus agreed to a purchase price of $45 million. The first phase of the acquisition was completed earlier this year with $10 million in federal funds and $15 million from the Wildlands Conservancy. Today's announcement sets the stage for completing the second and final phase of the acquisition.

The areas to be protected include some of the most pristine and scenic desert lands in the world. Their features include cinder cones and lava flows, spectacular ranges of rock and

flowing sand dunes, vast valleys, intriguing cactus gardens and important habitat for the endangered Desert Tortoise. Approximately 83,000 acres will be acquired by the Park Service within the Mojave National Preserve, and the Bureau of Land Management will acquire approximately 97,000 acres, including lands in six designated wilderness areas – Clipper Mountains, Dead Mountains, Piute Mountains, Bristol Mountains, Old Woman Mountains and the Chemehuevi Mountains wilderness.

The Vice President commended Senator Feinstein for her leadership in securing the federal funds; The Wildlands Conservancy for its generous donation; and Catellus for selling the land at a substantially discounted price.

The Administration's proposed fiscal year 2001 budget included $15 million to complete the second phase of the acquisition. In light of The Wildlands Conservancy donation, the Administration yesterday proposed redirecting the proposed fiscal year 2001 funding to acquire other critical California desert lands on a willing-seller basis.

Unfortunately, Congress' budget failed to provide funding for the President's Lands Legacy Initiative. As a result, the House Interior Appropriations Subcommittee yesterday could only provide a small portion of needed land acquisition funding, with no funding to acquire critical desert lands. "I am deeply disappointed that Congress is slashing funds that would allow us to forge other partnerships like this one to protect critical lands across America," the Vice President said. "I urge Congress to provide permanent and full funding for Lands Legacy so we can provide states and communities the resources they need to protect their precious green spaces."

Today's acquisition completes the largest purchase of private land in California's history and the largest purchase of land from one seller by the Bureau of Land Management in its 50-year history. Once acquired, the lands would be open to public access for outdoor recreation including hiking, hunting and other permitted uses.

Additional details are available on The Wildlands Conservancy website: *www.wildlandsconservancy.org*

# # #

NEWS
U.S. DEPARTMENT OF THE INTERIOR

Office of the Secretary
For Immediate Release
Jan. 15, 1999

Contact: Tim Ahern, (202)-208-5089
Jan Bedrosian, (916)-978-4616
Holly Bundock, (415)-427-1320

***** MEDIA ADVISORY *****

Babbitt Will Kick Off Mojave Acquisition, Largest Land Deal in California History

Secretary of the Interior Bruce Babbitt will go to the Palm Springs area of Southern California on Wednesday, Jan. 20, to take title to the first 10,000 acres of private lands in the California Desert that will be acquired by the federal government as part of President Clinton's Lands Legacy Initiative.

Almost 500,000 acres of private lands will be acquired through an unprecedented match of private and public funds. The $36 million in federal money will come from the Land and Water Conservation Fund while $25.5 million in private funds is being contributed by The Wildlands Conservancy, a non-profit organization based in Oak Glen, Calif.

"This is an incredible opportunity to preserve a half-million acres of private land which has been interspersed among the new National Parks created by the California Desert Protection Act of 1994," Babbitt said.

On Jan. 20, The Wildlands Conservancy will give Babbitt title to some of the land it has already acquired in the area, including parcels in the San Gorgonio Wilderness, managed by the Bureau of Land Management, and Joshua Tree National Park.

Most of the land to be acquired is owned by the Catellus Development Corp., formerly the land-holding arm of the railroads. The rest of the land is owned by a variety of persons.

Who: Bruce Babbitt, Secretary of the Interior; and other federal officials and representatives of landowners and local and conservation interests

What: The federal government will take title to the first 10,000 acres of land, of a total of about 500,000 acres, that will be acquired in the California desert

When: 12:30 p.m. PST, Wednesday, Jan. 20, 1999

Where: Visitor center at the Santa Rosa Mountains National Scenic Area
51-500 California route 74, Palm Desert, California
(Map to event site is attached)

Contact: Tim Ahern, 202-208-5089 (Department of Interior)
Jan Bedrosian, 916-978-4614 or Carole Levitzky (Bureau of Land Management, California)
Holly Bundock, 415-427-1320 (National Park Service)
David Myers, 909-797-8507 (The Wildlands Conservancy)
John Bezzant, 213-473-3102 (Catellus Corp.)

-DOI-

IANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON FOREIGN RELATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION

United States Senate

WASHINGTON, DC 20510-0504
(202) 224-3841

December 10, 1998

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I am writing to urge you to include $36 million for land acquisition in the California Desert in your fiscal year 2000 budget request. This funding would allow completion of a landmark bid by the Wildlands Conservancy to permanently protect up to 475,000 acres of inholdings in the California Desert's national parks and wilderness areas. Protecting these areas is vital to preserving the unique character and public accessibility of the California Desert.

As you know, I fought to ensure passage of the Desert Protection Act, which you signed into law in 1994. The Desert Protection Act created two new national parks, a national preserve, and over 100 new wilderness areas. Unfortunately, our work is not done. Hundreds of thousands of acres of inholdings in the Desert remain unprotected. Many of these inholdings are in a "checkerboard" pattern, strategically located so that the land effectively blocks access to public lands. Owners of the inholdings, including the Catellus corporation, are making plans to develop their land. This would compromise the California Desert's fragile ecosystem and severely limit recreation opportunities on Federal land.

The Wildlands Conservancy has developed an innovative plan to purchase these inholdings and transfer them to Federal ownership, protecting them permanently from development. The Conservancy proposes to use a combination of Federal and private funds to acquire 475,000 acres of inholdings, mostly owned by Catellus. The Conservancy has pledged $16 million in private funds for the effort. I strongly believe that the Federal government should provide the remaining $36 million to complete this acquisition.

The National Park Service and U.S. Bureau of Land Management are already on record supporting the Wildlands Conservancy proposal. In an interview with the Los Angeles Times, Park Service Regional Director John Reynolds said, "The Wildlands Conservancy effort is ambitious and dramatic. It will be a great day for the Desert."

FRESNO OFFICE:
1130 "O" Street

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525 Market Street
Suite 3670

Moreover, in a letter dated November 24, U.S. Bureau of Land Management State Director Ed Hastey wrote, "Clearly, the reality of the situation in the California Desert with the checkerboard Catellus lands calls for a public/private partnership to leverage your contributions more effectively. The Wildlands Conservancy's pledge of more than $16 million in cash and land...to hopefully be matched with appropriations from the Federal Land and Water Conservation Fund, will give the California Desert the national attention this region deserves. BLM-California will do all it can to support your innovative and bold initiative."

Attached are two letters from The Wildlands Conservancy that explain this proposal in more detail. The Wildlands Conservancy land acquisition proposal will protect endangered species habitat, keep the Desert ecosystem intact, and improve recreation opportunities for millions of Americans. As a member of the Interior Appropriations Subcommittee, I intend to make the Wildlands Conservancy acquisition one of my top environmental priorities in the next Congress. I do hope that I can count on your support and assistance. Please take an important first step by including $36 million for the acquisition in your budget request.

Thank you so much for your attention to this important matter. Please let me know what you decide. If you have any questions or require further information, please do not hesitate to get in touch, or have your staff contact Kathy Reich in my office at (202) 224-3841.

May I take this opportunity to wish you and your family a happy and healthy holiday season.

With warmest personal regards.

Sincerely yours,

Dianne Feinstein
United States Senator

DF:kdr

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Washington, D.C. 20240
http://www.blm.gov

OCT 3 0 2000

David Myers
Wildlands Conservancy
39611 Oak Glen Road
Yucaipa, CA 92399

Dear Mr. Myers:

It is truly an honor to present you, representing the board of The Wildlands Conservancy, the Bureau of Land Management's (BLM) national Legacy of the Land Award.

The Conservancy, a relatively young organization, has very quickly earned a national reputation for protecting magnificent lands through unprecedented public-private partnerships.

Most notable is the recent completion of the year-and-half-long effort to protect more than 405,000 acres of checkerboard railroad lands, formerly owned by Catellus Corporation, in what Vice President Al Gore called "an historic acquisition of pristine lands in Southern California."

Through the Conservancy's efforts, the BLM and the National Park Service now own critical inholdings in what the Vice President called "some of the most pristine and scenic desert lands in the world." In addition to scenic lands in the Park Service's Mojave National Preserve, BLM was also able to acquire 322,500 acres in 10 designated Wilderness Areas, almost a dozen sensitive wildlife habitat areas, and several key recreational access areas.

These areas are part of spectacular mountain ranges, with unique geological formations, including mountainous landscapes, sweeping bajadas and flowing sand dunes. They contain habitat for a number of threatened and endangered species, including bighorn sheep and desert tortoise. Without the Conservancy's innovation and leadership, these lands could have been developed or sold into private ownership, which would have had far-reaching implications to the surrounding wilderness and wildlife habitat areas.

While this is a tremendous accomplishment, California's diverse but threatened landscapes need further efforts from BLM and the Conservancy. BLM looks forward to a long and productive relationship with you and your talented and generous board. This award is in recognition of both the accomplishment and the future legacy to come.

Sincerely,

Tom A. Fry
Director
Bureau of Land Management

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
California State Office
2800 Cottage Way, Suite W1834
Sacramento, CA 95825-1886
www.ca.blm.gov

AUG 9 2000

David Myers
Executive Director
The Wildlands Conservancy
39611 Oak Glen Road
Yucaipa, CA 92399

Dear David:

On behalf the Bureau of Land Management, and especially all of us here in California, I would like to officially thank you, the Board of Directors of The Wildlands Conservancy, and your many generous donors for the tremendous achievement of completing the acquisition of Catellus lands in the California Desert recently.

It is an incredible success story and demonstrates the "big picture" vision of the Conservancy, which you so ably lead. At every obstacle, a path to the final goal was found. As a consequence, the public now enjoys ownership of the 405,000 acres the conservancy helped BLM and the Park Service acquire. Present and future generations will benefit greatly, as will the land itself and its wildlife resources.

Your ability to develop alliances and pool resources was truly the essence of what made this achievement possible. BLM will take very good care of these newest public lands and we look forward to a long-term relationship with you and the Conservancy.

Sincerely,

Al Wright

Al Wright
Acting State Director

DAVID -
MY UNQUALIFIED
THANKS FROM US
AT BLM AND
THE PUBLIC -
AL

NEWS RELEASE

March 10, 2010

Conservancy Identifies Available Land for California to Increase Renewable Energy Goals

Contact: David Myers, Executive Director, The Wildlands Conservancy
April Sall, Conservation Director, The Wildlands Conservancy
Joan Taylor, Chair, Sierra Club Desert Energy Committee

The Wildlands Conservancy (TWC) inventoried over 225,000 acres of primarily disturbed and degraded lands along major transmission corridors on which the owners support renewable energy development. This is almost twice the 128,000 acres the California Energy Commission said is needed for California to meet its 2020 goal of being 33% reliant on clean renewable solar energy. Elden Hughes, honorary vice-president of the Sierra Club, stated, "The Wildlands Conservancy's inventory will take pressure off destroying our pristine Bureau of Land Management (BLM) lands." Joan Taylor, Chair of the Sierra Club's Desert Energy Committee, remarked, "We have been saying all along that there are enough impacted lands to meet our state renewable energy goals. Now we have an inventory that proves it."

TWC became involved in finding alternative locations for solar projects after lands TWC purchased for conservation were subsequently opened for solar applications by the Bush Administration. When TWC donated these lands, representing the largest land gift in American history, President Bill Clinton, Vice President Al Gore, and Interior Secretary Bruce Babbitt promised the lands permanent protection. In December 2009 Senator Dianne Feinstein introduced a bill to create the 941,000 acre Mojave Trails National Monument to ratify this federal protection of what Gore called "some of the most pristine and scenic desert lands in the world."

For eighteen months, TWC's staff has been meeting with land owners, renewable energy firms, and power companies to quantify acreages available for renewable energy. During the inventory TWC staff contacted over 57 landowners and renewable energy firms that have solar and wind project proposals on private land. TWC staff also met with three water and utility agencies that have enough impacted lands available or proposed for solar development to reach California's 2020 goal of using 33% renewable energy.

1. In 2009, TWC hired a consulting firm to evaluate the solar potential of the Westlands Water District (WWD). WWD has 90,000 acres of farmland available for the placement of solar projects. In a meeting with Tom Birmingham, WWD's General Manager, TWC lent support for WWD's willingness to fallow land it bought from farmers for solar development to create improved water reliability for the remaining 500,000 acres in the water district. An additional 17,000 acres

in the WWD owned by farmers is proposed for solar development. WWD land is along existing transmission corridors from Los Angeles to Sacramento, next to Interstate 5 in California's Central Valley, which has substantial solar insulation.

2. Today at TWC's Oak Glen Preserve, the Los Angeles Department of Water and Power announced the formal abandonment of a power line proposal through two of TWC's preserves. LADWP will pursue its renewable energy goals on 32,000 acres of disturbed lands on Owens Dry Lake where the City has existing transmission corridors. April Sall, Conservation Director of TWC noted, "The Wildlands Conservancy has long supported solar on a portion of Owens Dry Lake which has a substantial restoration element. This project takes pressure off imperiled species that would be severely impacted by projects on pristine Bureau of Land Management lands."

3. Jesse Montaño, Assistant General Manager of the Imperial Irrigation District, said there are 4,000 megawatts of renewable energy projects in development within the District. The 3,000 megawatts of solar and 1,000 megawatts of geothermal represent one fifth of California's 2020 goal of 20,000 megawatts.

TWC inventoried over 15,000 acres of abandoned alfalfa farms in the Antelope Valley region available for solar. This includes the 4,600-acre Arciero Ranch that is under option for solar development to John Musick. Mr. Musick, representing Arciero Ranch, noted, "This is the future of solar in the West. We must repurpose these abandoned lands throughout America rather than destroy our public land treasures." The Arciero Ranch abuts the Beacon Solar LLC/NextEra Project on an adjacent 3,500 acres of abandoned alfalfa fields. [Mr. Musick can be reached at (970) 925-1900.] TWC has broadly supported these Antelope Valley projects on degraded lands and David Myers, Executive Director of TWC, was a guest speaker at the dedication of California's only utility scale power tower built by E-Solar in Lancaster.

Lorelei Oviatt, Kern County's Special Projects Division Chief, stated, "Clearly, there is enough impacted private land out there to take care of our renewable energy needs. Private land projects may look small when evaluated individually, but they add up. In Kern County there are 16 projects under application totaling over 20,000 acres and 2,200 megawatts." TWC is offering up to 30,000 acres of its Kern County habitat preserves as mitigation to help fast-track these renewable energy projects.

San Bernardino County Supervisor Neil Derry observed, "These private land projects benefit county property tax rolls and don't require taking hundreds of thousands of acres off the tax roll for mitigation because they substantially don't have endangered species issues. They create much needed jobs closer to population centers without the county having to expand infrastructure to remote locations. They're a win-win for the county."

During the inventory, TWC visited several of Edison Mission Energy's private land utility scale solar project sites that were recently sold to First Solar. TWC has broadly

backed the former Edison Mission Energy Projects that are primarily on disturbed agricultural lands and has offered First Solar its support for the former Edison projects. TWC salutes Edison International, Southern California's largest Public Utility, for their support for the Feinstein Desert Protection Act of 2010.

Thomas Dinwoodie, the Founder and Chief Technological Officer of Sun Power, one of the world's largest photovoltaic manufacturers, after meeting with TWC staff wrote: "I greatly admire your work. By pro-actively identifying the right lands for development, you will accelerate our needed push toward solar, and short-circuit potentially years of wasted time, effort and good will between the solar and environmental communities. Your work is a model for other states and countries, and has historic dimension."

Myers summarizes The Wildlands Conservancy's inventory: "Landscape preservation and solar development debate has been mischaracterized as green versus green. Now we have reduced that conflict to the broad-based environmental support for placing projects on disturbed lands versus the lack of support for placing projects on pristine public lands, especially those donated for permanent preservation." Thirteen mainstream environmental groups developed "Renewable Energy Siting Criteria" that support placing projects on disturbed lands (copy enclosed).

TWC uses solar on previously disturbed lands on its desert and central valley preserves and has broadly supported properly sited solar and wind projects. TWC became involved in renewable energy public policy to prevent lands it donated to the Department of the Interior for conservation from becoming industrialized. "It would be a tragedy if the 100-year American tradition of land gift philanthropy that has made Acadia, Grand Tetons and Redwoods National Parks what they are today, died in the desert sands" said Myers.

TWC believes more focus should be kept on distributed generation of roof top photovoltaic energy. A 2005 study commissioned by the California Energy Commission titled "**California Rooftop Photovoltaic (PV) Resource Assessment and Growth Potential by County**" showed that commercial and residential rooftops had the technical potential to generate 67,889 megawatts of electricity. Currently, California peaks around 65,000 megawatts on the hottest of summer days.

Thank you for your comment, Michael Painter.

The comment tracking number that has been assigned to your comment is SEDDsupp20165.

Comment Date: January 27, 2012 19:14:21PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20165

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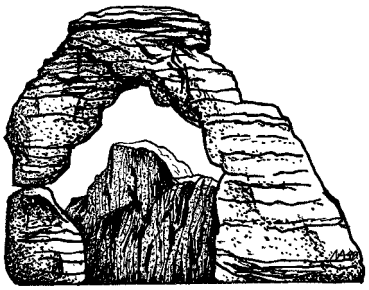
Attachment: Solar_SDEIS_012712.pdf

Comment Submitted:

Californians for Western Wilderness

A project of Resource Renewal Institute



Coordinator
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January 27, 2012

Ms. Shannon Stewart
Solar Energy Draft PEIS
Argonne National Laboratory
9700 S. Cass Avenue – EVS/240
Argonne, IL 60439

RE: Comments on Supplement to the Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States

Dear Ms. Stewart:

I am writing on behalf of the more than 790 members and supporters of Californians for Western Wilderness (CalUWild), an unincorporated citizens organization dedicated to encouraging and facilitating citizen participation in legislative and administrative actions affecting wilderness and other public lands in the West. Our members use and enjoy the public lands in Utah and all over the West.

CalUWild wishes to support and endorse the California-specific comments submitted by The Wilderness Society, Natural Resources Defense Council, California Wilderness Coalition and other groups for the Solar Energy Development SDEIS. We specifically support the discussion of wilderness and areas that need to be exempted from consideration for development.

We do not endorse the newly-introduced concept of variances and disassociate ourselves from that portion of their comments, with this caveat: To the extent that the variance concept might be adopted, we support the recommendations made in those comments for exclusions of areas with wilderness character, and other environmentally sensitive areas.

We also support and endorse the comments submitted by The Wilderness Society, Natural Resources Defense Council, Western Environmental Law Center, Sierra Club, and other groups on the general aspects of the Solar Energy Development SDEIS. Again, we do not endorse the variance concept, but as above, to the extent that the variance concept is adopted, we support the recommendations for clarification contained in those comments.

Having said these things, we also wish to re-state our conviction that the federal government and BLM are approaching the topic of renewable energy in the wrong order. The government should be embarking on a concerted effort to develop energy conservation and demand reduction programs. The cheapest kilowatt is the one not used. Secondly, the government should be encouraging the development of rooftop solar and other local, close-to-the-end-use-point technologies. The less distance power needs to be transmitted from source to use the cheaper and the less lost to inefficiencies. Only after these two factors are considered should large-scale industrial facilities be planned. And even then, our public lands—especially untouched lands in the desert—should be the last resort.

The original DEIS and this Supplement should use this hierarchy as its starting point for analyzing and developing strategies for solar power in this country.

Too many people think of deserts as wastelands, but this attitude needs to change. They are unique ecosystems with their own huge variety of life systems. The fact that there is not a large amount of human habitation and other development should not turn them into energy sacrifice zones.

Thank you for the opportunity to comment. Please inform us of your decision in this matter and please also inform us of further opportunities to be involved in your public decision-making processes.

Sincerely,

Michael J. Painter
Coordinator

Thank you for your comment, Kevin Kingma.

The comment tracking number that has been assigned to your comment is SEDDsupp20166.

Comment Date: January 27, 2012 19:29:10PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20166

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Attachment:

Comment Submitted:

To be brief, please redo the PEIS. The current PEIS fails to consider/offer the option of distributed generation (roof top solar). It also fails to consider many sites identified by the EPA as disturbed land that is suitable for alternative energy projects. NEPA requires that all options be considered. The fast track process short cuts normal environmental review procedures to the degree that it no longer allows for environmental protection of desert public lands. I doubt the legality of the Secretary of the Interior's fast track approval of large scale projects on undisturbed desert lands despite public disapproval, using the statement that overiding national interest takes precedence. I do not think the SOI has the authority to make that decision.

I fully understand carbon caused global climate change and support alternative energy. If you need to learn how to accomplish a successful, legal, efficient implementation of alternative energy -- just copy what has been done in a country like Germany.

This process has been wrong from the start, with no limits placed on the location of alternative energy projects. The PEIS does very little to fix this.

Thank you for your comment, Debra Thompson.

The comment tracking number that has been assigned to your comment is SEDDsupp20167.

Comment Date: January 27, 2012 19:29:43PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20167

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Attachment:

Comment Submitted:

I am writing to request that the deadline for submitting comments be extended six months. The comment period must be extended due to the significant revisions made. To maintain the current deadline would defeat the democratic process, show malicious intent on the part of the Solar Development Program and undue influence from big business. (Fancy way of saying government corruption) Meaningful public review of this 500+ page document will require at least an additional three preferably six additional months.

Thank you for your comment, Jamie Hall.

The comment tracking number that has been assigned to your comment is SEDDsupp20168.

Comment Date: January 27, 2012 19:37:03PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20168

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Attachment: SolarPEISsuppdraftcommentsCDC_Final.docx

Comment Submitted:

California Desert Coalition

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Yucca Valley, CA 92286

www.cadesertco.org

January 27th, 2012

Draft Solar Energy Programmatic EIS
Argonne National Laboratory
9700 S. Cass Avenue - EVS/240
Argonne, IL 60439

RE: Comments on the Supplement to the Draft Solar Energy Programmatic EIS *(hard copy mailed to above address and electronic version submitted to online website)*

Dear BLM and DOE:

The California Desert Coalition (CDC) provided scoping comments for the Solar Energy Development Programmatic EIS in September 2009 and also in April of 2011 and is pleased to provide comments on the Supplement to the Draft Solar Energy Programmatic EIS.

CDC is a citizens' advocacy group formed in 2007 to oppose the Los Angeles Department of Water & Power's (LADWP's) preferred alignment for its Green Path North transmission line project. Although the LADWP withdrew from Bureau of Land Management (BLM) its application for the Green Path North transmission line, CDC on behalf of the public continues to participate in the monitoring of renewable energy development in the California desert.

The members of the California Desert Coalition write to you in opposition to the BLM's preferred alternative (modified solar energy development program alternative), as outlined in the supplement document to the Draft Solar Energy PEIS. Under this alternative, a 'variance process' of designating lands outside the Solar Energy Zones (SEZ's) to potentially accommodate additional utility-scale solar development is proposed. We completely oppose the proposed variance process, as it would open up a vast amount of additional acres of public land for project-by-project development, which we believe to be unnecessary for several reasons:

- The variance process is unplanned and unmanaged. It is industry driven (projects would proceed in a piecemeal fashion throughout the desert) whereas development inside the SEZ's is agency-driven.
- Development is likely to occur on these sensitive, pristine 'variance' lands, rich in natural resources. These lands have had little to no environmental review.
- The proposal to identify additional SEZ's either by the BLM or the statewide effort's Desert Renewable Energy Conservation Plan (DRECP), will withdraw the need for variance lands (i.e. West Mojave, Chocolate Mountains and Imperial Valley).
- Lands purchased with private monies and donated to the federal government for conservation (i.e. former Catellus lands) need to be fully excluded from the variance process. As it stands currently, they are mapped as lands within the proposed variance zones.
- There are several wildlife corridors that exist in areas where variance is proposed. For instance there is a known bighorn sheep corridor between the Old Woman Mountains, Cadiz Dunes, and

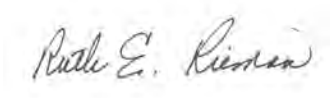
Sheephole Mountains Wilderness that will be fragmented and disrupted should lands become developed here. The act of designating variance lands (not only here, but throughout the California Desert) jeopardizes the investment the BLM has made in further identifying the need for such wildlife corridors (i.e. Epps, C.W., J.D. Wehausen, V.C. Bleich, S.G. Torres, and J.S. Brashares. 2007. Optimizing dispersal and corridor models using landscape genetics. Journal of Applied Ecology 44:714-724. (Epps et al. 2007).

Another element of the supplement that we wish to see improved and further managed is the management of visual resources. Currently in the supplement, lands with visual resources are categorized into classes (VRM Class I and II) and are stated to be excluded from solar energy development, but are still mapped in both the SEZ's (i.e. Riverside East) and proposed variance zones. They need to be fully excluded from the PEIS (i.e. they should not be developed) and further managed. Until then, the PEIS should follow the rules and regulations that are currently in place.

We strongly urge you to reconsider the adoption of the variance process (BLM's Modified Solar Energy Program Alternative) and continue with study of the existing and proposed SEZ's (Modified SEZ alternative) to develop renewable energy in a responsible manner on our public lands.

Finally, we commend the work and coordination between the BLM and statewide planning effort on the DRECP, and support continued collaboration.

Sincerely,



Ruth Rieman, Vice Chair of the California Desert Coalition

Thank you for your comment, Greg Suba.

The comment tracking number that has been assigned to your comment is SEDDsupp20169.

Comment Date: January 27, 2012 19:49:08PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20169

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Attachment: CNPS_SEIScomments_012712.pdf

Comment Submitted:

CALIFORNIA
NATIVE PLANT SOCIETY

January 27, 2012

Shannon Stewart
Solar Energy Draft PEIS
Argonne National Laboratory
9700 S. Cass Avenue – EVS/240
Argonne, IL 60439
Submitted via Email

RE: Comments on Supplement to the Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States

Dear Ms. Stewart,

The California Native Plant Society (CNPS) submits the following comments and recommendations regarding the U.S. Bureau of Land Management's (the BLM's) Supplement to the Draft Solar Programmatic Environmental Impact Statement (SEIS) document. These comments are in addition to the comments we provided on May 2, 2011 for the original Draft Solar Programmatic EIS. We incorporate those additional comments herein by reference.

CNPS is a non-profit organization working to protect California's native plant heritage and preserve it for future generations. Our nearly 10,000 members are professionals and volunteers who work to promote native plant conservation through 33 chapters statewide.

CNPS supports renewable energy generation via large-array utility scale projects only when sited on already-disturbed lands, e.g., brownfields and fallow, mechanically disturbed agricultural lands. We oppose the siting of large-array renewable energy projects sited in functionally intact areas on public trust lands, both in the desert and elsewhere.

The Solar PEIS will govern solar development on public lands for at least 20 years. Therefore, development of large-scale projects must be sited on places with the fewest impacts on intact plant and animal habitats, natural resources, and endangered species, and we are encouraged that modifications and additions to the Solar PEIS that the BLM has made during the Supplemental phase will help minimize such impacts.

I. CNPS supports the Modified SEZ Program Alternative and opposes the variance process included in the Modified Development Program Alternative

The SEIS Modified SEZ Program Alternative will identify sufficient acres of public lands needed to meet our solar energy portfolio targets, especially when the number and location of these acres are considered within the context of additional solar energy development areas to be identified through the Desert Renewable Energy Conservation Plan (DRECP) process in

California, the ability to establish new, additional SEZs through the SEIS, and the contributions of distributed energy generation (DG) to federal and state energy portfolios. CNPS supports and strongly recommends the BLM to adopt the Modified SEZ Program Alternative under the solar SEIS.

The BLM's current preferred alternative, the Modified Development Program Alternative, designates Solar Energy Zones (SEZs), while including an additional variance process outlined in the Supplement. The variance process is a new addition to the solar program that CNPS neither recommended nor supported in our comments on the Draft PEIS. CNPS does not support the addition of this new process as part of the Supplement to the Draft PEIS. We do not agree with the BLM's rationale for including the variance option, provided in the SEIS, as explained below.

• *In order to accommodate the flexibility described in the BLM's program objectives, the modified program alternative allows for responsible utility-scale solar development outside of SEZs.* (p. 2-33, lines 3-5)
The guidelines for developing additional SEZ's outlined in the SEIS provide the flexibility described in the BLM's program objectives, and no additional flexibility (variance option) is necessary or beneficial to public land protection under this program.

• *The variance process provides an opportunity for developers to propose applications outside of identified SEZs and complements the directed development approach in the modified program alternative.* (SEIS p. 2-33, lines 28-30)
To the contrary, the variance process *undermines* the directed development approach in the modified program alternative. The directed development approach seeks to concentrate solar development in areas identified as low-impact and facilitate the planning and development of appurtenant transmission to and from those areas. The variance process would provide a means to continue the current scattershot approach to siting on public lands, and potentially produce growth-inducing, "leap-frog" projects requiring transmission and generation-tie lines in ecologically inappropriate areas.

• *Variances may be needed in the near-term because the lands identified as SEZs might be insufficient to accommodate demand for utility-scale solar development.* (SEIS p. 2-33, lines 30-31)
This is precisely why the SEIS includes extensive guidelines for development of *new, additional* SEZs, which are to be 5,000 acres or greater, and reviewed on a 5-year cycle. The acreage represented by the SEZ's outlined in the SEIS, in addition to the development focus areas to be assigned through the DRECP process will provide enough developable acreage for utility-scale solar. Any additional siting acreage on public lands exceeds BLM's own analysis of what is truly needed and cannot be justified under the Reasonably Foreseeable Development Scenario.

Opening this additional acreage won't create a significant change from the current scattered, fast-tracked siting approach. CNPS strongly feels that this approach will involve higher resource conflicts, more public opposition, continued uncertainty both for wildlife managers and developers, and more litigation.

There should be *no* projects developed outside these zones and if the need should arise, the Modified SEZ Program Alternative already allows for designating additional zones in areas identified as degraded and with lower impacts in the future. CNPS strongly urges BLM to choose the Modified SEZ Program Alternative, which would provide a program for developing solar energy while still protecting our public lands.

• *In addition, there might be market, technological, or site-specific factors that make a project appropriate in a non-SEZ area.* (SEIS p. 2-33, lines 31-33)
Market and technological factors that "might" exist in future years will pertain also to distributed generation (DG) markets and technologies which, for myriad reasons, provide a more secure, environmentally friendly, and socially equitable solar energy generation paradigm than the current focus on utility-scale generation and associated transmission requirements. The ability for distributed energy generation to meet our energy goals must be considered under the Reasonably Foreseeable Development Scenario, and DG's contributions to future energy portfolios represent conditions that must far-outweigh proposals to site utility-scale facilities on additional public lands beyond those identified in SEZs.

II. The BLM must prioritize CA SEZ areas for additional data/analysis collection (via Action Plans)

The BLM notes (SEIS p. 2-41) that it will "prioritize the collection of additional data and analysis (listed in the Action Plans in Appendix C of the SEIS) in those SEZs that are most likely to be developed in the near future." Along with others in the conservation community, we request that the BLM prioritize the Riverside East SEZ for such action. As the agency is well aware, there are additional projects presently being considered in this SEZ (see Appendix A of the SEIS). The timely completion of additional analysis for this SEZ will facilitate development in the locations that are best suited for such intensive use in the fragile desert.

We also believe that an initial regional mitigation plan should be developed for the Riverside East SEZ and presented in the Final PEIS. Due to the number of SEZ-specific issues that need to be mitigated, early development of a regional mitigation plan for the Riverside East SEZ will ensure that projects are processed in a timely manner.

III. The BLM must revise pending CA Project applications

CNPS has reviewed the projects for California that are listed in Appendix A of the SEIS. We believe the list for California needs to be revised.

Specifically, we question why Broadwell Lake is still on BLM's list of first in line projects. The proposed project is within the proposed Mojave Trails National Monument, which is a proposed exclusion area. We believe this project should be rejected by BLM and removed from the list.

We also believe that the BLM should not approve projects in the California desert that are inconsistent with the developing conservation strategy within the DRECP planning area.

IV. The Final PEIS must include a complete Cumulative Impacts Analysis

We are very concerned that there has been no further analysis of cumulative impacts in the SEIS for past, present and reasonably foreseeable development within the Riverside East and Imperial East SEZs. The BLM intends to defer these analyses to the Final PEIS and we expect to see a complete analysis of cumulative impacts in the Final PEIS. We append to this letter the botanical information related to the Riverside East and Imperial East SEZs which we provided in our May 2011 comment letter, in hopes it can assist the BLM with the cumulative impacts analysis (note: rare plant occurrences recorded in the California Natural Diversity Database (CNDDB) are updated monthly. We will gladly provide up-to-date lists upon request).

V. Adaptive Management & Monitoring Plans in the Final PEIS will require NEPA analysis

Because the adaptive management and monitoring plans will not be prepared until the Final PEIS, additional NEPA analysis in that document will be required to evaluate their effect on expected impacts. Additionally, changes to design features and additional analysis of SEZs, including natural and cultural resources, visual impacts, water use and transmission, are also deferred to the Final PEIS. Consequently, the agency will need to provide an opportunity for meaningful public comment on this analysis and respond to such comments in order to comply with NEPA.

The California Native Plant Society appreciates the opportunity to provide these comments regarding the Supplemental to the Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States. We will continue to provide information that can help the BLM develop the best possible environmental assessment in a timely manner. We share a common goal to provide effective, long-term protective policies for the preservation of biological resources in the California Desert, while addressing the permitting process for renewable energy projects.

Sincerely,

Greg Suba

Greg Suba
Conservation Program Director
California Native Plant Society

ATTACHMENT A

California SEZ-specific comments - (This information was originally provided in our comment letter on the Draft PEIS, dated May 2, 2011.)

Based on botanical information from recent reconnaissance level surveys, we provide the following descriptions of plant communities and our related concerns regarding California SEZs. We also provide a list of special-status plants and plant communities found in the proposed CA SEZs and surrounding areas.

Imperial East SEZ

Description of SEZ vegetation
The majority of the habitat along Hwy 8 is stabilized desert dunes of *Larrea tridentata* (creosote). The area is marked by large plants with hummocks of sand accumulated around the shrubs (coppice dunes), punctuated by scattered, and very large coppice dunes of *Prosopis glandulosa* (mesquite) over 3 meters high, with many animal burrows visible.

The site occurs in a topographic low where very few washes are present. The occurrences of mesquite are a good indication of groundwater dependent vegetation. Groundwater pumping even for a dry-cooled facility could have significant negative affects to GDE communities within and around this SEZ. The potential impacts of groundwater pumping to GDE communities needs to be addressed in the Cumulative Impacts analysis for this SEZ.

The creosote was tall and vigorous in the western half of the SEZ but looked relatively distressed in the eastern half. The reason(s) for this was not obvious. These eastern creosote stands did not exhibit the depauperate, drought-stressed characteristics sometimes seen in stands deprived of surface flow by canals, dikes, and highways. The plants were predominantly senescent, and over 75% dead in many eastern areas of the SEZ, and in the East Mesa BLM ACEC to the north.

In the eastern and southern portion of the SEZ, especially in the relatively more disturbed areas between Hwy 98 and the canal, the creosote is co-dominated by *Ericameria linearifolia*, with associated *Ambrosia dumosa,* and *Atriplex polycarpa*.

Farther to the west along Hwy 98, the vegetation is dominated by an association of creosote and *Ephedra californica* (ephedra) for several miles. *Ericameria linearifolia* (narrow leafed goldenbush), *Ambrosia dumosa* (white bursage, burrowbush), and *Atriplex polycarpa* (allscale) are also present but the stands were defined predominantly by creosote and ephedra. These observed stands of creosote, ephedra, and narrow leafed goldenbush may be new vegetation associations not currently documented based on available vegetation data (NECO vegetation mapping did not collect data as far south as this SEZ area), and underscore the need for vegetation surveys in this area.

Near the western boundary of the SEZ along Hwy 98, what at first would appear to be canal leaks of tamarisk on aerial photos are actually vast stands of mesquite and *Pluchea sericea*

(arrow weed), which occur mostly in separate stands. The BLM Lake Cahuilla ACEC to the west of the Imperial East SEZ, is occupied largely by the mesquite and *Pluchea* communities. The majority of the mesquite is just off-site of the Imperial East SEZ, however it is important to note these occurrences because even dry-cooled solar projects can use a large volume of water during their construction phase. If projects were to rely on groundwater to supplement irrigation water, or as their sole source of water, their impacts to groundwater dependent vegetation could be significant. The zone of influence of groundwater pumping can extend 1 to 2 miles out from the wells and the cumulative effect on nearby groundwater dependent plant communities would most likely be significant.

The Imperial East SEZ vegetation is underlain by fine to medium sand. The location and soil type are definitely potential conditions for *Astragalus magdalenae peirsonii* (Peirson's milkvetch), *Croton wigginsii* (Wiggins' croton), and other dunes rare plant species, as well as an indication of flat-tailed horned lizard habitat.

There is also potential for a number of rare invertebrate species to occur, including the Riverside cuckoo wasp (from the Wiley's Well area), recently discovered at the Algodones Dunes.

Riverside East SEZ

We believe the area of the Riverside East SEZ should be reduced to avoid impacts to rare plants and other sensitive resources. In early February, 2011, CNPS Vegetation Program staff conducted a field-based workshop around Palen Lake near Desert Center to identify, survey, and map rare vegetation in this area of the Riverside East SEZ.

Palen Lake is an alkali playa surrounded by series of active, semi-stabilized, and stabilized dunes and areas of desert pavement. It includes a myriad of vegetation patterns including creosote shrublands, mesquite bosques, desert wash woodlands, saltbush scrubs, and groundwater-dependent sink scrubs in addition to the dune and desert pavement habitats.

During the workshop, participants sampled 15 vegetation stands and made several additional observation points. Rare communities documented included *Parkinsonia florida* (blue palo verde), *Olneya tesota* (ironwood), *Propopis glandulosa* (mesquite), and *Psorothamnus spinosus* (smoke tree) woodland alliances; and *Suaeda moquinii* shrubland (bush seepweed) alliance.

As with the other proposed California SEZs, assessing impacts to groundwater dependent communities within the Riverside East SEZ, particularly around dry lakes and playas, will be essential in order to conserve important natural communities.

Rare Plants, Sensitive Plant Species, Plant Species of Concern, and Vegetation Types in Proposed California SEZs

I. Plant Species - List of Rare Plants known to occur within and around the BLM Solar Energy Zones (SEZ) in Califiornia. These lists were derived from a search of the California Natural Diversity Database (CNDDB), February 2011.

Riverside East SEZ

Scientific Name	Common name	*State*	*Fed*	*G-rank*	*S-rank*	CRPR
Astragalus insularis var. harwoodii	Harwood's milk-vetch	-	-	G5T3	S2.2?	2.2
Castela emoryi	Emory's crucifixion-thorn	-	-	G2G3	S2S3	2.3
Colubrina californica	Las Animas colubrine	-	-	G4	S2S3.3	2.3
Coryphantha alversonii	Alverson's foxtail cactus	-	-	G3	S3.2	4.3
Ditaxis serrata var. californica	California ditaxis	-	-	G5T2T3	S2	3.2
Eriastrum harwoodii	Harwood's eriastrum	-	-	G2	S2	1B.2
Koeberlinia spinosa ssp. tenuispina	Slender-spined all-thorn	-	-	G4T4	S2.2	2.2
Mentzelia puberula	Darlington's blazing star	-	-	G4	S2	2.2
Wislizenia refracta ssp. palmeri	Palmer's jackass clover	-	-	G5T2T4	S2?	2.2

Imperial East SEZ
Plants known to occur within 10 kilometers of the SEZ

Scientific Name	Common name	*State*	*Fed*	*G-rank*	*S-rank*	CRPR
Croton wigginsii	Wiggin's croton	Rare	-	G2G3	S1.2	2.2
Palafoxia arida var. gigantean	Giant Spanish-needle	-	-	G5T3	S2	1B.3
Pholisma sonorae	Sand food			G2	S2	1B.2

Status Codes:

Federal: FE - Federally listed endangered: species in danger of extinction throughout a significant portion of its range
FT - Federally listed, threatened: species likely to become endangered within the foreseeable future
BCC: Fish and Wildlife Service: Birds of Conservation Concern: Identifies migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent highest conservation priorities <www.fws.gov/migratorybirds/reports/BCC2002.pdf>

State CSC = California Species of Special Concern. Species of concern to CDFG because of declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction.
SE - State listed as endangered
ST = State listed as threatened
WL = State watch list

State Rank (S-Rank):
S1—Less than 6 EO, or less than 1,000 individuals, or less than 2,000 acres;
S2—Same as "G2";
S3—Same as "G3".

State Rank Extension:
0.2—threatened;
0.3—no current threats known

Global Rank (G-Rank) is a reflection of the overall condition of an element throughout its global range:
G2—Same as "S2";
G3—Same as "S3";

G4—Apparently secure, this rank is clearly lower than G3, but factors exist to cause some concern; i.e., there is some threat, or somewhat narrow habitat;
G5—Population or stand demonstrably secure to ineradicable due to being commonly found in the world.
Subspecies receive a T-rank attached to the G-rank. The G-rank refers to the whole species range, but the T-rank refers to the global condition of taxon variety only.

California Rare Plant Rank (CRPR)

1B - Rare, threatened, or endangered in California and elsewhere
2 - Rare, threatened, or endangered in California but more common elsewhere
3 - Plants which need more information - a watch list
4 - Limited distribution – a watch list
0.1 - Seriously threatened in California (high degree/immediacy of threat)
0.2 - Fairly threatened in California (moderate degree/immediacy of threat)
0.3 - Not very threatened in California (low degree/immediacy of threats or no current threats known)

II. Alliances – Draft List of Vegetation Types Known or Likely to Occur in the **Imperial East SEZ and Environs**
California Native Plant Society, February 2011

The alliances and associated listed below include those known to occur within the BLM Solar Energy Zone (SEZ) and those known to occur within 10 kilometers of the SEZs (and therefore have potential to be present in the SEZ. The list for Imperial East was derived from observation in late 2010; thus, additional information could be acquired for this location.
***** = Considered as Statewide Rare or of High Priority for Inventory (with State Rarity ranking of S3 or below). Also, see the DFG natural communities list, which addresses high ranking of vegetation types.

Imperial East SEZ

Tree Dominated:

Prosopis glandulosa* Shrubland Alliance
*Prosopis glandulosa / Pluchea sericea – Atriplex canescens**

Shrub Dominated:

***Ambrosia dumosa* Shrubland Alliance**
Ambrosia dumosa – Ericameria linearifolia (provisional type based on observation)

***Larrea tridentata* Shrubland Alliance**
Larrea tridentata
Larrea tridentata – Ericameria linearifolia (provisional type based on observation)

***Larrea tridentata-Ambrosia dumosa* Shrubland Alliance**
Larrea tridentata – Ambrosia dumosa
Larrea tridentata-Ambrosia dumosa-Ephedra (*californica*)*
*Larrea tridentata – Ambrosia dumosa / Pleuraphis rigida**

Pluchea sericea* Shrubland Alliance

Alliances & Associations – Draft List of Known or Likely to Occur Vegetation Types in the **East Riverside SEZ and Environs**
CNPS, February 2011

This list was derived largely from data collected in preparation of the Northern & Eastern Colorado Desert Coordinated Management Plan (see NECO classification report by Evens and Hartman 2007), and from additional data collected in 2011 during a CNPS vegetation mapping workshop at Palen Lake. Because the vegetation communities throughout the entire East Riverside Solar Energy Zone (SEZ) are not yet mapped, the alliances and associated listed below include those known to occur within the SEZ and those that occur within 10 kilometers of the SEZ (and therefore have potential to be present in the SEZ).
***** = Considered as Statewide Rare or of High Priority for Inventory (with State Rarity ranking of S3 or below). Also, see the DFG natural communities list, which addresses high ranking of vegetation types.

East Riverside SEZ

Tree Dominated Types:

Parkinsonia florida – Olneya tesota* Woodland Alliance

*Parkinsonia florida / Larrea tridentata – Peucephyllum schottii**

*Parkinsonia florida - Olneya tesota**

Parkinsonia florida / (*Psorothamnus emoryi, Pleuraphis rigida*) (provisional dune type)*

*Parkinsonia florida - Olneya tesota / Hyptis emoryi**

*Parkinsonia florida**

*Parkinsonia florida / Hyptis emoryi**

*Olneya tesota**

*Olneya tesota / Psorothamnus schottii**

Prosopis glandulosa* Woodland Alliance

Prosopis glandulosa – Atriplex spp.*

Psorothamnus spinosus* Woodland Alliance

Psorothamnus spinosus / Ephedra (*californica*) *- Ambrosia salsola*

Shrub Dominated Types:

Allenrolfea occidentalis* Shrubland Alliance

*Allenrolfea occidentalis**

*Allenrolfea occidentalis - Suaeda moquinii**

***Ambrosia dumosa* Shrubland Alliance**

*Ambrosia dumosa – Ephedra californica**

*Ambrosia dumosa / Pleuraphis rigida**

***Atriplex canescens* Shrubland Alliance**

Atriplex canescens

***Atriplex polycarpa* Shrubland Alliance**

Atriplex polycarpa Sparse Playa

***Atriplex spinifera* Shrubland Alliance ***

*Atriplex spinifera**

***Encelia farinosa* Shrubland Alliance**

Encelia farinosa

***Larrea tridentata* Shrubland Alliance**

Larrea tridentata

Larrea tridentata – Atriplex polycarpa

Larrea tridentata / Cryptogamic crust

*Larrea tridentata / Pleuraphis rigida**

***Larrea tridentata – Ambrosia dumosa* Shrubland Alliance**

Larrea tridentata – Ambrosia dumosa

Larrea tridentata – Ambrosia dumosa – Krameria grayi

*Larrea tridentata – Ambrosia dumosa – Fouquieria splendens**

*Larrea tridentata – Ambrosia dumosa – Olneya tesota**

*Larrea tridentata – Ambrosia dumosa – Psorothamnus spinosus**

Larrea tridentata – Ambrosia dumosa / Cryptogramic crust

Larrea tridentata – Encelia farinosa Shrubland Alliance

Larrea tridentata – Encelia farinosa

Larrea tridentata – Encelia farinosa – Ambrosia dumosa

Pluchea sericea Shrubland Alliance*

*Pluchea sericea**

Suaeda moquinii Shrubland Alliance*

*Suaeda moquinii**

*Suaeda moquinii – Atriplex canescens**

Herbaceous Types:

***Brassica* (*tournefortii*) Herbaceous Semi-Natural Stands**

Brassica tournefortii / Ambrosia dumosa

***Pleuraphis rigida* Herbaceous Alliance ***

Pleuraphis rigida (in desert washes and on dunes)*

*Pleuraphis rigida / Ephedra (californica)**

Dicoria canescens – Abronia villosa* Herbaceous Alliance

*Dicoria canescens**

Salsola tragus - Oenothera deltoides (provisional dune type based on observation)*

Petalonyx thurberi* Provisional Herbaceous Stands

(provisional sandy type based on observation in area and recent data collection on NPS lands)

Wislizenia refracta Herbaceous Special Stands*

Miscellaneous Land Use Types:

Simmondsia chinensis plantations and other agricultural field

Thank you for your comment, Carlos Garcia.

The comment tracking number that has been assigned to your comment is SEDDsupp20170.

Comment Date: January 27, 2012 19:57:04PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20170

First Name: Carlos
Middle Initial:
Last Name: Garcia
Organization:
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Address 2:
Address 3:
City: [Withheld by requestor]
State: [Withheld by requestor]
Zip: [Withheld by requestor]
Country: [Withheld by requestor]
Privacy Preference: Withhold address from public record
Attachment: Final_comments_submitted_on_1_27_2012[1].doc

Comment Submitted:

Attn: Linda Resseguie
Argonne National Laboratory
9700 S. Cass Avenue
EVS/240
Argonne, IL 60439

RE: Public Comment for the Supplement to the Draft Programmatic Environmental Impact Statement (PEIS) for Solar Energy Development in Six Southwestern States

January 27, 2012

Dear Ms. Linda Resseguie:

I am a permittee of the Alta Lake Permit on the proposed Antonito Southeast Solar Development site and I strongly oppose the designation of this permit for the following reasons:

1. I depend and use the permit every time my grazing periods become available for the historical use of grazing cattle on this land. This is my way of life, and if my grazing rights are cancelled without any monetary compensation or another comparable grazing allotment in close proximity, the impact to my cattle business would be significant to the extent that I would have to downsize the herd or sell out completely. I do not believe it is the intention to force cattle producers out of the business when planning for solar development on Bureau of Land Management (BLM) /federal owned lands. I have a hard time even thinking of the difficult process I would have to go through to purchase private land or be forced to purchase another grazing allotment, and the near impossible feat to secure another permit in neighboring northern New Mexico BLM or a USDA permit for Carson National Forest as those permits are also passed down within families from generation to generation as they are in the San Luis Valley. The burden of crossing state lines with cattle is extremely expensive due to the testing, trucking fees, rider costs, and other incidentals, plus additional time that is currently necessary in other parts of the business. My current plans are to will my private owned base land attached to this permit, my grazing permits and cattle to my daughters, their husbands, and my grandson. They plan to continue the family cattle business operations.
The legality and reality of what I mention in #1 needs to be discussed at length before this proposed zone is further considered.

2. I believe there are cultural and historical pasts that must be considered. The ranchers and farmers of the San Luis Valley have always contributed greatly to the livestock, hay, potato, grain and other agricultural products that are necessary in order to help feed the USA and other countries. "Conejos County has enormous natural history values including being part of the Sangre de Cristo NHA, and long human use. The mission of the NHA is to promote, preserve, protect and interpret the profound historical, religious, environmental, geographic, geologic, cultural and linguistic resources. These efforts will contribute to the overall national story and engender a spirit of pride and self-reliance, and create a legacy in the Colorado counties of Alamosa, Conejos, and Costilla. Hispanic settlers from the south were enticed to raise crops and sheep through land grants under Mexican communal law, a practice that was adopted under Spanish reign and continued when Mexico won its independence from Spain, to settle the region that is presently encompassed by the NHA. When the Mexican-American war ended in 1848 and the territory was ceded to the United States with the signing of the Treaty of Guadalupe Hildalgo the Conejos Land Grant (which includes present day Conejos County, Rio Grande County and portions of Alamosa County and Saguache County) was the only land grant that was petitioned for a patent and denied in its entirety."1 1. McCourt, "*The Conejos Land Grant Southern Colorado"*, Colorado Magazine, Vol. 52 (1975): 36-51.

3. The impact to the active prairie dog colonies, which are abundant throughout the permit. My observations lead me to believe the prairie dog population has been on the increase over the past 10 or more years.
4. The impact to the antelope herds that depend on grazing this permit. I believe this permit and the adjacent permit also being proposed are the closest federal owned land to water and by developing this land it would cause hardships for the antelope to find water and pasture.
5. The ecological and environmental impacts to the development of this land. Heavy machinery would have to be brought in and the soils, forage, and lava rock would be significantly disturbed. This land is very rocky and not level by any means.
6. The costs and impacts to develop transmission lines will be significant. I believe private land owners will be impacted in order to adequately develop an infrastructure. I also believe private land owners have not been considered in the planning stages. The proposed transmission corridor between southeast Antonito and sending it out of the San Luis Valley spans a large area, approximately 45 miles. Additionally, private and public land

owners have not received ample communication and notification of this proposal and implications associated with this proposal.
7. I believe there are private land owners closer to Antonito and other communities in the San Luis Valley that are willing to sell their land for this type of development. There are parcels of private land closer to substations and transmission lines that will not impact so many private and public land owners.
8. I believe the purpose of federal owned lands, such as the proposed, were designated for a reason and it is an injustice to cancel the designation, especially when it is still in use. Are solar seeking private owned businesses lobbying members of Congress and state legislatures to designate these lands in order to lessen their initial costs of purchasing private land and other costs?
9. After listening to President Obama's State of the Union speech last night, I believe he is not aware of the significant impact the re-designation and canceling of grazing rights will have to cattle operations such as my own. He talks about increasing renewable energy, but ultimately we know he does not intend to impact one's way of life. My previous comments posted on or about May 2, 2011 and this posting must be conveyed to him for his reading.

Finally, I do not believe a realistic and thorough evaluation of this proposed land was ever conducted. The land is vast and studies that encompass all impacts must be done correctly. I strongly recommend removing The Alta Lake Allotment land from the proposed Antonito Southeast Solar Enterprise Zone.

Carlos Garcia
BLM Alta Lake Permittee

Attached is a copy of the comments I submitted online on or about May 2, 2011.

I am strongly opposed to the proposed Antonito Southeast solar zone, state of Colorado. I have lived in the Antonito community all of my life, self-employed as a farmer and cattle rancher. My family is the current permittee of the BLM Alta Lake Grazing Permit. I was unaware that our permit was being considered for solar development until Saturday, April 30, 2011. To

my knowledge, as a permittee, I have never received written correspondence from BLM regarding this proposition. I recently grazed the permit in the fall of 2010 and I am currently planning of grazing the permit during the months of May and June, 2011, anxiously waiting BLM approval for a start date of at least May 5, 2011.

Sheep and cattle ranching has been a part of my family for a confirmed four generations. Factually, my grandfather and my father were proud owners of the Alta Lake Grazing Permit and I inherited it, along with my two brothers, upon the passing of our mother and father. My father and grandfather originally used the permit to pasture a flock of approximately 1,000 sheep. My father, in the early 1970's converted the permit to a 200 herd of cattle permit. Since then, the permit was annually grazed in the fall by his cattle and my cattle. Since I became a permittee, I have needed this permit in order to successfully remain in the cattle business. Records will show that I have used this permit every time the grazing periods become available. If this zone is approved, the impact to my family and I is significant. I will be forced to sell my cattle herd and look for employment elsewhere.

If approved, the impact to the antelope herd will also be significant. My observations lead me to conclude antelope depend on the grazing in the Alta Lake Permit during certain times of the year. Historically, this permit and the land proposed has the capacity to adequately feed the antelope during their migration cycles and provide ample pasture grasses and sage for sheep and cattle grazing. There is no water for the antelope in the permit, requiring the antelope to migrate daily to the San Antonio River, which is approximately 1.5 miles from the north boundary fence of the permit. My point is this permit is the closest BLM land to the San Antonio River, which makes the permit ideal for the preservation of antelope and other wildlife in the area. The impact would be significant to the herd if they were no longer able to graze the land.

Further, my understanding is the water that once was channeled through the permit has been abandoned and/or sold, and there are no plans or rights of ownership to plan on having access to water for development of any kind. Currently, I haul water for my cattle to drink to parts of the permit and centered in the middle of the permit is a 300 foot well that is designated for livestock drinking water only. My understanding at the time the well was drilled in the 1980's is water could not be found any higher than 300 feet down and the pump flow is poor, as we have to run a generator for a minimum of 3-5 hours a day to adequately water the cattle. Therefore, I believe water is one major reason to deny approval of this zone for solar development.

Transmission of solar energy produced is a major disadvantage, due to the lack of proximity to the nearest substation, which is south of the Town of Antonito. The cost would be significant to develop transmission lines to move the electricity produced. Transmission lines would have to be developed under/and or above the San Antonio River to hook onto the Town of Antonito substation, which is an environmental impact. Who would bear the cost? How fair would it be to ranchers, such as myself, for the government to subsidize large companies for this type of development and all these years, to not subsidize my operation in relation to surface water rights for my cattle to drink, providing me with electrical power to pump water for my cattle, and/or other forms of subsidy that would assist me in reducing my operating costs? When one considers the east most part of the proposed Antonito Southeast Zone, it is highly impractical, not feasible, not cost efficient to consider the majority of the land proposed and my fear is who would bear the developmental costs for what could become a private ownership profit. I do not see it being fair to make government subsidy funds available for infrastructure costs that are essentially funded by the taxpayer?

Another area of concern is the environmental and ecosystem impact on the proposed area. The composition of the surface land is predominately volcanic rock and soils. This land by all accounts is not flat land; there are not large sections that meet the description of uniformity. The land would have to be bulldozed; volcanic rocks would have to be stockpiled and/or hauled away, which means the land would have to be significantly impacted during the construction process. Rabbits, rattlesnakes, other snakes, gophers, rats, and other rodents would be greatly impacted. Coyotes are abundant in the proposed zone and I am certain they depend on rabbits and other animals for their livelihood. The impact to the types of sage and other plants that wildlife, sheep, and cattle depend on will be significant, if this land is disturbed. We know the nearby San Antonio Mountain was a volcano at one time and these proposed zones are the geological remains of what happened back then. Once again, the environmental and ecosystem impact will be tremendous, if approved.

I can empathize with the lack of employment in Conejos County and all areas of the United States that are hurting. However, one knows these projects provide temporary employment and a small number of full-time jobs, once the project is completed. I also acknowledge the need for renewable energy. However, I believe there are alternatives that need to be considered, other than proposing government owned land that is currently designated for a purpose such as the proposed one I have talked about. I

know there are private property owners that would be willing to sell their land for this type of development, with water rights attached to it. Let the large companies and the developers/investors seek private land owners that are willing to part with their land and at the same time leave government/public owned lands out of the development process that has the potential to become a private ownership profit. In addition, there are other proposed BLM solar zones that might have no designated purposes, such as livestock grazing permits, etc., and I would support these lands be the ones to approve, because of the lack of impact to current forms of operations that depend on the use of the land.

In conclusion, I will repeat that I am strongly opposed to any approval of the Alta Lake Permit land and the adjacent grazing permit owned by the Moeller family for solar development for the above stated reasons and the reasons I further wish to emphasize below. As mentioned above, I have never been contacted by anyone from BLM regarding my thoughts on the proposal. I don't believe it is professional of BLM staff to not notify me earlier that my permit was being considered for such development. If the current law does not provide a protocol for involving and notifying grazing permittees, I am recommending protocol be implemented during the initial phase of such a proposal in order to adequately treat all involved equitably. I must emphasize there will be environmental and ecosystem impacts which will be significant, if approved.

Also, I am more than willing to testify in person. I am more than willing to become actively involved in this process, as I do not believe it is fair that people that are not aware of the lay of this land and the historical purposes of the land are the only ones involved. I kindly ask that my public comments be shared as the process continues, especially the fact to consider that I would be significantly impacted, if approved. Also, I ask my concerns be further studied and evaluated in order to secure data as to what the impact really is.

Submitted by Carlos Garcia

Thank you for your comment, D. Bradford Hardenbrook.

The comment tracking number that has been assigned to your comment is SEDDsupp20171.

Comment Date: January 27, 2012 20:02:29PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20171

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Attachment: 12-074SolarEnergySpplmnt2DPEIS27Jan12.pdf

Comment Submitted:

Please see attachment.

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Governor

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January 27, 2012

NDOW-SR#: 12-074

Solar Energy Draft PEIS
Argonne National Laboratory
9700 S. Cass Avenue – EVS/240
Argonne, IL 60439

Re: Supplement to the Draft PEIS for Solar Energy Development in Six Southwestern States; DES 11-49 · DOE/EIS-0403D-S, October 2011 (SDPEIS)

Dear PEIS Team:

In response to the *Draft PEIS for Solar Energy Development in Six Southwestern States* and mindful of the many knowledge gaps regarding wildlife resources in Nevada, the Department of Wildlife (NDOW) recommended solar energy development be limited to the then seven proposed Solar Energy Zones (SEZ's) as an initially responsible, environmentally conservative approach while also allowing for solar energy development over the 20-year life of the PEIS. In the present economic environment of unprecedented budget scarcity, this rationale would provide a reasonable temporal opportunity for performing investigations and acquiring new information useful in development of more reliable conservation management tools and policies affecting wildlife resources and other environmental values affected by the rapid influx of solar energy development. For reasons stated in the SDPEIS, BLM's preference for the Modified Solar Energy Development Program Alternative is received as an answer to NDOW's recommendation.

We can appreciate the several program-based and Solar Energy Zone (SEZ) modifications and elaborations contained in the SDPEIS. The SDPEIS does provide much clearer theoretical insight of the proposed solar energy development programmatic process and guidance. Reduction in the number and sizes of SEZ's, identification of exclusion areas, and a conditional ROW variance application process within the range of the greater sage-grouse and desert tortoise are notable. However, it remains unclear how workforce commitment needs (not restricted to BLM and DOE agency personnel) and associated logistical support (e.g. partnerships, funding) to effectively adjust and implement pre-existing multiple-use and natural resource programs combined with recent energy development programs and policies will be reasonably addressed warranting an unchallenged success.

Published last December, science-based review of available knowledge focusing on wildlife conservation and solar energy development in the desert southwest provides an insightful overview of the types of data gaps and uncertainties (Lovich and Ennen 2011). The overview certainly applies to Nevada. One observation made was water supply needs for thermal-based technologies. This resource is obviously in short supply in Nevada. Until more insightful hydrological study of the affected basins came to light,

NDOW previously recommended that future solar projects be restricted to photo-voltaic (PV) or dry-cooled projects until sustainable water sources could be determined without adversely affecting regional habitats, especially desert spring and riparian systems. Recent efforts by the BLM for performing partnership-based rapid ecological assessments will assist in gaining better regional perspectives, but these tools are limited to existing models and datasets digitally available. In other words, adequate on-the-ground support for filling data gaps necessary in developing (mindful of the many land use plan amendments and revisions required) responsive adaptive management, monitoring, and mitigation in Nevada remains uncertain. The number and kinds of agency and program funding mechanisms likely will remain the same. Unfortunately, discretionary funds supporting many of the federal programs and partnerships that the BLM's Preferred Alternative depends on have been experiencing long-term decline. A similar pattern is also the case for non-federal natural resource agencies and organizations. Development and adherence to implementation plans at the Land Use Plan level might play an important part of the adaptive management and monitoring approach, especially in monitoring funding opportunities and commitments for local program needs, like narrowing prioritized information gaps.

It is clear that the BLM's Modified Solar Energy Development Program Alternative and DOE's Action Alternative will be advanced to the Final PEIS to meet their respective solar energy development programs. Further refinements are anticipated as the final draft of the PEIS progresses. As a cooperating agency to the PEIS process, NDOW has openly requested and expected a more active at-the-table participation in providing and discussing wildlife resource information and management considerations at a higher degree than has occurred to date (i.e. negligible). While some of our observations, concerns, and recommendations to the Draft PEIS have been somewhat addressed in the SDPEIS, the following observations and recommendations provide examples of additional information sharing opportunities that were previously missed or have since become of increased emphasis value with issuance of the SDPEIS.

Page 2-35, Variance Application/Plan of Development (POD) Factors to Be Considered
Lines 15 & 16, strike the last phrase, "*or areas repeatedly burned and invaded by fire-promoting non-native grasses).*" Unless this factor element is further clarified in context, it could predispose the low probability of restoration of an area within the range of special status or sensitive species (e.g. sage-grouse, desert tortoise) to no probability of restoration; it is a potentially problematic precedent to take.

Pages 2-35 to 2-37, *Desert Tortoise Variance Process Requirements under Consideration*:
NDOW's active participation with the BLM and USFWS discussion on these elements is requested.

Page 2-37, *Greater Sage-Grouse Requirements*:
Requirements should be in line with BLM Instruction Memoranda (IM's) #'s 2012-043 and 2012-044. For example, line 23 should indicate a distance of 4 miles (6.4 km) from the nearest lek for consistency with information found in Attachment 1 of IM 2012-0043 (Sage-Grouse National Technical Team. 2011). Note: NDOW is finalizing Habitat Categorization maps for the greater sage-grouse in coordination with the BLM. Current understanding is that these maps will be completed by mid-February 2012.

Nevada Solar Energy Zones (SEZ's) Retained and Modified

Amargosa:

- The region is already becoming populated with several proposed solar developments; limit SEZ to PV or similarly low-volume water demand projects;
- Attention to phylogeographic information gaps and potential regional distribution perspective (inclusive of California) for species like the shovel-nosed snake (*Chionactis occipitalis talpina*) and sidewinder would seem relevant (Wood *et al* 2008, Lovich & Ennen 2011).

Dry Lake Valley North:

- From a wildlife resources standpoint, retaining this SEZ as proposed in the SDPEIS is unclear compared to dropping of the East Mormon Mountain and Delamar SEZ's altogether.

Dry Lake Valley, Gold Point, & Millers:

- Depending on the SEZ, there is potential or real occurrence of the pale kangaroo mouse (*Microdipodops pallidus*), dark kangaroo mouse (*Microdipodops megacephalus*) or both. Recent studies suggest morphologically cryptic speciation (Hafner *et al* 2008, Hafner & Upham 2011). Both species are State-protected and are Nevada BLM sensitive species (Nevada BLM 2011). Habitat characterization and distribution efforts of *Microdipodops* in the southern portion of the Big Smoky Valley (Millers SEZ vicinity) have been underway, but larger-scale efforts are needed to identify distribution hotspots for land use impact avoidance purposes there. Extent of updated distribution of the Desert Valley kangaroo mouse (*Microdipodops megacephalus albiventor*) relative to configuration of the Dry Lake Valley North SEZ is unclear.

Appendix Section C.4:

- Mindful of the aforementioned examples of species information gaps, this section could be expanded with the assistance of NDOW to better identify species/ecological priorities for each of the SEZs.

New SEZ Proposals

In Nevada, deferral of identifying new proposed SEZ's until the end of the 20-year PEIS period would seem reasonable, unless new compelling information surfaces 10-years into the PEIS. This takes into account the need for regularly scheduled, future land use plan revisions, present solar energy facility and transmission development to play out as indicators, and increased knowledge about more local environmental matters.

Page 2-13, Section 2.2.1.2 Adaptive Management and Monitoring:

Assures for adjustments in approaches and process, but could be improved by identifying a sense of funding commitments for implementing these adjustments and on-the-ground actions;

Transmission

- NDOW understands the challenges for ascertaining *a priori* how many and location of transmission projects; however, encouragement of multi-circuit structures would assist in avoiding transmission corridor and ROW bottlenecks as experienced in southern Nevada.
- Transmission projects should use non-lattice design structures to avoid conflicts with increased an dun-natural predation potential on sage-grouse and desert tortoise populations additional to other wildlife.
- Non-lattice line structures and perching discouragers for transmission tie-ins effective for avoiding or minimizing subsidized wildlife predation pressure strongly recommended

References

BLM-Nevada. 2011. Final Sensitive Species List, Microsoft Office Excel Worksheet – 135 KB; finalized October 2011.

Sage-Grouse National Technical Team. 2011. A Report on National Greater Sage-Grouse Conservation Measures. BLM-chartered Planning Strategy. December 21, 2011. Attachment 1 to BLM IM No. 2012-044. 74 pp.

John C. Hafner, Nathan S. Upham, Emily Reddington and Candice W. Torres. 2008. Phylogeography of the Pallid Kangaroo Mouse, *Microdipodops pallidus*: A Sand-Obligate Endemic of the Great Basin, Western North America. *J. Biogeogr.* 35(11): 2102-2118.

Hafner, John C. and Nathan S. Upham. 2011. Phylogeography of the dark kangaroo mouse, *Microdipodops megacephalus*: cryptic lineages and dispersal routes in North America's Great Basin. *J. Biogeogr.* 38(6): 1077–1097.

Lovich, Jeffrey E. and Joshua R. Ennen. 2011. Wildlife Conservation and Solar Energy Development in the Desert Southwest, United States. *BioScience* 61(12): 982-992.

Wood, Dustin A., J.M. Meik, A.T. Holycross, R.N. Fisher, & A.G. Vandergast. 2008. Molecular and phenotypic diversity in *Chionactis occipitalis* (Western Shovel-nosed Snake), with emphasis on the status of *C. o. klauberi* (Tucson Shovel-nosed Snake). *Conserv Genet.* 9:1489–1507.

BLM Director. 2011. Greater Sage-Grouse Interim Management Policies and Procedures. Instruction Memorandum No. 2012-043, USDI Bureau of Land Management, Washington, D.C. 20240. December 22, 2011. EMS Transmission 12/27/2011. Reply Refer to: 1110 (170/200/300/400) P. Two attachments. http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2012/IM_2012-043.html.

BLM Director. 2011. BLM National Greater Sage-Grouse Land Use Planning Strategy. Instruction Memorandum No. 2012-044, USDI Bureau of Land Management, Washington, D.C. 20240. December 27, 2011. EMS Transmission 12/27/2011. Reply Refer to: 1110 (170/200/300/400) P. http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2012/IM_2012-044.html.

As always, NDOW is supportive of national and state goals to develop renewable energy development strategies and technologies while averting significant impacts to Nevada's wildlife resources. We look forward to cooperative participation prior to and as part of the development of the Final PEIS. Thank you again for this review opportunity. For additional assistance, please do not hesitate to contact me at the NDOW Southern Region Office, or Steve Siegel at NDOW's State Headquarters in Reno. He can be contacted by phone at 775-688-1561, or by e-mail at ssiegel@ndow.org.

Sincerely,

D. Bradford Hardenbrook
Supervisory Habitat Biologist
Southern Region
Nevada Department of Wildlife
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Thank you for your comment, Ceal Smith.

The comment tracking number that has been assigned to your comment is SEDDsupp20172.

Comment Date: January 27, 2012 20:09:46PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20172

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Attachment: SLVRCA SUPP PEIS comment_final.pdf

Comment Submitted:

Please see attached.

San Luis Valley Renewable Communities Alliance

January 27, 2012

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TO: US Bureau of Land Management
Supplemental Draft Solar PEIS Comments
Argonne National Laboratory
9700 S. Cass Avenue, EVS/240
Argonne, IL 60439

Submitted electronically via: http://solareis.anl.gov/involve/comments/index.cfm

RE: Comments on the Supplemental Draft Solar Programmatic Environmental Impact Statement

To whom it may concern:

On behalf of the San Luis Valley Renewable Communities Alliance (SLVRCA), its members and associates, we submit the following comments on the Supplemental Draft Solar Programmatic Environmental Impact Statement (DPEIS).

SLVRCA is a coalition of farmers, ranchers, biologists, renewable energy advocates and local citizens who view with great concern the industry and government momentum behind siting industrial scale, centralized solar power stations on large swaths of ecologically valuable public lands, particularly in the San Luis Valley, Colorado.

We have come together to urge local, state and national government, utilities, regional environmental groups and the public to abandon this destructive path, and to work toward generating the power we need in the built environment.

In conjunction with our partner organization Solar Done Right, SLVRCA holds that there is a proper hierarchy of priority for strategies to end our nation's addiction to fossil fuels. We should start the switch by using the most cost-effective strategies for renewable energy production, which also happen to be the least environmentally destructive. In descending order of priority:

1. **Reduce demand.** According to some estimates, an aggressive program of conservation and energy efficiency using currently available technology could reduce US power consumption by nearly one third.[1]
2. **Generate renewable energy at or near the point of use.** Distributed solar generation on homes and businesses is cost-competitive and does not incur the energy loss of distribution through transmission lines. Users can benefit through reduced utility bills or sales of power into the grid, or both. Installation time from project conception to completion is measured in weeks rather than years.
3. **Generate renewable energy on a larger scale within the built environment.** Most cities possess large industrial spaces including warehouse roofs, brownfields, large parking lots, airports, and other areas that could be either converted to or augmented with renewable energy production using existing technology. Emerging technologies offer promise for additional methods to incorporate solar energy production into new residential and commercial construction.

***Furthermore,* it should be noted that a focus on both large- and small-scale distributed generation in the built environment is anticipated to create many more jobs than the remote, centralized model now being pursued. A UC Berkeley study published in 2010 concluded that if California instituted a feed-in tariff for projects up to 20 MW in order to achieve its Renewable Portfolio Standard, it would create 3 times as many jobs as without, and would result in $2 billion in tax revenues and billions in new investment.**

The approach described above can meet our electrical energy needs without sacrificing biologically valuable ecosystems in Colorado and other southwestern states with large scale concentrating solar power plants.

Should these common-sense methods fail to meet our society's long-term demand for renewable

[1] http://www.grist.org/article/2009-09-11-how-much-energy-does-the-us-waste/

energy, centralized solar power plants should be sited only on available disturbed, degraded and contaminated lands that offer little carbon sequestration, wildlife habitat or other natural resource values. Renewable technologies that do not deplete scarce arid land water resources should be prioritized. In any event, prudent and responsible renewable energy development should always steer large-scale renewable energy production away from intact public and private wildlands and prime agricultural lands.

SLVRCA shares many of the Environmental Justice/Socioeconomic concerns expressed in the Conejos County Clean Water, Inc. comment letter. These same concerns can be extended to all six counties in the San Luis Valley (Conejos, Costilla, Alamosa, Rio Grande, Mineral and Saguache). All of the SLV Counties have significant Hispanic and low-income populations that are among the poorest in Colorado and the nation.

The industrial solar development scenario embedded in the PEIS could serve to worsen poverty in areas adjacent to industrialized solar zones, impacting these communities unfairly and disproportionately. Executive Order 12898, February 11, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires BLM and DOE to identify and address potential disproportionately high and adverse human health and environmental impacts on minority and low-income populations. The PEIS does not address environmental justice impacts likely to disproportionately affect low-income San Luis Valley communities, ratepayers and taxpayers including, but not limited to the following:

1. Disproportionate incentives and benefit to absentee private corporations to develop public resources while depriving local communities of traditional livelihood activities (such as grazing) that rely on access to public resources,
2. Creation of a path dependency on remote, centralized industrial solar development that siphons scarce financial, labor, transmission capacity, demand and land resources away from local, community based renewable energy development that would provide significantly more economic and environmental benefits to SLV communities and Colorado, the region and the nation.
3. Significantly higher costs to taxpayers and ratepayers for renewable energy resources compared to local, distributed generation in the built environment, thus exasperating the massive, inequitable wealth gap in the US that underlies many of our economic problems.
4. Inadequate bond requirements that push project infrastructure costs for water, roads, bridges, housing, emergency, fire protection and medical services, and other services on to poor communities,

5. Preferential contractor and vendor requirements that favor large companies and exclude local labor and business,
6. No tangible revenue-sharing mechanism to affected Counties, communities and municipalities.

The San Luis Valley has long been known for its scenic views and rich cultural heritage as one of the nations oldest settled regions. Cultural resource assessments have not been made for the proposed Solar Energy Zones or all areas open to solar industrialization through variance. We strongly advise BLM to consult with known historians and cultural experts in the Valley's Hispanic communities, who have knowledge of cultural and historical resources unavailable to government agencies.

Despite claims from mainstream, urban based environmental groups, the proposed Colorado Solar Energy Zones (SEZ) are not "areas of low conflict" lacking in significant cultural or ecological values. What follows are new concerns specific to Colorado's proposed Solar Energy Zones that are not included in our previously filed oral and written comments.

Fourmile East SEZ

This area is in close proximity, just 9 miles south of the Great Sand Dunes National Park. The site is very likely to harbor many of the same endemic species as GSDNP, but it has not been properly inventoried. Large-scale industrialization so close to a national park, and southern Colorado the San Luis Valley's greatest tourism resource, is totally inappropriate. The PEIS does not address potential impacts on GSDNP and the local economy, due to potentially degraded scenic and biodiversity values.

De Tilla Gulch

While adjustments were made in the Supplemental PEIS to reduce the size of this proposed SEZ, concerns still remain. The site contains valuable habitat for Gunnison's prairie dog, Gunnison's sage-grouse, severe winter range for elk, winter concentration habitat for pronghorn and short-grass prairie that supports the globally vulnerable thirteen-lined ground squirrel and silky pocket mouse. In addition, the site and natural carbon sequestration values.

Antonito Southeast SEZ

The proposed zone includes the Cumbres and Toltec Scenic Railroad that has been designated and Area of Critical and Environmental Concern (ACEC) including the area East of San Antonio Mountain. These high-value hills with flat open range for wildlife grazing, pinon, juniper and ponderosa pine forests should be removed from the SEZ proposal.

Los Mogotes East SEZ

This area is also near a designated ACEC, eight miles southwest of La Jara where the Conejos River forms its southern boundary. The area contains important biological values including supporting a very large (~60,000-acre) Gunnison's prairie dog complex with active colonies, critical winter range for big game species and known Mountain plover nesting sites. It is a traditional hunting area for Antonito and Capulin residents and is characterized by sweeping views of the Sangre de Cristo mountain range. The site is also located immediately west of the Old Spanish Natural History Trail. According to local cultural resource experts, it contains significant undocumented, but important, historical and cultural resources and sites.

Perhaps our largest concern is the failure of the PEIS to adequately assess cumulative impacts. There have been a series of large-scale industrial solar proposals on private lands, as well as new proposals to expand protected areas in the region. The PEIS fails to consider, even in the most rudimentary way, how the PEIS scenario will cumulatively impact the people, wildlife, landscapes, sense of place values, health, socioeconomics and environment in the San Luis Valley and Colorado.

In conclusion, we believe the Draft Solar PEIS, and the path it lays out for our County's renewable energy future, remains fundamentally flawed.

The DOI, DOE and BLM are required to consider a far broader range of alternatives including full consideration of distributed generation in the built environment and EPA's **RE-Powering America Plan**. Arizona has worked closely with EPA to identify severely degraded lands that we encourage all State's involved in the PEIS to implement according to the Solar Done Right hierarchy of priority for solar development outlined above.

While the Energy Policy Act—upon which Interior leans—expressed Congress' "sense" that Interior "should seek to have approved" a stated amount of non-hydropower renewable energy on public land, it did not establish a mandate. Interior is not required to engage in this radical privatization of public lands for industrial solar energy development, and in light of the evidence

regarding the damage it would cause, has the discretion to, and must, change course.

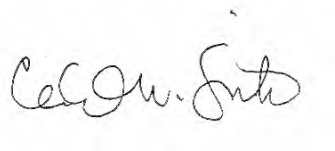
In addition to turning to degraded, contaminated sites, there is vast potential to get outmoded, environmentally destructive solar off public lands through the alternative of distributed generation through solar PV installations in the built environment.

The PEIS dismisses distributed generation on the basis of defining the purpose and need as "[responding] in a more efficient and effective manner to the *high interest in siting utility-scale solar energy development* on public lands." This purpose and need statement, and the alternatives formulated for it, are disproportionally and unfairly geared towards meeting the interests of large corporations rather than on the urgent need to renew our communities through ***local*** economic development and jobs, build a more efficient and reliable energy system, and reduce our fossil fuel use in the least damaging, most cost-effective and sustainable way.

The PEIS process has cost millions of public dollars, absorbed the time and energy of thousands of people, and yet has utterly failed to move us one inch closer to a cost-effective, efficient, smart or environmentally responsible renewable-energy policy.

We join with Solar Done Right in calling on the BLM to either expand the PEIS analysis away from industrial-scale development on public lands or relinquish its role as the ill-chosen federal standard-bearer for renewable energy.

Sincerely,



Ceal Smith
On behalf of SLVRCA members and affiliates

Thank you for your comment, Michael Govan.

The comment tracking number that has been assigned to your comment is SEDDsupp20173.

Comment Date: January 27, 2012 20:10:56PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20173

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Attachment: Letter to Solar Energy Programmatic EIS.pdf

Comment Submitted:

January 25, 2012

To: Solar Energy Programmatic EIS
Argonne National Laboratory
9700 S. Cass Avenue - EVS/240
Argonne, IL 60439

RE: Protecting Coal Valley and Garden Valley, Nevada to preserve City

To Whom It May Concern:

On behalf of the Los Angeles County Museum of Art ("LACMA"), I am writing to strongly urge that the Coal and Garden Valleys in Nevada be excluded from any potential solar energy development by the Bureau of Land Management ("BLM"). These valleys house Michael Heizer's City project, the largest of a series of epic-scale earthworks by American artists in the western part of the United States. Any development in the region would undermine City's artistic value, as well as the substantial support that has been provided by numerous Foundations, individuals, and institutions across the country, including LACMA.

City began as a vision by the artist Michael Heizer in 1972, and over the course of the next four decades has grown to a size equivalent to the National Mall. City is among the largest sculptures ever constructed, deriving its inspiration from a variety of landscapes and art forms. Utilizing the most modern building technologies to create his timeless, awe-inspiring forms, Heizer's City will stand as one of the most remarkable and famous monuments of our time. While the project is not yet complete, it has already earned international recognition and, once finished, the sculpture will continue to have a positive impact on the local economy by drawing visitors from around the globe.

City has drawn interest from museums across the United States, universities, and institutions involved in culture and the arts. It has also been the subject of coverage in prominent media outlets like the The New York Times. LACMA and other supporters of City believe it to be a critically important piece of art that should be preserved in its purest form.

Michael Heizer chose the location for City based on the beauty, remoteness and undeveloped nature of Coal and Garden Valleys—an essential component of City. This nearly complete masterpiece, world-renowned even in its unfinished state, is threatened. Under the current draft Programmatic Impact Statement ("PEIS"), we believe that while Garden Valley is protected, Coal Valley would be subject to solar development. Such a decision would jeopardize the isolation and natural surroundings of City that inspired Heizer to create it. In addition to the national sponsors, there are a number of philanthropic supporters of Heizer's project in Garden Valley. A collective investment in this project of national and international cultural importance would be lost.

In order to avoid this outcome, we believe that the PEIS could be improved by removing Coal Valley from consideration, and ensuring that Garden Valley is excluded as well. It is the only way to ensure that students, scholars, and other visitors to the site may fully experience City in its purest form for years to come. Once the sculpture is finished, visitors to the artwork and local

employment for the maintenance of the project will have a positive ongoing effect on the local economy. I urge BLM to seek alternates for the solar energy development that would mitigate the impacts on this important cultural resource, the Coal and Garden Valleys, and their inhabitants.

Thank you for your time and consideration.

Sincerely,

Michael Govan
CEO and Wallis Annenberg Director
Los Angeles County Museum of Art

LACMA LOS ANGELES COUNTY MUSEUM OF ART
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MICHAEL GOVAN

CEO/WALLIS ANNENBERG DIRECTOR
T 323 857 6001
F 323 857 6148

January 25, 2012

To: Solar Energy Programmatic EIS
Argonne National Laboratory
9700 S. Cass Avenue - EVS/240
Argonne, IL 60439

RE: Protecting Coal Valley and Garden Valley, Nevada to preserve *City*

To Whom It May Concern:

On behalf of the Los Angeles County Museum of Art ("LACMA"), I am writing to strongly urge that the Coal and Garden Valleys in Nevada be excluded from any potential solar energy development by the Bureau of Land Management ("BLM"). These valleys house Michael Heizer's *City* project, the largest of a series of epic-scale earthworks by American artists in the western part of the United States. Any development in the region would undermine *City's* artistic value, as well as the substantial support that has been provided by numerous Foundations, individuals, and institutions across the country, including LACMA.

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Thank you for your time and consideration.

Sincerely,

Michael Govan
CEO and Wallis Annenberg Director
Los Angeles County Museum of Art

Thank you for your comment, Michael Powelson.

The comment tracking number that has been assigned to your comment is SEDDsupp20174.

Comment Date: January 27, 2012 20:11:07PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20174

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Attachment: SOLAR_PEIS_MITIGATION_LETTER_20120127.pdf

Comment Submitted:

See attachment

January 27, 2012

Mr. Bob Abbey
Director
Bureau of Land Management
Solar Energy PEIS
Argonne National Laboratory
9700 South Cass Avenue
Argonne, IL 60439

Dear Mr. Abbey:

Thank you for the opportunity to comment on the Supplement to the Draft Programmatic Environmental Impact Statement for Solar Energy Development (SDPEIS). Our organizations greatly appreciate the tremendous effort BLM has undertaken in the development of the draft PEIS and the subsequent Supplement, to create a solar development program. However, a critical aspect of a comprehensive solar development program is essentially absent, that of mitigation.

Mitigation, and specifically compensatory mitigation, provides an essential opportunity to protect the health of the nation's land, waters, and wildlife, while facilitating cost-effective, efficient and timely development of our nation's energy resources. To best meet the nation's conservation and energy development goals requires creating a mitigation program that is transparent, systematic, based on sound science, and addresses clear conservation priorities. Many (if not all) of the elements of a comprehensive mitigation program BLM is already using, developing or exist. The BLM/DOE Solar PEIS provides an opportunity to mesh these elements together under a consistent policy framework. The goal is clear policies establishing how compensatory mitigation is integrated into project NEPA documents and BLM decisions for all projects, leading to increased effectiveness and accountability of offsite mitigation while providing project developers, agency staff, and stakeholders with greater certainty regarding mitigation objectives and methods for implementing offsite mitigation. BLM appears to rely on the project proponent to design and develop mitigation proposals with little advance guidance, leading project developers to spend significant time and money developing a plan with very little idea of what will ultimately be required. And for a variety of reasons, project developers are not appropriate entities to design and implement compensatory mitigation.

The PEIS should define a mitigation *framework* that captures the mitigation hierarchy and drives siting and mitigation. The undersigned recommend that the mitigation hierarchy, i.e. avoid, minimize and offset, should be the guiding principle in establishing a mitigation framework and a subsequent compensatory mitigation program. These recommendations are principally focused on "offsets," i.e. compensatory offsite mitigation, however it is important that the entire mitigation hierarchy by addressed in the PEIS.

The primary and most important basis of a mitigation framework, and the basis for a compensatory mitigation program, is an understanding of the ecological attributes of the lands under consideration. We r**ecommend** the PEIS commit to using landscape-scale and finer scale ecological assessments that articulate the ecological health, status and/or condition of the species, habitats, migration corridors, and related values, e.g. recreation, across the landscape of potential development and any subsequent mitigation, i.e. the geographic scope of the PEIS. The PEIS should specifically commit, at a minimum, to incorporating and using existing and ongoing ecological analysis, especially those of its own creation and those of the affected States. Much of this information is currently available or under development by the BLM (and sister DOI agencies and contractors), States, and organizations like The Nature Conservancy and Natureserve. This includes BLM's Rapid Ecological Assessments (REAs), products created for the PEIS by Argonne and others, products produced by BLM's Assessment, Monitoring and Inventory (AIM) efforts, the California Desert Renewable Energy Conservation Plan (DRECP), BLM's Restoration Design Energy Project in Arizona, State Wildlife Plans, State Decision Support Systems (DSS), The Nature Conservancy's Mojave eco-regional assessment and West Mojave least conflict analysis.

A mitigation framework within the PEIS should seek to avoid ecological impacts to the greatest extent possible, especially to resources that cannot be mitigated or are declining – avoiding impacts by proper siting based on ecological analyses is the surest, easiest and best way to avoid subsequent mitigation demands. Significant impacts to habitat that supports special functions and values may simply not be replaceable through mitigation and therefore the best course may be to avoid those areas altogether. We recommend the PEIS identify specific lands where development should not occur. This list should be expanded to exclude development where there are ecological or other resources that are not mitigatable, declining, limited or rare, and should take into account the cumulative effects of development in determining these attributes.

After avoidance, a mitigation framework within the PEIS should seek to minimize ecological impacts through project design, and require Best Management Practices (BMPs) that specifically seek to minimize impacts during construction, operation, maintenance, and decommissioning, including implementing appropriate conservation measures related to timing and conduct of project activities. While the PEIS has extensive discussion of project siting, construction and operational BMPs, it provides little ecological and subsequent monitoring criteria to ensure that impacts are minimized to the greatest extent possible, especially to groundwater. The PEIS should establish clear ecological benchmarks that developers are to address in project development and operation.

The last facet of a mitigation framework is compensation for residual impacts (direct and indirect effects that are not avoided or minimized on-site) by providing replacement habitats, restoration of habitats, or other benefits, e.g. management actions that provide conservation benefits. The mitigation hierarchy recognizes that offsite mitigation is an inherently uncertain undertaking, which means that compensatory mitigation is sought only after efforts to avoid and minimize the impacts have been addressed. Inclusion of a compensatory mitigation program in the PEIS is the most efficient, cost-effective way to ensure the mitigation hierarchy is fully addressed within the mitigation framework.

A robust compensatory mitigation program consists of six elements:

1. An ecological baseline upon which unavoidable impacts are assessed.
2. A transparent mechanism or methodology to assess & quantify unavoidable impacts over the life of the impacts.
3. A consistent methodology to translate the impacts into dollars, i.e. mitigation investments.
4. A structure to hold, prioritize and apply mitigation investments. At a minimum the structure should include BLM, the USFWS, and State Fish and Game agencies – we recommend that key stakeholders be represented as well, including counties and conservation, sportsmen and recreation organizations.
5. A prioritization, e.g. conservation plan, as to where and how mitigation investments should be made to address impacts while seeking the highest return on investment.
6. Monitoring to ensure mitigation investments are adequate relative to impacts over the life of the impacts, with a feedback loop to ensure the mechanism to assess and quantify the impacts and the methodology to translate the impacts into mitigation investments adequately reflect sufficient mitigation.

We recommend the PEIS, at a minimum, include the establishment of a compensatory mitigation program that encompasses the six elements listed above, including at a minimum, attributes for each element that inform how they would be structured and implemented.

Thank you for your consideration of our comments. We look forward to working with BLM on creating a mitigation framework and specifically regional mitigation plans that ensure protection of our countries critical natural resources while allowing the robust development of solar energy.

Sincerely,

Robert Bendick
Director, U.S. Government Relations
The Nature Conservancy

Gary Taylor
Legislative Director
Association of Fish and Wildlife Agencies

Steve Williams
President
Wildlife Management Institute

Boone & Crockett Club

Miles Moretti
President/CEO
Mule Deer Foundation

Thank you for your comment, Pat Flanagan.

The comment tracking number that has been assigned to your comment is SEDDsupp20175.

Comment Date: January 27, 2012 20:26:43PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20175

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Attachment: MBCA comments to SPEIS_Jan 2012.pdf

Comment Submitted:

MBCA
morongo basin conservation association
P. O. Box 24 Joshua Tree California www.mbconservation.org

To: US Bureau of Land Management
Supplemental Draft PEIS Comments
Argonne National laboratory
9700 S. Cass Avenue, EVS/240
Argonne, IL 60439

Submitted electronically via: http://solareis.anl.gov/involve/comments/index.cfm

January 27, 2012

RE: Comments on the Supplemental Draft Solar Programmatic Environmental Impact Statement

To Whom It may Concern:

In July 2008 and May 2011, the Morongo Basin Conservation Association (MBCA) provided comments on the Scoping and DPEIS. We are pleased for the opportunity to comment on the Supplemental Draft PEIS Solar Energy Development Programmatic Environmental Impact Statement (SDPEIS).

The Morongo Basin Conservation Association is a 501(c) (4), community-based, California Non-Profit Corporation. The MBCA is the oldest collective voice in our area for educating the Morongo Basin"s citizens about the unique and valuable natural desert environment surrounding us. MBCA was founded in 1969, during a successful 11-year campaign to avert the imposition of power lines through the Morongo Basin by Southern California Edison. We have continued to be vigilant in seeking to protect the desert ecosystem surrounding us.

We are concerned that this plan proposed by the federal government to support renewable energy continues to subvert our efforts as desert citizens to preserve and protect desert resources and the interests of desert communities. We support energy usage reduction and renewable energy in a local distributed mode ("rooftop solar") as the primary goals in reducing carbon emissions and meeting energy needs. The federal government"s own 2006 Climate Technology Strategic Plan[1] listed distributed and community-scale technologies as important methods to meet goals for reducing emissions from end use and infrastructure (p. 79) and reducing emissions from the energy supply (p. 111).

[1] US Climate Change Technology Program, Strategic Plan. DOE/PI-0005, September 2006.

California

Today California is a leader in the production of rooftop solar energy. Among the top 25 nations, California ranks as the 6th in Solar PV construction[2]

> **California's Solar Market Is Growing Rapidly**
>
> *Over the last decade, the market for solar energy systems on or near homes and buildings in California grew nearly 100-fold. In 2000, California had fewer than 1,000 rooftop solar systems, with less than 10 megawatts (MW) of total electric generation capacity. In 2011, California passed the milestone of installing 1,000 MW of distributed solar capacity, with more than 100,000 separate installations. The state is on track to achieve the goal of the 2006 Million Solar Roofs Initiative, adding 3,000 MW of distributed solar capacity by the end of 2016.*[3]

The Morongo Basin"s incorporated cities and unincorporated areas are having their own impact on California"s renewable energy quotas.

Data in chart below is excerpted from Appendix 1: Alphabetical Listing for all Cities in California[4].
The chart contains the data for the total number and total capacity of grid-tied solar systems installed in all of California's incorporated cities in alphabetical order.

City	# Solar PV Installed	Rank by Total Installations	Total Solar PV Capacity	Rank by total PV Capacity
Twentynine Palms	57	320	258	418
Yucca Valley	52	335	254	419
Joshua Tree	46	358	360	374

In addition the following projects are under construction on private land within the Morongo Basin. These projects feed into the Southern California Edison grid and support the daily energy needs of local citizens and businesses.

- SEPV8, a 12 MW project on 100 acres and
- SEPV2 a 2 MW project on 20 acres

Our actions speak for themselves; Solar PV is an essential and growing enterprise in the Morongo Basin.

Morongo Basin, San Bernardino County, CA

Rather than speak in general, our intent in this letter is to demonstrate how it appears the SDPEIS might affect the basin environment, its citizens, their economy, and quality of life. The Morongo Basin spans 1,400 square miles in the Mojave Desert and is notable for is richly varied wide open landscapes and numerous human and wildlife communities. Topographically it is a well defined

[2] California Solar Cities 2012: Leaders in the race towards a clean energy future. California Environment Research and Policy Center http://www.environmentcalifornia.org/sites/environment/files/reports/California%27s%20Solar%20Cities%202012%20-%20Final.pdf

[3] Ibid.

[4] Ibid.

basin and range region with the San Bernardino Mountains to the west, the Little San Bernardino Mountains to the south, the Bullion Mountains to the north, and the lower elevations of Wonder Valley to the east. The sense of place, as well as the economic drivers for the 70,000 basin residents and businesses are Joshua Tree National Park (JTNP -1.4 million visitors in 2010) and the Marine Corp Air Ground Combat Center (MCAGCC).

Connectivity and Variance Lands

The region is a stronghold for the endangered desert tortoise as well as the iconic desert bighorn sheep and mountain lion. For these and numerous other animal and plant species the mountain ranges are conservation blocks providing habitats currently connected across the basin but in danger of fragmentation. The designated SDPEIS Variance lands threaten to fracture the desert ecosystem with its piecemeal approach, ignoring the fragile and essential connections that keep desert ecology intact and functioning.

The 2010 release of the *Mojave Desert Ecoregional Assessment* [5] by The Nature Conservancy brought to national attention the intactness of the Mojave Desert ecoregion. This intactness supports a healthy functioning ecosystem with a high level of biodiversity which we have yet to fully document:

> *Using the trends from the past 50 years and extrapolating forward in time, we can expect to discover another 200 native plant species in the California deserts over the next 50 years. Thus, approximately nine percent of today's California desert plants are not yet named by science.*[6]

In the belief that a functional network of connected wildlands is essential to the continued support of California"s diverse natural communities in the face of human development and climate change, the California Department of Transportation, the California Department of Fish and Game, and the US Department of Transportation commissioned the *California Essential Habitat Connectivity Project*.[7] It was completed in 2010. The *California Desert Connectivity Project* is currently underway to complete the 23 desert linkage designs. Ecological integrity or "naturalness" is used as primary basis for defining the natural landscape blocks.[8] The location and landscape wide acreage available for large scale solar development and transmission lines under the DSPEIS "No Action"

[5] Randall, J.M., S.S. Parker, J. Moore, B. Cohen, L. Crane, B. Christian, D. Cameron, J. MacKenzie, K. Klausmeyer and S. Morrison. 2010 Mojave Desert Ecoregional Assessment. Unpublished Report. The Nature Conservancy, San Francisco, California. 106 pages + appendices. Available at http://tinyurl.com/3t5rapn

[6] Andre, James; director, University of California Granite Mountains Desert Research Center. Email communication to Solar Done Right, February 17, 2011. Reported in US Public Lands Solar Policy: Wrong from The Start. P.7. April 4, 2011. Available for download at www.solardoneright.org .

[7] Spencer, W.D., P. Beier, K. Penrod, K. Winters, C. Paulman, H. Rustigian-Romsos, J. Strittholt, M. Parisi, and A. Pettler. 2010. California Essential Habitat connectivity Project: A Strategy for Conserving a Connected California. Prepared for California Department of Transportation, California Department of Fish and Game, and US Department of Transportation. www.scwildlands.org

[8] Ibid. p.5

and Modified Program Alternatives do not support the ecological integrity essential for successful linkage design. This research was timely but not found to be referenced in the Draft or Supplemental PEIS. The *California Essential Habitat Connectivity Project* map which includes the Desert Wildlands Blocks and the targeted linkages is provided on page 8 of this letter.

BLM lands are located in the basin, and throughout the California Desert, in a more or less hap-hazard array of varying size blocks of land with differing classifications. In the Morongo Basin BLM unclassified lands are checker-boarded with private lands. For instance, in the lower elevations surrounding Copper Mountain the average size of BLM unclassified parcels is 11 acres and the average size of private parcels is 8 acres. In the Pinto Mountain area, bordering JTNP, the No Action designation covers the 11,716 acre Pinto Mountain DWMA and a portion of the Mojave Fringe-toed Lizard ACEC.

The Morongo Basin was the first desert area to be thoroughly studied by South Coast Wildlands for linkage designs.[9] The Joshua Tree – Twentynine Palms connection specifically addressed how to prevent JTNP and MCGACC from becoming ecological islands. How do the linkage designs in the Morongo Basin overlap with the BLM Variance lands? The attached map (page 9 of this letter), produced by the Sonoran Institute, visualizes Variance lands in relation to the wildlife linkage designs. Both the No Action and the Modified Program Alternative obstruct the linkage designs at their north and south portals as well as many of the mid-linkage areas. The Modified Program Alternative carpets the residential community of Wonder Valley. Since the No Action (pink) lands remain on the map it is assumed that both wind and solar applications will be processed.

The SDPEIS maps show that non-wilderness BLM lands are never out of consideration for utility scale solar development, the rules just change. For instance, the „excluded" areas in the Riverside East SEZ show up on the map as pink No Action zones. The same is true for the „excluded" lands within the proposed Mojave Trails National Monument which are now No Action pink. Lands purchased with private monies and donated to the federal government for conservation, for example the former Catellus lands, should be fully excluded from the variance process. As it stands currently, they are mapped as No Action pink lands within the proposed Variance lands. We question: what does exclusion really mean? **Instead of blanketing all unprotected BLM land (non-wilderness) with a Variance designation of one kind or another, we suggest Variance lands should be eliminated throughout the California Desert. At a minimum, remove the No Action unfiltered lands from consideration including those purchased for their conservation values and gifted to the federal government.**

Local Planning

[9] South Coast Wildlands Reports: *A Linkage Design for the San Bernardino – Little San Bernardino Connection* 2005 and *A Linkage Design for the Joshua Tree – Twentynine Palms Connection* 2008 www.scwildlands.org

The 70,000 residents of the Morongo Basin are governed by General Plans developed by the Town of Yucca Valley, the City of Twentynine Palms, and the San Bernardino County including the Joshua Tree Specific Plan. The State of California mandates that the cities and counties develop General Plans so that growth and development is managed in an orderly well-planned manner that respects the natural environment, existing neighborhoods, and enhances community values. General Plan (GP) development and their updates take thousands of professional and citizen volunteer hours and can cost in excess of a million dollars. All of the mandated seven elements in a GP carry equal weight and must be consistent. The GP is the basis for the development code and ordinances. The GP undergoes a CEQA review. The linkages designs are incorporated in the local GPs as elements for land use, open space, and conservation planning. Although what happens in the Variance lands must be consistent with BLM land use plans, there is no certainty of consistency with local GPs.

In Table 2.3-2 it is stated that industrial solar development *could alter the character of largely rural areas.* There is no requirement for BLM to evaluate projects against local General Plans, development codes or ordinances. Rural communities, whose livelihood depends on its surrounding open space, deserve the same notification as livestock grazing operators (page 2-5). **Consultation with city and county planners and local citizen stakeholders is essential throughout the process.**

Local Economy

Future approved utility scale solar projects on BLM Variance lands could be considered a type of rogue sprawl development which does not contribute to orderly growth and development, does not support the tourism based economy, does not return significant revenue to local and county governments, does not provide any significant number of long term jobs, significantly threatens the wildlife linkages, and compromises the view shed for Joshua Tree National Park (JTNP) and the gateway communities. Visual Resource comments in Table 2.3-3 notes that a SEZ is visible within 25 miles of 149 sensitive resources in the Modified Alternative. The number increases to 1,510 for the No Action Alternative. **Using your figures, we request a 25 mile exclusion area around national parks.** This will go a long way toward avoiding projects that impact local planning and tourism economies of our gateway communities.

The economic value of JTNP to tourism was emphasized in two recent conferences – The Western Governors Conference in Yucca Valley and JTNP"s mini-conference "Economic Relationship Between National Parks and Gateway Communities." Following is a summary of remarks by Daniel Stynes, professor emeritus from Michigan State University who developed the NPS money generation model 2:

- JTNP"s 2010 economic impact: 1.44 million visits, 287,765 overnight stays. $58.8 million visitor spending within 30 miles, $6.4 million inside park. Local impact was 732 jobs, $23.4 million in labor income and $37.9 million value-added. The park itself has 140 employees

with an annual payroll of $8 million. Payroll impact is 162 jobs, $8.8 million labor income and $9.6 million value-added. Park payroll and visitor spending equal 900 local jobs.

• Per party per trip, locals spend $10.93 outside the park per visit, day-trippers spend $40.56; those who stay overnight spend $451.07, campers spend $84.67 and others spend $27.09.

• In 2010, 666,024 visitors spent $58.8 million in the Basin. Breakdown: Hotels/motels $20.6 million (35 percent); restaurants/bars $10.5 million (18 percent); gas and oil, $9.3 million (16 percent); groceries $4.6 million (8 percent); local transportation $4.4 million (7 percent); souvenirs $4.1 million (7 percent); camping fees $1.4 million (2 percent).

• Most visitors stay outside the park and many visit other area attractions. Spending inside the park is limited. Total package for visitors is Lodging, food, amusements, recreation, transportation, information, souvenirs.

• Officials must look at how to reach local visitors, day-trippers (those living within 60 to 90 miles), overnighters, national/international visitors. **They also must look at trip purposes: Biggest spenders are general sight-seers,** next is activity-oriented visitors, those for whom the park is their primary destination and those coming for special events.

The assumption that Utility Scale Solar Development will benefit the local economy needs to be tested against the data in the NPS Money Generation Model for Joshua Tree National Park[10].

Adaptive Management and Monitoring

We draw your attention to the recent paper in BioScience "Wildlife Conservation and Solar Energy Development in the Desert Southwest, United States".[11] The abstract is quoted below.

> *Large areas of public land are currently being permitted or evaluated for utility-scale solar energy development (USSED) in the southwestern United States, including areas with high biodiversity and protected species. However, peer-reviewed studies of the effects of USSED on wildlife are lacking. The potential effects of the construction and the eventual decommissioning of solar energy facilities include the direct mortality of wildlife; environmental impacts of fugitive dust and dust suppressants; destruction and modification of habitat, including the impacts of roads; and off-site impacts related to construction material acquisition, processing, and transportation. The potential effects of the operation and maintenance of the facilities include habitat fragmentation and barriers to gene flow, increased noise, electromagnetic field generation, microclimate alteration, pollution, water consumption, and fire. Facility design effects, the efficacy of site-selection criteria, and the*

[10]Daniel J. Stynes, Michigan State University http://35.8.125.11/mgm2_new/

[11] Jeffrey E. Lovich and Joshua R. Ennen. Wildlife Conservation and Solar Energy Development in the Desert Southwest, United States. BioScience 61:982-992

cumulative effects of USSED on regional wildlife populations are unknown. Currently available peer-reviewed data are insufficient to allow a rigorous assessment of the impact of USSED on wildlife.

This peer-reviewed paper sets a high bar for the adaptive management and monitoring strategy developed by the U.S.G.S. **These findings by Lovich and Ennen must be incorporated into the adaptive management and monitoring implementation strategy in the Final Solar PEIS.**

The Morongo Basin Conservation Association also supports the conclusions of Solar Done Right. www.solardoneright.org

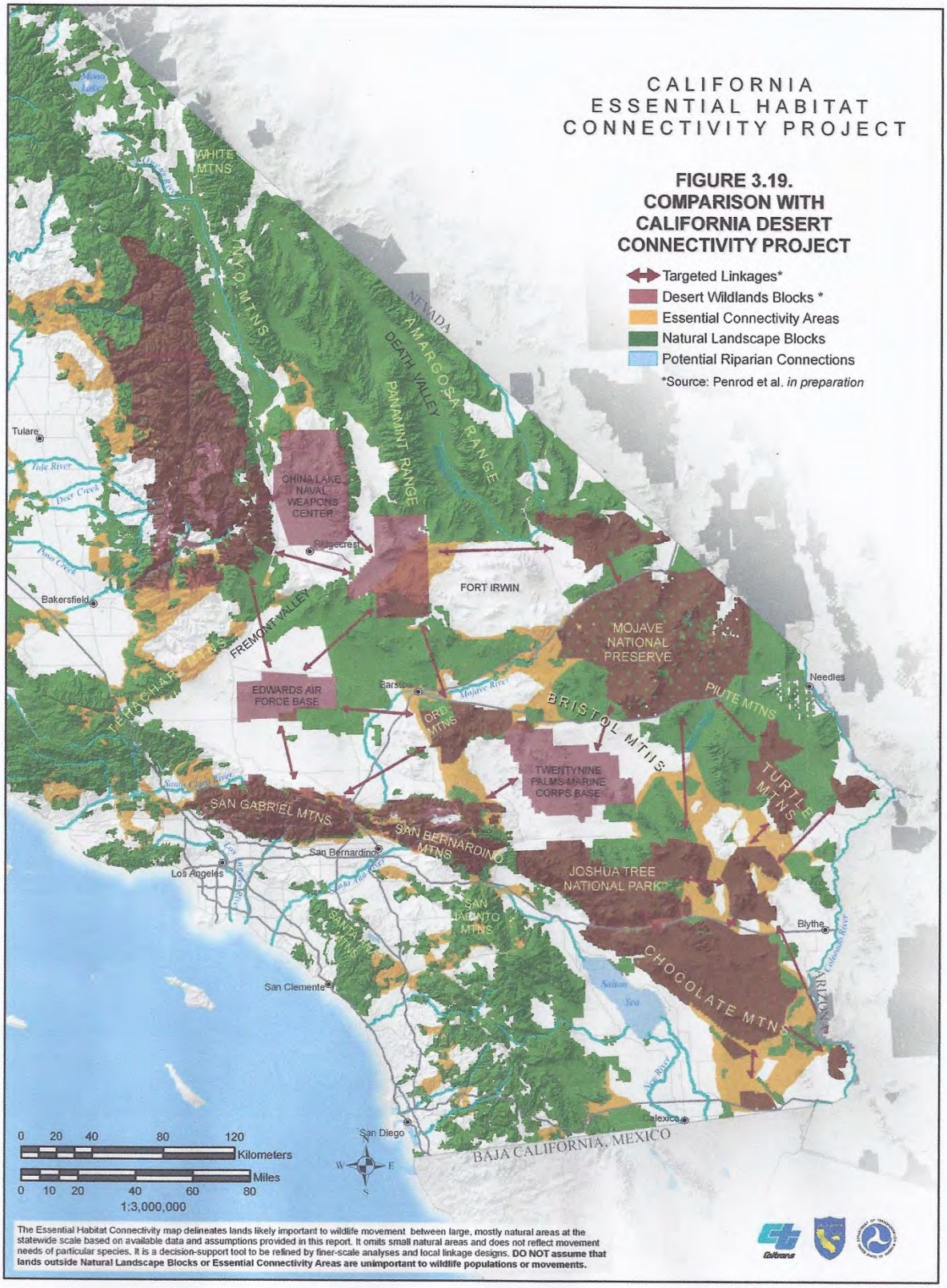
Habitat destruction threatens the diversity of life on our planet. Renewable energy strategies that damage habitat only make the problem worse. Distributed generation such as rooftop solar is the faster, cheaper, cleaner and more effective way of meeting our energy needs in the next century.

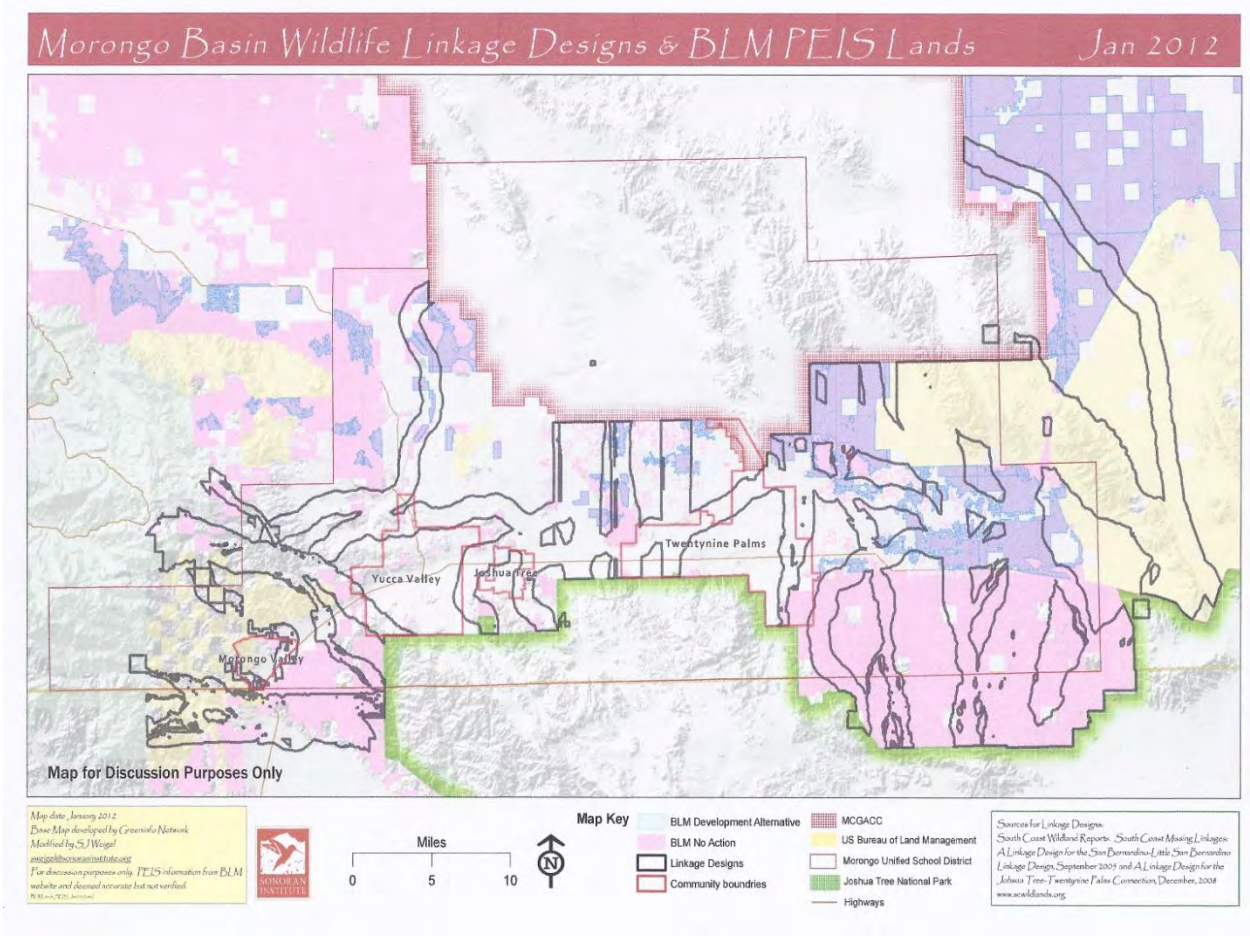
In summary, here are our recommendations:

1. **Instead of blanketing all unprotected BLM land (non-wilderness) with a Variance designation of one kind or another, we suggest Variance lands should be eliminated throughout the California Desert. At a minimum, remove the No Action unfiltered lands from consideration including those purchased for their conservation values and gifted to the federal government.**
2. **Consultation with city and county planners and local citizen stakeholders is essential throughout the process.**
3. **We request, at a minimum, a 25 mile exclusion area around national parks.**
4. **The assumption that Utility Scale Solar Development will benefit the local economy needs to be tested against the data in the NPS Money Generation Model for Joshua Tree National Park**
5. **These findings by Lovich and Ennen must be incorporated into the implementation plan for the strategy in the Final Solar PEIS.**
6. **These findings by Lovich and Ennen must be incorporated into the adaptive management and monitoring implementation strategy in the Final Solar PEIS.**

Sincerely,

Pat Flanagan,
Board Member, MBCA


CALIFORNIA
ESSENTIAL HABITAT
CONNECTIVITY PROJECT
FIGURE 3.19.
COMPARISON WITH
CALIFORNIA DESERT
CONNECTIVITY PROJECT
Targeted Linkages*
Desert Wildlands Blocks *
Essential Connectivity Areas
Natural Landscape Blocks
Potential Riparian Connections
*Source: Penrod et al. in preparation
WHITE MTNS
INYO MTNS
NEVADA
AMARGOSA RANGE
DEATH VALLEY
PANAMINT RANGE
Tulare
Tule River
Deer Creek
Poso Creek
Bakersfield
CHINA LAKE NAVAL WEAPONS CENTER
Ridgecrest
FORT IRWIN
FREMONT VALLEY
TEHACHAPI MTNS
EDWARDS AIR FORCE BASE
Barstow
Mojave River
MOJAVE NATIONAL PRESERVE
Needles
PIUTE MTNS
BRISTOL MTNS
ORO MTNS
TWENTYNINE PALMS MARINE CORPS BASE
TURTLE MTNS
SAN GABRIEL MTNS
SAN BERNARDINO MTNS
San Bernardino
Los Angeles
JOSHUA TREE NATIONAL PARK
SAN JACINTO MTNS
SANTA ANA MTNS
Blythe
CHOCOLATE MTNS
ARIZONA
San Clemente
Salton Sea
New River
Mexicali
San Diego
BAJA CALIFORNIA, MEXICO
0 20 40 80 120
Kilometers
0 10 20 40 60 80
Miles
1:3,000,000
The Essential Habitat Connectivity map delineates lands likely important to wildlife movement between large, mostly natural areas at the statewide scale based on available data and assumptions provided in this report. It omits small natural areas and does not reflect movement needs of particular species. It is a decision-support tool to be refined by finer-scale analyses and local linkage designs. DO NOT assume that lands outside Natural Landscape Blocks or Essential Connectivity Areas are unimportant to wildlife populations or movements.


Morongo Basin Wildlife Linkage Designs & BLM PEIS Lands
Jan 2012
Twentynine Palms
Yucca Valley
Joshua Tree
Morongo Valley
Map for Discussion Purposes Only
Map date: January 2012
Base Map developed by Greenwire Network
Modified by S.J.Weigel
sweigel@sonoraninstitute.org
For discussion purposes only. PEIS information from BLM website and deemed accurate but not verified.
SONORAN INSTITUTE
Miles
0
5
10
N
Map Key
BLM Development Alternative
BLM No Action
Linkage Designs
Community boundries
MCGACC
US Bureau of Land Management
Morongo Unified School District
Joshua Tree National Park
Highways
Sources for Linkage Designs:
South Coast Wildland Reports. South Coast Missing Linkages: A Linkage Design for the San Bernardino-Little San Bernardino Linkage Design, September 2005 and A Linkage Design for the Johua Tree-Twentynine Palms Connection, December, 2008
www.scwildlands.org

Thank you for your comment, Ginger Torres.

The comment tracking number that has been assigned to your comment is SEDDsupp20176.

Comment Date: January 27, 2012 20:37:07PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDsupp20176

First Name: Ginger
Middle Initial: S
Last Name: Torres
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Privacy Preference: Don't withhold name or address from public record
Attachment: PGE Comments on the Supplement to the Solar PEIS 1-27-12.pdf

Comment Submitted:

Please find attached comments on the Supplement to the Solar Energy Development Draft Programmatic Environmental Impact Statement submitted by the Pacific Gas and Electric Company. See Attachment.

Thank you,
Ginger Torres on behalf of Diane Ross-Leech

Pacific Gas and Electric Company®

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January 27, 2012

Solar Energy PEIS
Argonne National Laboratory
9700 S. Cass Avenue
EVS/240
Argonne, IL 60439

Subject: **Pacific Gas and Electric Company's Comments on the Supplement to the Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States**

Dear Solar PEIS Team:

Pacific Gas and Electric Company (PG&E) appreciates the opportunity to comment on the Supplement to the Solar Energy Development Draft Programmatic Environmental Impact Statement (PEIS) (Supplement) published in October 2011. We commend the work of the administration and federal agencies in addressing more than 80,000 comments received on the Draft Solar PEIS and proposing new strategies to resolve the complex issues associated with facilitating large-scale solar energy development on public lands.

PG&E is committed to providing safe, reliable, and affordable energy to 15 million Californians in the northern and central parts of the state and to being a partner in California's clean energy future. PG&E expects that new resources under development will allow us to meet the Renewable Portfolio Standard (RPS) compliance goals established in the recent 33 percent RPS by 2020 legislation. We have signed more than 110 RPS-eligible contracts since the start of the RPS program in 2002.

To meet California's aggressive RPS goals, development of additional RPS eligible resources is necessary. This development faces significant challenges in California, including lengthy and costly permitting and environmental review delays. PG&E appreciates the work of the administration and agencies in ensuring that all of the key energy policymakers in the six Southwestern states work together to achieve our mutual energy and environmental goals in a coordinated, comprehensive, and cost-effective manner.

PG&E supports the development of renewable resource technologies, as well as recognizes the need for protecting sensitive habitat and species in California, and supports a balanced approach to meet both objectives.

PG&E is also participating in California Transmission Planning Group, a multi-utility planning forum to coordinate utility transmission planning efforts to support the goal that any new transmission projects for delivery of renewable energy are sized appropriately to meet the needs of all load serving utilities in California. In addition, PG&E places high priority on upgrading existing transmission corridors as opposed to building new green field facilities with an eye to minimizing the footprint of new transmission.

As an active participant in the Solar PEIS review process, PG&E has previously provided comments on the Bureau of Land Management's (BLM) proposed Solar Energy Program in partnership with members of the California Desert and Renewable Energy Working Group (CDREWG). PG&E collaborated with the CDREWG to submit broad policy recommendations in a separate letter dated January 27, 2012.

I. Summary

The enclosed comments are intended to generally express PG&E's ongoing support for provisions of solar energy development siting flexibility as well as the need for implementing clear permitting incentives for developers to site projects within designated zones. We are supportive of a targeted and facilitated approach to siting projects in zones, such as the Solar Energy Zones (SEZs) proposed in the Draft Solar PEIS, combined with identifying and approving new SEZs in a timely manner and creating the proposed variance process to allow exceptional projects outside the zones.

We commend the BLM for incorporating stakeholder comments and feedback on the Draft Solar PEIS by refining SEZs to be carried forward into the Final PEIS, outlining a process for identifying new SEZs, including a description of the authorization process and incentives for projects in SEZs, outlining a variance process for developing projects outside of SEZs and specifying additional biological and cultural resources data and plans that could further facilitate development in SEZs. In particular, the newly proposed variance process for applications outside of SEZs will allow flexibility for developers to site exceptional, high potential, low environmental impact projects on appropriate lands outside of SEZs in the near-term until the necessary new SEZs are added to the Solar Energy Program. While we feel the variance process is necessary at this time for the reasons stated above, we look forward to a robust SEZ program that would be able to meet the goals of renewable energy development and resource conservation to the extent that requests to use the variance process are rare.

We recommend approval without delay of the Solar PEIS proposed Solar Energy Program in order to make available the agency resources that will be needed to identify, select and approve additional SEZs in California. As such, we urge the BLM to begin evaluating new SEZs immediately and in parallel to completion of the Solar PEIS.

II. New Solar Energy Zones and Coordination with the DRECP

PG&E commends the refinement and deletion of appropriate SEZs in the Supplement and BLM's simultaneous proposal of a new SEZ identification protocol. Because the remaining SEZs in California are not adequate to meet the Reasonably Foreseeable Development Scenario stated in the Supplement, the BLM should immediately work to identify new SEZs in California, with stakeholder involvement in a review process separate from the Solar Programmatic EIS.

As such, PG&E supports the highly coordinated integration of Solar PEIS SEZs and the renewable energy zones that are being evaluated in the Desert Renewable Energy Conservation Plan (DRECP), a habitat conservation plan (HCP) and a natural community conservation plan (NCCP). Recognizing that the planning processes for the Solar PEIS and the DRECP are on overlapping schedules, the two processes should be highly coordinated such that they present an integrated and consistent approach to guiding development toward appropriate locations within the southern California deserts. The DRECP should utilize SEZ identification protocol to identify lands appropriate for solar energy development. If the Solar PEIS is approved before the DRECP is completed, the Solar PEIS should allow expedited amendment for the addition of new SEZs on public lands that align with the DRECP findings. BLM should also provide a contingency method for expedited approval of zones under analysis for DRECP, even if the HCP/NCCP for the DRECP is not successfully completed as planned.

The Draft and Supplemental PEIS fail to consider recommendations for adoption of new SEZs in the West Mojave. The unique high insolation and biological values in this portion of the California Desert Conservation Area (CDCA) need strategic planning, investments in data collection and advance mitigation planning similar to the efforts outlined for SEZs. The BLM should incorporate stronger assurance that the DRECP will include outcomes supporting early identification of development zones and conservation strategies for the West Mojave so that this area is well-prepared for serious consideration as a new SEZ.

III. Transmission

PG&E is working collaboratively with key stakeholders both in California and across the nation to lay the foundation for a reliable transmission system that will—over time—provide core infrastructure for the delivery of clean and sustainable energy supplies.

New transmission lines are needed to accommodate new and anticipated renewable energy development. PG&E works with regulators, environmental organizations, government agencies and other stakeholders to support timely construction of transmission lines and permitting of proposed project sites. For example, PG&E has proposed the Midway-Gregg-Tesla Project that would move renewable power from southern and central California to PG&E's load in northern California. The Project is now being reviewed by the California Independent Systems Operator (CAISO) as part of its 2012-2013 Transmission Planning Process.

PG&E supports transmission development to accommodate interconnection and delivery of multiple resource areas to support a robust and competitive market for renewable resources. PG&E believes that greater transmission availability enables competitive markets by providing procurement options from multiple resource areas. Identification of SEZs and related transmission upgrades and additions will provide greater certainty and result in a more orderly, rational, timely, and cost-effective state and regional transmission planning and permitting process as well as result in the least impacts to biological resources.

PG&E has several suggestions regarding improvement to the transmission analysis in the Solar PEIS:

- Timing – The Riverside East and the Imperial East SEZs should be finalized and the process for creating new SEZs in California should be completed as soon as possible to allow CAISO to incorporate SEZ areas into their planning process as early as possible.

- Analysis of Transmission Capacity and Network Upgrades – The Solar PEIS should recognize the downstream upgrades and impacts to high voltage electrical transmission systems. The Solar PEIS should not assume that sufficient additional transmission capacity is available by simply upgrading existing lines. An analysis of existing transmission capacity is lacking in the Solar PEIS and is recommended for inclusion. The Solar PEIS should recognize that transmission network upgrades and additions will be needed to safely and reliably interconnect renewable energy resources from remote areas of the state to population centers. Although a majority of the direct transmission impacts from the Solar PEIS proposed policies and foreseeable development are located outside of PG&E's immediate service territory, some of our facilities may need to be upgraded to accommodate increased loads of power from concentrated solar energy development areas on BLM lands in southern California. For example, a Kramer – Midway transmission line may be needed to support delivery of the amount of power expected by the development anticipated in the Solar PEIS alternatives.

- Corridors – The Solar PEIS does not address the siting of new transmission lines needed within or adjacent to existing rights-of-way and utility corridors nor does it analyze the amount of new rights-of-way or corridors that might be needed to transmit energy into the load centers while adhering to the North American Electric Reliability Corporation (NERC) and Western Electricity Coordinating Council (WECC) reliability criteria. The transmission analysis within the Solar PEIS should include a discussion of the reliability of utilizing existing corridors for all necessary transmission lines, acknowledging transmission facilities standards. The Solar PEIS should facilitate contiguous corridor designation on public and private lands that serve SEZs or multiple projects. Inter- and Intra- State corridors should be seamless, consistent, sized strategically, and durable in term. Inclusion of transmission corridors in the Solar PEIS will ensure success of the SEZ approach. Efforts to streamline the transmission system infrastructure will facilitate development of environmentally responsible utility-scale renewable development in a timely fashion. Specifically, corridor designations in the West Mojave desert may be helpful. The BLM should prepare an evaluation of land and permitting impacts of new and potential upgraded transmission line corridors to deliver power from each SEZ under consideration while meeting the most current NERC and WECC reliability criteria. BLM should also facilitate expedited permitting including providing Federal nexus for Section 7 consultation for corridor projects that serve SEZs.

- Coordination – There should be increased coordination among BLM, state renewable energy policy makers and implementers (e.g., California Energy Commission [CEC], California Public Utilities Commission [CPUC], and Investor Owned Utilities [IOU]), and transmission planning policy makers and implementers (e.g., CPUC, CEC, IOUs, and the CAISO to facilitate solar development. In particular, site development should be closely coordinated with transmission development. For example, transmission line upgrades should be better coordinated such that their construction is completed as renewable projects come online. The BLM in coordination with the CAISO, CPUC, and IOUs should consider doing central planning for land, permitting, and transmission issues. We encourage the BLM to continue to engage with regional planning efforts, like WECC and others, to assist in identifying potential transmission corridors. We also encourage the BLM to coordinate with the CAISO's Revised Transmission Planning Process (RTPP) and seek to optimize the grid with technology diversification.

As stated above, the vast majority of the transmission upgrades and new transmission lines needed to achieve the objectives of the Solar Energy Program will occur outside of PG&E's service territory. Much of this work will occur within the service territory of Southern California Edison (SCE), and we take this opportunity to support the important points outlined in the comment letter submitted by SCE to the BLM on January 26, 2012. We concur with SCE's comments on the Supplement regarding treatment of transmission issues as well the shortcomings pointed out regarding the transmission analysis proposed for SEZs.

IV. Incentives

Section 2.2.2.2.3 of the Supplement provides information on incentives proposed by the BLM to make development in SEZs more attractive to industry, including transmission-related activities. We offer the following recommendations on the incentives proposed in the Supplement:

- The supplement includes incentives to facilitate faster and easier permitting in SEZs. The BLM should describe the methods that the agency will employ to adhere to strict schedules, such as increased staffing and specified timelines.
- The supplement states that the BLM may improve and facilitate mitigation through preparation of regional mitigation plans that will be presented in the Final EIS, and allowing developers to mitigate biological impacts through funding conservation priorities that are identified in a regional mitigation plan. This section is difficult to comment on since the mitigation is not provided and the conservation priorities are not identified, although this appears to outline a reasonable approach. We concur with the general principle on this subject which is stated in the January 27, 2012 comment letter from CDREWG stating that mitigation should be prioritized as "avoid first, then minimize, then restore, then offset." PG&E will continue working with other stakeholders in the CDRWEG to develop specific recommendations for mitigation.
- The supplement states that the BLM may facilitate the permitting of needed transmission to SEZs through including a more detailed evaluation of transmission needs and impacts for anticipated solar development in SEZs in the Final EIS, offering incentives to developers willing to build transmission to SEZs, committing BLM staff to engage in state transmission planning efforts, establishing cooperative agreements to facilitate permitting, and proposing to have the SEZs reviewed by the WECC. It is unclear how the BLM plans to integrate transmission considerations with state transmission permitting agencies such as the CPUC, and more development of this coordination would be helpful. For example, it would be helpful if BLM described the type of incentives that BLM offer to transmission developers. Also, this section is focused on transmission, but substation planning is a critical part of development and needs to be addressed in planning for renewable energy zones.
- New SEZs should be added to match overall renewable energy needs for the state, as driven by the Renewable Portfolio Standard and other state and federal mandates, and should clearly be shown as supporting public policy driven development. The amount of renewable energy needed should drive the amount of pre-permitted solar land added to new SEZs.

V. Exclusion Areas

Section 2.2.2.1 of the Supplement includes a modified list of proposed exclusions. The exclusion criteria adopted in the Solar PEIS needs to be sufficiently clear to ensure that areas unavailable for future solar development applications can be easily identified by agencies and the public and

that those areas can effectively be carried forward into future planning and implementation activities. The BLM should clarify this section in the following ways to provide greater certainty in the siting process for solar energy development projects:

- Avoid the use of vague language with regard to the Exclusion Criteria that is outlined in Table 2.2-1. Please refer to Attachment A of this letter for our detailed suggestions on this topic, and other specific comments on the Supplement.
- Provide detailed maps and data of exclusion areas to make compliance with these criteria straightforward. Mapped data would also facilitate timely agency evaluation. If exclusions will not be mapped for the Final PEIS, please indicate the size and scope of exclusion area acreages that could not be mapped and if they would exclude a significant portion of land within SEZs or currently shown as open to applications for development under the Preferred Alternative.
- Consider removal of solar insolation (number 2) from the list of exclusion criteria, especially for the variance process and identification of new zones. The BLM's Solar Energy Program should provide flexibility to accommodate a wide range of projects, particularly in a climate of rapidly changing technology. Exclusion area criteria should only include consideration of protecting environmental integrity, and new developments in solar energy technology may make current insolation needs an obsolete standard. Alternately, consideration should be given to the pilot program suggested in the January 27, 2012 joint comment letter from CDREWG in the section discussing the insolation criteria for exclusion.
- The PEIS should make clear that the exclusion areas apply only to renewable energy development and not necessarily to transmission line and appurtenant facilities (telecommunication, access roads, substations, etc.) needed to support the desired development.

VI. Definition and Processing Approach for New, Pending, and Approved Solar Projects

Section 1.7 of the Supplement describes how the BLM will process new and pending solar development applications. The document states that the BLM intends to continue to process all pending applications that meet due diligence and siting requirements under BLM's current policies and that all new applications will be subject to the Record of Decision (ROD) for the Solar PEIS. PG&E has power purchase agreements with some projects that are recognized as "Approved Solar Projects" according to Table 1.7-2 on page 1-13 of the Supplement and therefore would not be subject to the Solar PEIS ROD.

It is unclear how projects that are approved "but will require additional case-processing and environmental review to consider post-authorization requests to change technology" will be handled. Projects that have changed technology since being listed as "Approved Solar Projects" should not be subject to the Solar PEIS ROD, and if so, this should be clearly stated.

It is also unclear how projects located on private lands but requiring BLM right-of-way approvals for linear facilities that cross BLM jurisdiction would be affected by the Solar PEIS ROD. BLM should describe in the Solar PEIS the method by which projects proposed on non-BLM lands could take advantage of incentives offered to projects proposed on BLM land, such as priority right-of-way processing and expedited environmental review.

VII. Competitive Leasing Rulemaking

Section 1.8.2 of the Supplement describes the BLM's intentions to offer lands in SEZs through a competitive process. PG&E understands that BLM has decided to undertake rulemaking to establish a competitive process for offering public lands for solar as well as wind energy development. Finalization of the rulemaking process should be expedited and available with completion of the ROD to foster effective SEZ development. We recommend the following considerations during the rulemaking process in order to facilitate economical production of energy from solar resources:

- BLM should set appropriate terms for a competitive solar energy right-of-way lease. PG&E and other utilities are executing contracts with delivery terms of up to 25 years. The projects being built can be expected to operate for the term of the PPA, and potentially longer. The lease needs to be long enough for the developers to have assurance that they can build and operate their facility for its useful life, and not have the uncertainty of a potential lease termination mid-contract. This means the lease should be at least 30 years (to allow for construction of the project), or longer.
- On page 2-68, the Supplement states that the BLM has confirmed that it will offer lands within SEZs through a competitive process and would result in increased costs for developers of solar facilities. BLM should set a fixed price for land that would be consistent for all developers. Competition among developers in SEZs should be based on cost to build and operate renewable energy facilities, rather than ability to get land permitted. The BLM's competitive bid process should not result in an increase in the cost of electricity to consumers. Costs associated with renewable resources are already high and the PEIS should not take actions that further increase the cost of electricity to consumers, and thus work against public policy goals for clean energy development.

VIII. Comments on the Draft PEIS

PG&E submitted detailed comments on design features proposed in the Draft PEIS and understands that those comments will be addressed in the Final Solar PEIS. We respectfully resubmit our earlier comments on the design features for consideration (please see Attachment B – Specific Comments Previously Proposed on the Draft Solar PEIS).

We look forward to continuing to work with policymakers, regulators, and stakeholders to support California's renewable power goals while protecting land, water, and wildlife resources. In particular, PG&E reiterates support of the BLM, the DOE, and all stakeholders continuing to work collectively to improve the timing and efficiency of the permitting process for renewable energy projects on public lands. PG&E greatly appreciates your consideration of our comments.

Respectfully submitted,

Diane Ross-Leech

Enclosures:
Attachment A– Specific Comments on the Supplement to the Draft Solar PEIS
Attachment B – Specific Comments Previously Submitted on the Draft Solar PEIS

Attachment A – Specific Comments on the Supplement to the Draft Solar PEIS

No.	Topic	Chapter	Page	Line	Comment
	Exclusion Areas (Table 2.2-1)	2	2-16 2-17	4 11 13 14 29	Number 4: Same comment and previously written, "Proposed critical habitat was used as a factor to exclude lands. Proposed critical habitat is not protected under federal law, and because the listing of proposed critical habitat is extremely contentious, it is subject to significant change. Please indicate the frequency that exclusion areas will be updated based on legislative changes." We have reservations including proposed critical habitat in this criteria as these proposed areas may never become designated. Number 11: The BLM should avoid the use of vague language and provide clear, concise guidance for development. Please indicate the seasonal restrictions. Numbers 13 and 14: Big game ranges are often very large. Would projects with small footprints compared to the size of the range or corridor be subject to this criterion? Number 29: BLM should specify additional areas that may require exclusion would be determined. Can areas change depending on BLM staff? General comment: For all resources, buffer widths should be specified if required.
	Proposed Variance Areas: Desert Tortoise Variance Process Requirements Under Consideration	2	2-35	28-46	BLM should modify Option 2 to provide more clarity. As written, the option appears to be impossible to comply with because of the following concerns: What happens if more than 5 tortoises per square mile are located in the project area but they have a MCL of less than 160mm? Why is there is discrimination between class sizes? The requirement for pre-project surveys should be dependent on size of a site; there is a difference between a 1,500 acre site and a 160 acre site that is not reflected in the criteria. It is

No.	Topic	Chapter	Page	Line	Comment
					not clear how the connectivity buffer would work. What if the site was not 3 miles long, how would the connectivity buffer be sited? It would be helpful if BLM provided more specificity on option with regard to the above questions in the Final PEIS.
	C.2 California Proposed Solar Energy Zones - Imperial East and Riverside East	Appendix C Section C.2.1.5 and C.2.2.5			The Action Plans detailed in Section C.2.1.5 and C.2.2.5, Additional Data Collection Recommended, would make SEZs more effective but it would be more helpful if BLM provided the following information in this section: Who is responsible for collecting data specified in the action plans, the BLM or the Applicant? Much of the information reads like it is the responsibility of the BLM, while other information suggests data collection is to be conducted by the applicant. When is this information required? Is this just in support of the PEIS or is this information requested as part of the right-of-way application? How many of the items on the list can be accomplished in the short term?

Attachment B – Specific Comments Previously Submitted on the Draft Solar PEIS

No.	Topic	Chapter	Page	Line	Comment
23	Design Features	Appendix A	A-36	44-46	Please define "action." Some preconstruction activities could be permitted to occur prior to marking of property boundaries and PLSS.
24	Design Features	Appendix A	A-37	35-38	Please clarify how long is "recent" and whose responsibility would it be to conduct wilderness inventories. BLM should provide records of wilderness proposals that can be accessed by the public.
25	Design Features	Appendix A	A-39	13-14	Generally speaking, it is difficult to provide public access through a solar facility.
26	Design Features	Appendix A	A-39	16-17	Please clarify the definition of a unique or important recreation resource.
27	Design Features	Appendix A	A-39	19-23	Regarding replacement of acreage for off-highway vehicles, please clarify how secondary impacts associated with this mitigation would be evaluated.
28	Design Features	Appendix A	A-39	39-44	Regarding evaluating impacts from the solar energy facility in regards to the operation of existing military installations, please clarify how to quantify whether displacement of species onto their facilities was occurring.
29	Design Features	Appendix A	A-41	15 and general	There is a lot of discussion in the measures about "adequate" space and buffers from sensitive areas; however, please clarify how adequate is defined and the size of the buffer.
30	Design Features	Appendix A	A-41	39	Please indicate the recommendations for design of temporary roads.
31	Design Features	Appendix A	A-41	27	In some locations, it will be impossible to avoid existing desert washes when designing and building new roads.
32	Design Features	Appendix A	A-42	22-23	Minimization of ground-disturbing activities during the rainy season may not be feasible for large-scale solar facilities. The safety of the workers should also be taken into consideration, as work during the non-rainy season is extremely hot. Also, please

No.	Topic	Chapter	Page	Line	Comment
					clarify is this means winter/spring rainy season or monsoon season or both.
33	Design Features	Appendix A	A-42	39-40	We suggest providing examples of BMPs that would be acceptable in wildlife crossing areas.
34	Design Features	Appendix A	A-42	18	Water may not be the most appropriate dust stabilizer in desert environments.
35	Design Features	Appendix A	A-51	9-12	PEIS states that the EPA will ask for additional turbidity sampling. This does not apply in California.
36	Design Features	Appendix A	A-53	18 and general	"Special construction techniques" should be specified, here and in other design features.
37	Design Features	Appendix A	A-54	30 and general	The responsible party and frequency for "monitoring" proposed design features should be specified, here and throughout.
38	Design Features	Appendix A	A-55	Footnote 2	Note that USFWS Species of Concern are included in the list of special-status species; USFWS Species of Concern are not protected under the law.
39	Design Features	Appendix A	A-56	17-20	The measure states not to site projects in designated critical habitat. Please clarify if this applies to habitat that does not support the species and if a situation arises where there are no primary constituent elements present.
40	Design Features	Appendix A	A-57	1-2	Please indicate the recommended distance of siting facilities in proximity to open water or areas supporting large numbers of birds and clarify what is considered a "large number of birds".
41	Design Features	Appendix A	A-57	7	"Tall structures shall be located to avoid known flight paths of birds and bats." Please indicate the maximum allowable height.
42	Design Features	Appendix A	A-57	17-18	Fencing as described would not allow installation of wildlife-friendly four-inch gap that we are using on other sites to facilitate (San Joaquin kit fox) species movement.
43	Design Features	Appendix A	A-58	1-5, general	When design features state that facilities should be designed to minimize impacts, they should also state specific recommendations

No.	Topic	Chapter	Page	Line	Comment
					for minimizing impacts.
44	Design Features	Appendix A	A-59	21-22	Nesting buffers should also be established in conjunction with the state agencies. There are also situations where the biological monitor can determine an appropriate nesting buffer without consultation with agencies.
45	Design Features	Appendix A	A-65	7-13	Please assure that agencies have time to attend the seasonally appropriate walkthroughs.
46	Design Features	Appendix A	A-66, 67	45-46,1-4	Please indicate why we need to consult with the agencies if active nests are not detected.
47	Design Features	Appendix A	A-68	6-8	Please indicate the timeframes for "immediate" revegetation.
48	Design Features	Appendix A	A-70	23-24	Pleas indicate the metric used to determine whether revegetation is "similar" to pre-construction conditions.
49	Design Features	Appendix A	A-71	37-38	Confirm that tree cutting is not in conflict with CPUC General Order 95.
50	Design Features	Appendix A	A-71	42-43	Use of helicopters can have significant impacts on air quality.
51	Design Features	Appendix A	A-72	29,39	Removal of raven's nests from transmission towers is likely not a CDFG-approved activity. Please indicate whose responsibility it would be to conduct nest removal activities.
52	Design Features	Appendix A	A-77 to 79		Design Features for Visual Resources indicate a need to conduct early visual studies to evaluate impacts to development during the siting process, a timely and economically intensive activity not typically conducted until further along in the development phase after a site has been selected.
53	Design Features	Appendix A	A-81	18-21	Add "if feasible" in regards to transmission line/pipeline routing
	Design Features	Appendix A	A-82	24-26	

No.	Topic	Chapter	Page	Line	Comment
54	Design Features	Appendix A	A-89	22-42	Please indicate the methodology for off-site mitigation of visual impacts – and how equal magnitudes are determined for mitigation.
55	Design Features	Appendix A	A-90	6-11	Noise monitoring should not be necessary if there are no sensitive receptors nearby.
56	Design Features	Appendix A	A-90, A-91	14, 4, 26, 43	"Nearby" is used in mitigation measure but not defined
57	SEZ Design Features	Appendix A	A-116	General	With implementation of design features, it would be beneficial for BLM to quantify the amount of SEZs are available for development and how many acres are precluded from development based on the design features listed.
58	SEZ Design Features	Appendix A	A-116 to 119	Imperial East SEZ	The design features for this SEZ list the following areas as off-limits to development: desert washes, wetlands in the western and southern portions of the SEZ, sand dunes in the northern and eastern portion of the SEZ, areas near the All American Canal. Surveys and tribal consultation would be required for potential burial sites. USFWS consultation and surveys would also be needed for specified wildlife and plants. Design features would be improved if more specific information is provided about the specific areas that should be avoided, including quantified and mapped locations, and specific buffer distances should be recommended.
59	SEZ Design Features	Appendix A	A-116 to 119	Iron Mountain SEZ	Similar comment to above, Design features would be improved if more specific information is provided about the specific areas that should be avoided, including quantified and mapped locations, and specific buffer distances should be recommended. This SEZ seems to have a considerable amount of lands off limits to development: KSLA, sand and gravel areas, Danby Lake (25,000 acres), Colorado River Aqueduct, Homer Wash, dunes, unique habitats (e.g. dry wash), and historical sites. Surveys and tribal consultation would be required for potential burial sites. USFWS consultation and surveys would also be needed for specified wildlife and plants.

No.	Topic	Chapter	Page	Line	Comment
60	SEZ Design Features	Appendix A	A- 119 to 128	Riverside East SEZ	Similar comment to above, Design features would be improved if more specific information is provided about the specific areas that should be avoided, including quantified and mapped locations, and specific buffer distances should be recommended.
61	SEZ Design Features	Appendix A	general		The PEIS should present a comprehensive Map that shows all areas that should be avoided or are precluded from development within each SEZ.
62	California Transmission Planning Activities	Appendix D	Section D.3, Page D-21 to D-30		Section D.3.2 describes the California Renewable Energy Transmission Initiative (RETI) and Section D.3.3 describes the California Transmission Planning Group (CTPG). The RETI has concluded its work, and PG&E will continue to follow up and participate in the CTPG and other joint planning processes to shape and influence the new renewable transmission lines that would bring power out from the four California SEZs.
63	Transmission	Appendix G	G-1	26-28	"This transmission analysis only considered the locations of existing transmission lines and designated corridors and did not look at the available capacity on existing lines (i.e., the analysis assumed lines could be upgraded, if needed)." – This assumption is inadequate and should be reevaluated because upgrades to transmission lines are not easily accomplished and may not be feasible.
64	Transmission	Appendix G	G-3	41	The document states "approximately 35 lines planned for California..." The PEIS should provide a table of the planned lines.
65	Transmission	Appendix G	G-8	Figure G-3	The map resolution in the figure showing transmission lines and corridors is too vague and the proposed lines cannot be seen clearly. It would be great if the report provided a map per state and provide greater resolution.