

Thank you for your comment, Joe Ross.

The comment tracking number that has been assigned to your comment is SolarM60012.

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11 July 2009

Hello,

Thanks much for the info on the 24 tracts of public land where solar energy applications will be given priority processing by BLM. I caught the breaking news in the Riverside Press-Enterprise.

Below are my personal comments and do not represent the views, interests, or positions of any business or organization with which I am currently or formerly affiliated. I also request that my personal address be withheld from public disclosure.

With 52% of the total 676,048 acres within California, I hope that residents of this states will take notice and step forward with their comments.

With regard to the "Notice of Proposed Withdrawal and Opportunity for Public Meeting," published in the Federal Register, I believe that it's very important (nearly imperative) that the BLM Director agree to holding various public meetings to inform, educate, and listen to the public's concerns about the 2-year segregation and proposed withdrawal of the 676,048 acres of public lands in the six states. The EIS should explain how these areas were configured to minimize the amount of land involved.

My recommendation would be for meetings in each of the six states impacted. Within California, locations should be Barstow, Yucca Valley (or 29 Palms), Palm Springs (or Indio) and El Centro.

I've looked at maps for each of the 4 priority sites in California. At 202,295 acres, Riverside East is very extensive, and I'm sure that there are some resource conflicts there, esp. in light of its proximity to Joshua Tree National Park. The 109,642-acre Iron Mountain site correlates with Ward Valley between the Turtle and Old Woman Mountains. Danby dry lake is within the solar study area, and that entire area makes sense to me for priority development. At 26,282 acres, the Pisgah area is well situated in flat terrain and near existing transmission facilities. I cannot comment on the 12,830-acre Imperial East site. Other authorized uses at all sites must be fully analyzed.

Within BLM's notice of proposed withdrawal "and opportunity for public meeting" is a statement that says: "The BLM's petition for withdrawal has been approved by the Secretary of the Interior." That is a statement that could be confusing and misleading to the public. It could be construed as pre-decisional. Please clarify if it just means that BLM has been given the green light to publish this notice and segregate the public lands pending further study...or if, in fact, the Secretary of the Interior has already approved th withdrawal prior to public input and meetings.

I encourage BLM and DOE to be more proactive in contacting key statewide media outlets (newspaper, radio, television) to build public understanding of the Programmatic EIS process and announce key dates for public involvement. I hope that you'll consider issuing regular project updates and news releases to media. With various other similar initiative and projects currently being

undertaken, I sense that the public may not be fully aware or understand how they interrelate.

Also, it appears that the 24 solar study areas will be subjected to a higher level of NEPA analysis. It is somewhat a misnomer to continue calling the EIS a programmatic document. Of particular importance is the need for adequate biological and cultural resource surveys, reports and consultation with the U.S. Fish & Wildlife Service, California State Historic Preservation Office, and Native American Tribes before any "ground-breaking" activities commence.

I suggest that BLM and DOE do more community outreach and host public meetings to build public awareness and encourage discussion about the EIS. While I appreciate BLM/DOE's desire to keep the process moving and to accelerate development, I also feel that a few strategically located open house public meetings are needed to inform, educate and more thoroughly involve the public in the process. As your goals should be for open government, transparent decisionmaking, public engagement and understanding, I encourage you to hold open houses regularly.

I appreciate the leadership that BLM, DOE and the State of California are showing on climate, global warming and alternative renewable energy issues. In 2002, California enacted a Renewable Portfolio Standard requiring 20 percent of the State's electricity to be from renewable sources. In 2006, California's Global Warming Solutions Act ("AB 32") stated that California is required to reduce its global warming emissions to 1990 levels by 2020. This equates to nearly a 30% cut from existing levels. Then in 2008, Governor Schwarzenegger issued Executive Order S-14-08 raising California's Renewable Portfolio Standard to 33 percent by 2020 and calling on the State to reduce its global warming emissions 80 percent below 1990 levels by 2050. All of these components of the State's energy development leadership should be acknowledged in the EIS.

I am concerned about inconsistencies between this and other alternative energy or land use planning processes. One example is that CREZ maps developed as part of the Renewable Energy Transmission Initiative (RETI) don't necessarily jive with those from this process. RETI maps are viewable at:
<http://www.energy.ca.gov/reti/index.html>

With the same agencies collaborating and working hand-in-hand on both projects, it would more comprehensible and palatable for the public to see the same mapped transmission corridors, facility siting development areas, conclusions and recommendations coming out of both such projects.

The EIS should further expound on how the potential transmission corridors will be considered in the future under the California Energy Commission's SB1059 designation process.

Your EIS should be clear in its relationship and conformity with the Final Programmatic EIS for wind development.

In the same vein, the EIS report should acknowledge how consistency will be obtained with other planning efforts in the region (e.g. Western renewable Energy Zones in a 17-state region, Westwide Energy Corridors EIS). BLM, in cooperation with the Forest Service and DOE, recently completed the Westwide Energy Corridor Programmatic Environmental Impact Statement process, pursuant to the Energy Policy Act of 2005. The Solar EIS should acknowledge, ensure consistency and build upon that effort.

You can see why the public may be confused with so many planning efforts being undertaken, many with apparent similar and related goals and objectives. It's unfortunate that the public is burning out from infomania, data smog and attentional overload. Due to the sheer bulk of information constantly bombarding the public, many of these important planning efforts may not be getting the due diligence, scrutiny and attention they deserve. I encourage you and other agencies to try harder to coordinate, eliminate redundant efforts, jointly inform and educate. That will help with info-overload and cyber-indigestion being experienced by all.

Finally, I would particularly like to see more from BLM and DOE in terms of alternative energy development leadership and specific recommendations for dealing with bureaucratic red tape, procedures and process predicament that could hinder energy development. Siting, permitting, financing, and constructing projects and transmission is a very complex process that requires substantial coordination among various agencies. Certainly, added financial and human resources will help to expedite permitting.

As part of the prioritization, will any shortcuts be identified for commercial solar power or photovoltaic electric generating facilities to avoid or reduce compliance with the BLM's planning, environmental and right-of-way application requirements?

Will adequate funding and staffing be provided for the applications to be properly reviewed, with field work planned when necessary?

Will most solar development right-of-way applications be processed as Category 6, full cost recovery applications? Currently, solar energy right-of-way applications and authorizations are subject to appropriate cost recovery and rental payments required by 43 CFR 2804.14, 43 CFR 2805.16, and 43 CFR 2806.10, and the bonding requirements of 43 CFR 2805.12(g). If some flexibility and discretion can be allowed without adverse impacts, I'm all for it and supportive. For example, if right-of-way authorizations and Plan of Development can be processed simultaneously, that would be more efficient and result in overall time-savings with serious detriment.

I'm a strong opponent to "analysis paralysis." Determine what needs to be done, develop an action plan and get on with it. I would like to see an all-encompassing coordinated plan for all applicable agencies to efficiently work together to avoid redundancies and cut the red tape without ignoring laws, regulations, and their mandated responsibilities.

Look for additional ways to streamline the process and be consistent with Departmental policy on intergovernmental cooperation. For example, it may be possible to combine the required environmental review process for a solar energy development project with other required State or local environmental requirements or project clearance actions.

Will the right-of-way authorizations contain appropriate stipulations relating to all aspects of project development including such items as road construction and maintenance, vegetation removal, natural, cultural and biological resources mitigation and monitoring, and site reclamation?

Will approved and completed Plans of Development (POD) be required for construction and operation of the solar facility prior to beginning construction?

Will bonds be required for solar energy development right-of-way grants to ensure compliance with the terms and conditions of the authorization and the requirements of the regulations, including reclamation?

What will the terms be for the solar energy authorizations for commercial facilities? They should not exceed the design life of the project, typically 30 years.

What will the authorizations include relative to renewals?

Will other compatible uses be authorized in the priority (and other) solar development areas? These seem unlikely due to the intensive use of the site for siting facility equipment and transmission.

I'm a firm believer that the solar energy industry should do more to educate as well as promote themselves. Right-of-way holders should be required, through terms and conditions of the right-of-way authorization, to work with the BLM, DOE and State and local agencies to increase public acceptance and awareness of the benefits of solar energy development by providing information and public viewing areas at safe locations near the development. Working together, positive messages about the responsible use of renewable resources and the multiple resource use on public lands can be provided.

How will the EIS address Section 102(2)(B) of NEPA (along with 40 CFR 1502.23) that deals with "cost-benefit analysis"? I hope to see diligent analysis focus on many areas for economic analysis (cost & revenue analysis, value analysis, decision rules, behavior predictions, budget & fiscal impacts, economic activity impacts, changes to rural lifestyles and attitudes, economic & social structural changes associated with solar energy development).

Another issue that needs to be addressed is the impact to wildlife (specifically avian species) as a result of "tower-kill" (esp. when such technology as the power tower is used).

Regarding development of reasonable alternatives ("practical or feasible from the technical and economic standpoint and using common sense"), I'd like to suggest an additional one for analysis. Because these areas within the six states have become so heavily allocated for land uses, I would like to see an alternative that also analyzes the potential for compatible solar development in areas that are currently not available for such development. This would include designated wilderness areas where flat terrain exists and where visitor use statistics may indicate that the potential undesignation of wilderness (and associated energy development) may be in the national interest (based on the President's priority agenda and Executive Order).

Further, such an alternative should document and analyze opportunities to work with the various military services that have large acreages of withdrawn lands in arid and desert areas. This alternative would identify opportunities for compatible development on areas already allocated or withdrawn for other uses. I have a gut feeling that potential for such compatibility may exist, and the BLM and DOE should make stronger efforts to coordinate with the wilderness, wildlife advocates and DOD for full use of wilderness and military lands to optimize solar energy development where it can co-exist with other uses.

Additional utility corridors should be minimized, and the EIS should clearly establish (perhaps with varying alternatives showing the range of impacts) by using existing corridors vs. development of new ones.

Impact analysis should differentiate between technologies that use water-cooled vs. air-cooled systems. One example of a question to be answered is: how can the policies subsequently developed be written to encourage a less-impacting technology over one that is more adverse in nature?

With the fast growth of this industry (and related technology), I question if your 20-year timeframe is appropriate. I believe that a better planning cycle/horizon might be 10 years, and I would like you to consider this for your programmatic analysis period (with the option to update or supplement in the future if needed).

I encourage the promulgation of Memos of Understanding between BLM and local water districts to incorporate best management practices into all forms of energy development.

Additional issues within the scope of the EIS required by NEPA for solar energy development projects include, but are not limited to:

** all aspects of the solar project, including direct, indirect, and cumulative effects of the proposed action.

** compliance requirements with the Endangered Species Act, Migratory Bird Treaty Act, National Historic Preservation Act, and other applicable laws and regulations.

** installation and maintenance of solar collectors, water for steam generation and cooling purposes, oil or gas used by backup generators, thermal or electrical storage, turbines or engines, access roads and electrical inverters and transmission facilities.

** Scope and level of site clearance should include the areas of proposed surface disturbance and areas potentially affected by the project.

** The level of analysis will reflect the amount of land needed for the solar energy collection and associated support facilities, amount of surface to be disturbed, water requirements, and potential impacts on wildlife and other resources.

The BLM and DOE should be commended for their identification and NEPA-compliant environmental review of priority development areas within the context of their great programmatic EIS for solar development in a 6-state region.

While I receive News.Bytes and info via various ListServes, please include me on your mailing list for future information and contact as the EIS progresses. I can be reached via email to [REDACTED]

Please note that these comments are mine alone, and they do not represent the views of any organization, business or association with which I am affiliated.

Thanks very much for your consideration.

Best wishes,
Joe Ross

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