The bottom line is that the method for computing and reporting acres of disturbance determines how well the Plan controls impacts to resources, and wind development is not computed at anything near its full acreage. The draft Plan fails to transparently and accurately inform the reviewer on this point. More importantly, loopholes in the Plan may allow unanticipated impacts to occur from vastly increased wind development that is not anticipated, and yet could be allowed due to the Plan’s skewed method of computing acreage affected by wind.

2. Notice Deficiencies and Environmental Justice

Construction of renewable energy projects is known to result in emissions of ozone precursors, carbon monoxide (CO), sulfur dioxide (SO2), particulate matter (PM10, PM2.5), hydrogen sulfide (H2S) and other harmful air pollutants. Many portions of the Plan area include communities already vulnerable due to air quality impacts from existing agriculture, industry and transportation. It is important that the Plan, in addition to analyzing impacts on these communities, make these communities aware of major land-use planning decisions affecting their communities, and give them the opportunity to engage as stakeholders and members of the public in these decision-making processes.

Although the DRECP correctly notes that each of the Counties affected by the Plan other than Inyo are majority–minority (having a majority of non-white residents), there seem to have been no notices or other outreach in languages other than English. Imperial County, which will have the largest amount of renewable energy development under the Plan, is 86.2% minority, while San Bernardino, Kern and Riverside are each over 60% minority. Many of these residents are primarily Spanish speaking. However, to our knowledge, there was no Spanish-language (or other language other than English) outreach conducted as part of the DRECP comment period, DRECP public meetings, or previous stakeholder meetings. Nor did it appear that translation and interpretation services were available at public meetings, unless arrangements were made in advance. All written presentations at public meetings were in English, as is the DRECP website. Although we understand it would likely have been infeasible to translate the entire EIS/EIR, the DRECP, should have, at a minimum, translated the executive summary into the major languages spoken in the community. Additionally, many public meetings, and each of the stakeholder meetings, were scheduled during the daytime when many people cannot attend, and childcare was not provided for working families.

Local environmental and climate justice groups do not appear to have participated in the DRECP stakeholder processes or public meetings, other than those where Sierra Club recruited activists from our My Generation campaign. We expect in large part this was due to insufficient outreach. Many areas in the Plan Area—particularly the Eastern Coachella Valley—have communities well-organized around environmental justice issues, and local groups, if engaged to partner with
the CEC, could have played a role in outreach to community members, many of whom live in rural locations.

Additionally, we are concerned that the DRECP analyzes the impacts of conservation designations on low-income communities, yet does not analyze the impacts of the renewable energy development, deferring this analysis to project-level analysis. These seem particularly concerning as the DRECP is constructed as a programmatic document, with specific project-level decisions to be tiered to the Plan. One of the most important concerns for residents of these communities is the poor air quality, as these are some of the most polluted air basins in the state and the nation. In addition to engaging more of the local community in the DRECP, it is critical to improve upon the air quality analysis in the DRECP and to fully mitigate any air quality impacts. Please see our Air Quality comments, also attached to this set of Sierra Club comments, for more details.
Response to Comment Letter E75

Sierra Club
Barbara Boyle
February 23, 2015

E75-1 Thank you for your comment. No change in the document is required as a result of this comment.

E75-2 No change in the document is required as a result of this comment.

E75-3 No change in the document is required as a result of this comment.

E75-4 No change in the document is required as a result of this comment.

E75-5 Following release of the Draft DRECP and in response to public comments received from a diverse group of stakeholders, the REAT Agencies (i.e., Bureau of Land Management [BLM], U.S. Fish and Wildlife Service [USFWS], California Energy Commission [CEC], and California Department of Fish and Wildlife [CDFW]) have adjusted the planning process and are employing a phased approach for the DRECP: one phase addressing BLM lands and another phase addressing non-federal lands. Under Phase I of the DRECP, the DRECP BLM LUPA and Final EIS addresses land uses, including renewable energy and transmission development, on BLM-administered lands only. See also Volume II which includes revised descriptions and mapping for the range of alternatives considered for the BLM LUPA, including a description of the CMAs that apply on BLM-administered lands as provided in Section II.3.4.2. The BLM LUPA and Final EIS is not a CEQA document.

E75-6 See response E75-5.

E75-7 Windblown and fugitive dust are a primary concern throughout the Plan Area and are considered throughout the analysis. Although all criteria pollutants would be addressed through project-specific mitigation, including construction emissions mitigation plans and fugitive dust control plans, the Conservation and Management Actions (LUPA-AIR-3, LUPA-AIR-4 and LUPA-AIR-5) specifically focus on avoiding PM$_{10}$ and PM$_{2.5}$ emissions by controlling dust.

E75-8 The EIS is for Phase I, addressing the BLM LUPA. Phase II will address non-federal lands. The EIS is a programmatic level document. Any renewable generation project proposed for BLM land would still require a NEPA review at the project level. In the past, EISs for renewable energy project on BLM land have been for both project impacts and for the required land use amendment. For future renewable energy project proposed on DFAs on BLM land in the DRECP area, no plan amendment will be needed, but the project itself will require NEPA review.
DRECP PROPOSED LUPA AND FINAL EIS
RESPONSES TO COMMENTS

E75-9  See response E75-5; the BLM LUPA and Final EIS addresses activities on BLM-administered lands only. See also Chapter III.1 for a description of the environmental baseline used for the BLM LUPA and Final EIS. See also revised Appendix O for a description of renewable energy projects in the planning area for the BLM LUPA and Final EIS.

E75-10  The analysis focuses on the air basins where the majority of emissions from renewable energy and transmission development would occur.

E75-11  The analysis focuses on the pollutants of greatest concern related to renewable energy and transmission development, as driven by the potentially adverse health effects.

E75-12  The ambient air quality standards that make the basis for air quality management in the Regulatory Setting (Volume III, Chapter III.2) are set to provide an adequate margin of safety to protect the public health.

E75-13  The analysis provides information describing how the majority of emissions from renewable energy and transmission development would occur. More detailed quantification of operational emissions is not necessary and would require speculation on the actual technologies developed and method of operation.

E75-14  Modeling the ambient concentrations of pollutants at Federal Class I areas would require speculation on the project-specific sources and locations of those sources associated with development. Localized air quality modeling may be necessary for certain projects, as required by the Conservation and Management Actions (LUPA-AIR-4) and specifically to assess project-level effects at Class I areas (LUPA-AIR-1).

E75-15  The analysis shows the potential order-of-magnitude of emission levels for informational purposes. More detailed quantification is not necessary and would require speculation on a wide range of variables, including the actual scope of projects developed in each location, the construction phasing, and the makeup of equipment fleets.

E75-16  The analysis focuses on the pollutants of greatest concern, and less detail is provided on pollutants that do not presently occur at nonattainment levels.

E75-17  Nonattainment conditions, including tables of ozone and PM$_{10}$ attainment status, are summarized in Chapter III.2. All air basins of the DRECP area are nonattainment for the state ozone standards, and all air basins of the DRECP area are nonattainment for the state PM$_{10}$ standards.

E75-18  See response E75-15.
E75-19 The analysis shows the potential order-of-magnitude of emission levels for informational purposes. More detailed quantification is not necessary and would require speculation on a wide range of variables that are not yet foreseeable at a project-level.

E75-20 Chapter IV.2 includes a comparison of the air quality impacts anticipated to occur under the various alternatives.

E75-21 The correct cross-reference is noted.

E75-22 See response E75-19.

E75-23 Several projects were reviewed as part of the effort to derive the potential construction-phase emissions of renewable energy development, and because the existing renewable energy projects are part of the baseline or setting, the information appropriately appears in Volume III, Chapter III.2.

E75-24 The various alternatives are compared with each other (Chapter IV.2), including the No Action Alternative, which most closely represents a continuation of baseline conditions (Chapter III.2). Each alternative considers the development of approximately 20,000 MW of installed capacity of renewable energy projects.

E75-25 In providing information on how the majority of emissions from renewable energy and transmission development would occur, the analysis (Volume IV, Section IV.2.2) notes that environmental documents for existing renewable energy projects in the DRECP area show a wide range in levels of construction-phase emissions. While no single project would be "average," an average of factors is normally suitable for deriving potential emission levels for informational purposes. Each project-specific application would need to include documentation including discussion and analysis of emissions, potentially including quantification (LUPA-AIR-3).

E75-26 See response E75-25.

E75-27 See response E75-25.

E75-28 See response E75-25.

E75-29 See response E75-25.

E75-30 See response E75-25.

E75-31 See response E75-25.

E75-32 See response E75-25.

E75-33 See response E75-25.
E75-34  See response E75-25.
E75-35  See response E75-25.
E75-36  See response E75-25.
E75-37  See response E75-25.
E75-38  See response E75-25.
E75-39  See response E75-25.
E75-40  See response E75-25.
E75-41  Each project-specific application would need to include documentation including discussion and analysis of emissions and mitigation, including construction emissions mitigation plans and fugitive dust control plans, as required by the Conservation and Management Actions (LUPA-AIR-3, LUPA-AIR-4 and LUPA-AIR-5).
E75-42  The potential air quality improvements that could be achieved with project-specific mitigation would be determined during project-level review. At that time, project-level thresholds may be appropriate as a means of identifying the need for additional mitigation or emissions controls.
E75-43  See response E75-42.
E75-44  See response E75-42.
E75-45  Fugitive dust controls may be necessary for certain projects, as required by the Conservation and Management Actions (LUPA-AIR-4 and LUPA-AIR-5), and steps taken to control fugitive dust would reduce the potential for adverse health effects, including asthma and Valley Fever. See also Volume IV, Chapter IV.22, Public Health, Safety, and Services.
E75-46  See response E75-45.
E75-47  See response E75-45.
E75-48  See response E75-45.
E75-49  See response E75-45.
E75-50  See response E75-41.
E75-51  See response E75-42.
E75-52  See response E75-45.
E75-53 This comment provides 2011 and 2012 geothermal energy statistics and data. No change in the document is required as a result of this comment.

E75-54 This comment provides 2013 geothermal energy statistics and data. No change in the document is required as a result of this comment.

E75-55 This comment provides an Imperial County northend geothermal energy projects map. No change in the document is required as a result of this comment.

E75-56 This comment provides an Imperial County southend geothermal energy projects map. No change in the document is required as a result of this comment.

E75-57 This comment provides the commenter's resume. No change in the document is required as a result of this comment.

E75-58 As noted in the Final EIS, only Phase I of the DRECP is being considered at this time; this is the BLM LUPA and applies only to BLM lands. The estimates of acreages required for each technology are based on past projects. The megawatts of renewable energy developed on DFAs on BLM lands under the LUPA are less than half of what was originally projected for the DRECP as a whole. Also, designation of DFAs does not mean there will be development, only that it has been determined that this is an area where development could be focused. Even if overall demand does not increase, renewable projects would replace fossil-fuel generation.

E75-59 This comment provides a list of 2010 renewable energy projects. No change in the document is required as a result of this comment.

E75-60 Draft DRECP and EIR/EIS Appendix F3 describes the DRECP Acreage Calculator. It paraphrases some comments provided by third parties. BLM regrets if the paraphrasing did not exactly match the comments provided. However, no change in the appendix is required as a result of this comment.

E75-61 This comment provides a 2012 memorandum on the DRECP spreadsheet model and scenarios. Because the Final EIS is now for BLM lands only (under Phase I), no change in the document is required as a result of this comment. Parties may disagree about the amount of land that would eventually be needed for renewable energy generation projects. However, under Phase I the amount of energy produced from projects on DFAs on BLM land is estimated to be less than 10,000 MW. Even if overall electricity demand did not increase, this energy would replace fossil-fuel generated energy sources, thereby furthering California’s greenhouse emissions reductions objectives.

E75-62 through E75-80 The BLM has identified those areas that best meet the criteria for conservation and inclusion as National Conservation Lands. Several areas have been modified or expanded since the Draft DRECP and these are reflected in the Final EIS.
**E75-81 through E75-85**  These comments are directed at CEC, California Public Utilities Commission (CPUC), and California Independent System Operator (CAISO) observing the need for coordinated interagency planning. As such, they are not applicable to BLM’s Phase I. No change in the document is required as a result of these comments.

**E75-86**  The BLM determines if a proposed project is appropriate on lands under its jurisdiction, and consistent with applicable plans and designations. BLM does not determine which technologies should be used for renewable energy generation; it responds to specific proposals by others.

**E75-87 through E75-91**  These comments are directed at CEC, CPUC, and CAISO observing the need for coordinated interagency planning. As such, they are not applicable to BLM's Phase I. No change in the document is required as a result of these comments.

**E75-92**  No change in the document is required as a result of this comment.

**E75-93**  BLM is continuing to develop the tools necessary to implement Durability Instruments with the most enduring qualities possible without conflicting with existing law and regulation. The Federal Land Policy and Management Act of 1976 (FLPMA) specifically requires that land use plan decisions remain open to change: FLPMA Sec. 202 (e) (1): “... management decision(s) shall remain subject to reconsideration, modification, and termination through revision by the Secretary or his delegate, under the provisions of this section, of the land use plan involved.” Individual Durability Instruments would be issued on a site-specific, case-by-case basis. Subsequent approval for these instruments would require implementation-level analysis and decisions (rather than land use plan amendment-level analysis and decisions) and a site-specific NEPA process would be required before a particular action may be approved.

**E75-94**  See response E75-5. There are no HCP (GCP) or NCCP components of the BLM LUPA and Final EIS.

**E75-95**  See response E75-5. There are no HCP (GCP) or NCCP components of the BLM LUPA and Final EIS. See also Volume II which includes revised descriptions and mapping for the range of alternatives considered for the BLM LUPA, including revised summary tables.

**E75-96**  See response E75-5. See Volume I, Section I.3.3 for a description of the renewable energy planning process used for the DRECP, which sets the renewable energy and transmission planning context for developing the BLM LUPA and Final EIS for BLM-administered lands. See also Volume II which includes revised descriptions and mapping for the range of alternatives considered for the BLM LUPA.
The Final EIS estimates plausible mixes of renewable energy generation technologies that may be used. This is done in order to identify anticipated impacts, as appropriate for a programmatic-level document. The actual mix of technologies that might be used would be determined by applicants seeking grants for specific locations on BLM lands. The distribution and mix of renewable energy technologies across DFAs is illustrative, not definitive.

See response E75-5. See Volume I, Section I.3.3 for a description of the renewable energy planning process used for the DRECP, which sets the renewable energy and transmission planning context for developing the BLM LUPA and Final EIS for BLM-administered lands. See also Appendix F for more information on the energy context for developing the BLM LUPA and Final EIS.

See Volume II, Section II.3.3 for a description of renewable energy and transmission activities for the BLM LUPA, which describes both the project area and ground disturbance assumptions for wind energy. See Volume IV, Section IV.7.1 for the methods of analysis for the BLM LUPA and Final EIS. See also Section IV.7.2 for a description typical impacts from renewable energy and transmission development on biological resources. This approach to the impact analysis was considered sufficient for the BLM LUPA and Final EIS.

See response E75-99.

The DRECP was widely noticed and meetings were held in communities throughout the plan area. Thousands of comments were received on the Draft DRECP and EIR/EIS from a wide range of individuals and organizations. Note that the DRECP would not approve specific projects; individual projects would go through the applicable jurisdiction’s review and approval processes. At such time as a project is proposed, public notice would be given and information made available to the public. Meetings typically are held to gather public input regarding the proposed project.

This comment is not applicable to Phase I, the BLM LUPA, which does not propose DFAs to the extent presented in the Draft DRECP and EIR/EIS. See also response E75-101.

BLM has taken this comment into consideration, but no revision to the EIS is required. See also response E75-101. Community engagement is a high priority at BLM and efforts are made to provide appropriate outreach.

Within Volume IV, Section IV.23.2 (Typical Impacts Common to All Action Alternatives) and Impact SE-5 (Plan effects would be disproportionately borne by minority or low-income populations) provide a programmatic analysis of potential environmental justice impacts (both minority and low-income populations) for each DRECP alternative under the BLM LUPA. This
includes renewable energy and transmission development, as well as conservation actions. An analysis of proposed DFA acreage with respect to environmental justice is provided in Section IV.23.3.2.1 (Impacts of Renewable Energy and Transmission). With respect to potential site- and project-specific air quality impacts and how they affect environmental justice impacts, such an analysis is outside the scope of this programmatic analysis for streamlining future renewable energy project environmental reviews under the DRECP and proposed LUPA. Also, refer to response C5-30 for a response regarding this topic.