DRECP Comments – Earl Wilson Pg-1

DRECP Proposed LUPA and Final EIS
Responses to Comments

DRAFT DESERT RENEWABLE ENERGY CONSERVATION PLAN
EXECUTIVE SUMMARY
September 2014

PART ONE: OVERVIEW AND BACKGROUND

1.1 Background and Framework
Desert renewable energy Conservation Plan overview (page 7)

1. Help California and the nation meet renewable energy and
greenhouse gas emission reduction goals.

1 - Please cite examples of how this benefits the counties impacted by this plan.
Include specifics on potential loss of income tax and property tax revenues, PILT funds, aesthetics and quality of life.

History of DRECP Planning and Public outreach (page 2, para 2)

On November 17, 2008, Governor’s Executive Order S-14-08, directed
the CEC and the California Department of Fish and Game (now the California Department of Fish and Wildlife) to develop a Desert

2 – Please expand on who gave the original “Executive Order” and the additional reaffirmation of said order.
Please include in the Executive Summary.

Figure 1. Plan Area (Page 8)

3 – Owens Lake in Inyo County is not identified as “California State Lands Commission” property.

Figure 2. Land Use Plan Amendment Lands (sidebar, page 11, para 1)

The BLM LUPA would amend the BLM’s existing land use plans within the Plan Area
– the California Desert Conservation Area
Plan, and the Caliente and Bishop Resource Management Plans – to create Development
Focus Areas, conservation designations, Special Recreation Management Areas, and make other
land allocations.

4 – What kind of other land allocations do you plan to make?

5 – Would this include possible release of BLM lands to counties to offset property tax revenue losses?
PART TWO: DRECP DEVELOPMENT  

5. Develop Conservation and Management Actions (bullet 2)

Compensation Conservation and Management Actions, which are compensation requirements that can be met by conserving habitat, implementing eligible non-acquisition compensation actions, or a combination of these measures, Project proponents will be able to fulfill most or all compensation requirements by payment of an implementation fee.

6. Who will be responsible for determining the amount of appropriate implementation fees levied on the project proponents??

7. What assurance is there that the fees are adequate to sustain any conservation actions instituted by this plan??

PART THREE: ALTERNATIVE PLAN DESIGNS

3.1 Overview of the Preferred Alternative (page 28)

Study Area Lands

Future Assessment Areas. Designated areas in certain action alternatives that are subject to future assessment for suitability for renewable energy development or conservation designation. The knowledge about the value of these areas for renewable energy development is ambiguous. The current known value of these areas for ecological conservation is moderate to low, therefore, the areas are not allocated to either development or conservation and are assigned to future assessment and decisions.

AND

Exhibit 5. Plan-Wide Acres in the Preferred Alternative (page 32)

Undesignated Lands

8. Will any of the 1.3 million acres “Undesignated Lands” be designated as DFAs??

9. Will a new document be prepared for these lands if it is decided that they are suitable for development??

3.8 DRECP Alternatives Comparison

Table 7. Summary of the Draft DRECP Alternatives - “Preferred Alternative” (page 40)

Total acres of private (Nonfederal) lands within Development Focus Areas - 1,569,000 (78%)

10. Please cite examples of how this benefits the counties impacted by this plan. Include specifics on potential loss of income tax and property tax revenues, PILT funds, aesthetics and quality of life.
Figure 8. Preferred Alternative – Land Use Plan Amendment (page 33)

11. Mislabeled area “Johnson Valley OHV Shared Use Area” in the Owens Valley part of the map (west of “Owens”).
Johnson Valley is near 29 Palms Marine Corps base.

III.6  
GROUNDWATER, WATER SUPPLY, AND WATER QUALITY

Table III.6-1  
California Department of Water Resources Basins in the DRECP (page III-16)

12 - Correction: Owens Valley is shown as not being adjudicated. Owens Valley is partially adjudicated.

13 - Correction: Owens Valley is shown as not being in overdraft. Owens Valley is considered to be of medium concern under the CASGEM Groundwater Basin Prioritization under current state legislative law. Suggest that you update your data and include it within the document.

III.22  
PUBLIC HEALTH, SAFETY, AND SERVICES

14. As a survivor of “disseminated” Valley Fever (Coccidioidomycosis), I appreciate the addition of this hazard into the DRECP document and hope that employee training be a required element of ALL phases of work at ALL renewable energy projects in the plan area.

15. I would recommend that you also add Plague and Hantavirus Pulmonary Syndrome (HPS) which are both vector borne transmissible through contact with rodents that are common in the plan area.

Appendix M  
U.S. Fish and Wildlife Service General Conservation Plan

16 - I find no quantitative “maximum take” number by species presented for public response ??
Example: Can I incidentally kill 3 Golden Eagles at a wind generation facility ??

Table O-1  
Summary of Existing Renewable Energy (RE) Projects in the DRECP Plan Area

Total Acres of RE Projects in DFAs (footnote) 50,337

“The DFA locations for the Preferred Alternative are used to define this exercise. While the sizes and locations of DFAs vary among alternatives, this data provides an example of the locations of the existing renewable energy in comparison with the proposed DFAs. The total acres of DFAs in the Preferred Alternative is 2,037,693.

17 - Is this an error or does the plan intend to utilize the entire amount of the listed acreage not just the 9% (177,609) of addressed acreage at full build out ??

General Questions:

18 - Does the DRECP sunset at any time in the future ??

19 - There is no mention of the underlying PEIS land in the “Executive Summary” except for a couple of obscure footnotes. Does the DRECP sunset all future development regulations in the SEZ areas ??

20 - Will there be further opportunities to make public comments on the development of some of the unresolved issues with siting and regulatory concerns such as “Undesignated Lands” ??

F125-3  
October 2015
CONCLUSIONS:

The assumptions and evaluations within the document seem inadequate by avoiding evaluation of the impact on future demand for solar energy with distributed point of use solar production and new developing technology. I concur with the comments presented in response to the DRECP NEPA/CEQA (DEIS) by Basin and Range Watch.

The document does not address past or future unaddressed legislation such as WEMO or CAGEM.

A through rewrite of the ground water part of the document with more current information being validated is recommended. This particularly applies to Owens Valley where I found so many errors that I didn’t even consider spending my time correcting errors that should have been validated by the consultants you are so generously paying millions of dollars to do that very work.

I find no part of the document that addresses disadvantaged communities that may be impacted by the plan.

The plan appears to be a maussignment/taking of public and private lands for the benefit/profit of big business interests and speculators; be they domestic or foreign. Eminent domain takings are already occurring that involve private property by Public Utilities for transmission corridors.

As a side note:

I find the document cumbersome to review on a computer.

The two column format requires continual scrolling.

The maps are not specific enough to adequately resolve small detail to identify specific plan boundaries.

The clumping of several documents into a file folder makes word searches nearly impossible due to continually have to open individual files which could have been presented as one individual file.

Thank you for the opportunity to make comments and I await your responses,

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Response to Comment Letter F125

Earl Wilson
February 23, 2015

F125-1 As the overall effect of renewable energy development occurring on Bureau of Land Management (BLM)-administered lands does impact county economics, refer to response C5-30 for a response regarding the comment/issue of potential site- and project-specific socioeconomic impacts, which are outside the scope of this programmatic analysis for streamlining future renewable energy project environmental reviews under the Desert Renewable Energy Conservation Plan (DRECP) and proposed Land Use Plan Amendment (LUPA).

F125-2 As described in Chapter I.1, Phase I of the DRECP is the DRECP Proposed LUPA and Final EIS that addresses activities on BLM-administered lands only. See 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 DRECP Proposed LUPA and Final EIS for BLM-administered lands.

F125-3 The BLM has taken this comment into consideration in developing the DRECP Proposed LUPA and Final EIS. As described in Chapter I.1, Phase I of the DRECP is the DRECP Proposed LUPA and Final EIS that addresses activities on BLM-administered lands only. See Chapter I.1 for a revised Figure I.0-1.

F125-4 The allocations made through the DRECP LUPA are described in Volume II. For a summary of the allocations, see Section II.3.1, Overview of the Preferred Alternative. The payment in lieu of taxes is outside the scope of the DRECP LUPA. Lands are made available for disposal through the LUPA, which is addressed within the lands and realty Conservation and Management Actions (CMA) for each allocation. Disposal of an individual parcel is an implementation action and outside the scope of the DRECP LUPA.

F125-5 As described in Chapter I.1, Phase I of the DRECP is the DRECP Proposed LUPA and Final EIS that addresses activities on BLM-administered lands only. See Section II.3.7 for a description of LUPA implementation, including compensation/mitigation implementation.

F125-6 As described in Chapter I.1, Phase I of the DRECP is the DRECP Proposed LUPA and Final EIS that addresses activities 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 substantial reductions in Development Focus Areas (DFAs) as compared to that proposed for the Plan-wide Draft DRECP alternatives. Future Assessment Areas have been reclassified as Variance Process Lands in the DRECP Proposed LUPA and Final EIS. See also Section II.3.4.2 for revised
CMAs for activities on BLM-administered lands, including a description of the management of unallocated lands.

**F125-7** This comment/issue is not relevant to the BLM LUPA and will be addressed in Phase II of the DRECP, as described in Volume I of this DRECP Proposed LUPA and Final EIS.

**F125-8** This comment/issue is not relevant to the BLM LUPA and will be addressed in Phase II of the DRECP, as described in Volume I of this DRECP Proposed LUPA and Final EIS.

**F125-9** This comment/issue is not relevant to the BLM LUPA and will be addressed in Phase II of the DRECP, as described in Volume I of this DRECP Proposed LUPA and Final EIS.

**F125-10** Based on public comments related to the potential for Valley Fever spores to be released or spread by construction of renewable energy projects and cause illness, this topic has been added to the discussion of existing conditions in Volume III, Section III.22. Impact analysis has been expanded in Volume IV, Section IV.22 (Public Health and Services) to further explain the potential risk and methods of reducing risk.

**F125-11** Under Phase I of the DRECP, the DRECP Proposed LUPA and Final EIS considers renewable energy development only on BLM-administered lands. For renewable energy projects on non-federal lands, the Draft DRECP and Environmental Impact Report (EIR)/EIS proposed a programmatic General Conservation Plan (GCP) process for permitting incidental take of species listed under the Endangered Species Act. Incidental take permitting options for non-federal lands will now be considered in Phase II of the DRECP. Therefore, the DRECP Proposed LUPA and Final EIS does not cover non-federal lands and does not include a GCP component.

**F125-12** As described in Chapter I.1, Phase I of the DRECP is the DRECP Proposed LUPA and Final EIS that addresses activities 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. Within the DFAs, an assumed amount of impact would occur as a result of renewable energy and transmission development, as described for each alternative in Volume II. The DFAs are substantially larger than the planned development footprints to allow for siting flexibility.

**F125-13** See Chapter I.3 for a description of the planning process of the DRECP Proposed LUPA and Final EIS. The BLM LUPA would amend existing land use plans through the BLM’s land use planning process.

**F125-14** The distributed generation alternative does not meet BLM’s purpose and need. Distributed generation was considered but not carried forward, as discussed in Volume II, Section II.8.2.1. BLM lands are largely devoid of buildings and
distributed generation is applicable in locations with both electrical demand and
areas or surfaces available for installation of distributed generation technology.

**F125-15** This comment is not relevant to the LUPA and will be addressed in Phase II of
the DRECP, as described in Volume I of this DRECP Proposed LUPA and Final EIS.

**F125-16** This comment has not resulted in a change to the document but the BLM has
taken it into consideration.

**F125-17** Within Chapter IV.23, Impact SE-6 (Plan effects would be disproportionately
borne by minority or low-income populations) provides a programmatic
analysis of potential environmental justice impacts for each DRECP alternative
under the BLM LUPA. The environmental justice analysis was completed at the
U.S. Census-tract level for each county within the DRECP.

**F125-18** This comment is not relevant to the LUPA and will be addressed in Phase II of
the DRECP, as described in Volume I of this DRECP Proposed LUPA and Final EIS.

**F125-19** This comment has not resulted in a change to the document but the BLM has
taken it into consideration.
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