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Comment Received From: Rachel Gold

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**Joint Comments of the Renewable Energy Parties on the 1.22.16 RETI 2.0
Environmental and Land Use Technical Group Workshop**

Dear Dockets office,

Attached please find the comments of the Independent Energy Producers, Large-scale Solar Association, and California Wind Energy Association ("Joint Renewable Energy Parties") on the January 22, 2016 Environmental and Land Use Technical Workshop.

Additional submitted attachment is included below.



February 5, 2016

California Energy Commission
Dockets Office, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512
Docket No. 15-RETI-02

RE: Comments of the Joint Renewable Energy Parties on the Renewable Energy Transmission Initiative (RETI) 2.0: Environmental and Land Use Technical Group Workshop on January 22, 2016

The Joint Renewable Energy Parties¹ provide these comments related to the Environmental and Land Use Technical Group Workshop on January 22, 2016. We appreciate the opportunity to comment on specific questions posed by staff in the workshop. In responding to the specific questions, we also comment on matters that arose during the workshop, including our shared concerns regarding the risk that the work product from RETI 2.0 will serve as a barrier to the development of renewable resources in California, thereby increasing the cost and difficulty of meeting the state's greenhouse-gas reduction goals.

What have we learned from recent and on-going renewable planning activities that should be considered going forward? The Joint Renewable Energy Parties are increasingly concerned that the RETI 2.0 work product will be used to create additional exclusion areas and as an additional tool by parties opposed to renewable infrastructure development. While recent and on-going renewable planning activities typically begin with the best of intentions, the current trend is that the needs for renewable development are not well balanced amongst other important goals, and the areas identified for renewable development are limited to smaller and smaller areas without regard to the actual viability of those zones for development. In addition, some parties are opposed to renewable development for any reason (including "not-in-my-backyard" attitudes) and will use, or attempt to use, environmental data to delay or terminate project development. This phenomenon occurs in a variety of forums, including permitting, planning, and even procurement decisions. Moreover, parties increasingly employ CEQA and land-use concerns to oppose at the CPUC the approval of power

¹, The Joint Renewable Energy Parties are comprised of the Independent Energy Producers Association (IEP), the California Wind Energy Association (CalWEA), and the Large-scale Solar Association (LSA).

purchase agreements outside of the permitting process. Typically, PPAs are critical to project development and construction; a delay in PPA approval can undermine project financing and ultimately the viability of the project.

RETI 2.0 appears substantially different than RETI 1.0. RETI 1.0 served to identify geographic renewable energy zones and “least regrets” public-purpose transmission infrastructure to support any pattern of development within and across those zones. Importantly, RETI 1.0 developed a conceptual transmission plan that was agnostic as to where renewable development should occur; RETI 1.0 left these decisions to the appropriate siting authorities. On the other hand, RETI 2.0 appears to be developing into a tool to aggregate data from myriad sources to identify areas to be excluded from future renewable infrastructure development (both individual projects and transmission). If the goal of the RETI 2.0 land-use effort is to “Us[e] existing data, produce maps of conservation value (environment and agriculture) ... to help inform and evaluate PUC scenarios” as stated in the January 22, 2016, “Data Sets and Model Approaches” presentation by Energy Commission staff, it is not clear why it is necessary or advisable to produce such granular information (even assuming the accuracy, value and transparency of such information). The purpose of the CPUC’s RPS portfolios is not to prejudge the CEQA and NEPA processes by mapping data at a project-level, nor should it be here.

Moreover, a number of governmental/regulatory entities directly involved in siting decisions also are directly involved in developing the RETI 2.0 environmental/land-use work-product, including the models for land-use mapping. The question naturally arises: what is the purpose of mapping the state of California for land-use purposes if not to use it? Even the DRECP, a formal agency effort that produced a land-use plan, lasted over eight years, and cost millions of dollars to complete, was not able to fully evaluate the compatibility of renewable energy projects in specific locations as would be done in a project-specific review under CEQA and NEPA. The informal effort being contemplated in RETI 2.0 would be far more cursory.

In this respect, the RETI 2.0 process is looking like the beginning of an “extra-regulatory” land-use planning exercise that directly or indirectly creates additional barriers to development, if not full exclusions within the state, at a time when renewable energy development has never been more critical or challenging. RETI 2.0 should focus on supporting CPUC proceedings that are already in the process of developing plausible resource portfolios at the CREZ level within the state of California and/or the WECC that will support the CAISO’s development of policy-driven transmission upgrades under a “least regrets” strategy.

How should key environmental data best be used to inform various renewable planning

activities? The Joint Renewable Energy Parties question the incremental value to decision-making expected to derive from mapping land-use factors at the proposed scale (e.g. 1.0 km). Certainly, if the goal is to identify preferred transmission corridors or future renewable energy zones, a 1.0-km level of analysis appears excessive to meet these planning needs. Data is a useful tool and we appreciate the capabilities of the DataBasin to incorporate numerous relevant datasets, but maps shouldn’t be treated as gospel. Moreover, data inputs should not be used in the RETI process that are not fully “scrubbed” and formally endorsed by the appropriate planning/permitting agencies. For example, the initial results of the San Joaquin Valley Solar Project are not ready for use in RETI.

That process, while a good start, was limited to identifying least-conflict areas from the perspective of separate stakeholder groups and possible incentives for those areas. It has yet to be determined whether those areas are in fact least-conflict or necessarily developable. While the Joint Renewable Energy Parties agree that development in the San Joaquin Valley should be included in the RETI 2.0 assumptions, relying on the *interim outputs* of the SJV process is premature and potentially contrary to the goals of the RETI 2.0 process.

Similarly, we question again the value and utility of modeling project-level data. In order to come up with assumptions for development needs in 2030, we shouldn't attempt to get too granular with regard to specific renewable energy project locations; rather, we should focus on using equivalent data across the West. Accordingly, the RETI 2.0 effort should focus more on areas with a high likelihood of renewable resource development, rather than heaping layer upon layer of environmental information onto maps at a project-specific level. The failure to focus plausible patterns of renewable energy development and associated least-regrets transmission needs while incorporating unlimited 1.0-km scale environmental datasets turns this process into more of a statewide land-use-planning process than a transmission-planning exercise.

As noted above, the Joint Renewable Energy Parties are concerned that the RETI 2.0 work-product will be a de facto input into more formal regulatory and permitting processes. If this is the case, the creation and subsequent modeling of “exclusion zones” in RETI 2.0 likely will influence the outcomes of more formal regulatory and permit proceedings. The Joint Renewable Energy Parties share a significant concern that the RETI 2.0 process effectively serves as an “extra-regulatory” process wherein the results of RETI 2.0, facially endorsed by a variety of participating state, local, and federal agencies, will be used by parties opposing renewable project development for any number of their individual reasons, many of which may be unrelated to environmental factors (e.g., “not-in-my-backyard”).

What could we also apply from the viewpoint of individual stakeholder groups’ own planning activities or study groups that evaluate the relative environmental impacts of potential renewable generation? Given limited stakeholder resources and the fact that RETI 2.0 is not a regulatory process, it is unclear whether and, if so, how broader stakeholder involvement will be reflected in the final product of this committee. As a result, we are concerned that the land-use technical group product will become “tilted” toward the unique perspective(s) of a single stakeholder group. Other parties have raised the concern, and we agree, that this process, including the final model(s) used to present land-use planning options, risks becoming so complicated and detailed that its employment is impractical for most interested parties, particularly renewable developers and those representing their interests. While the DataBasin has value, it is only a tool that is only as good as its input data, which in many instances is dated or model-driven; DataBasin is no substitute for the type of site-specific surveys that are conducted under CEQA and NEPA processes. If parties have limited time to engage in this RETI process and if there is little commitment to an open and transparent process that reflects stakeholder concern beyond the maps and the DataBasin tool itself, it is hard to imagine a balanced and fruitful outcome.

What environmental data are relevant to inform renewable energy planning? As noted above, the Joint Renewable Energy Parties question the incremental value of detailed planning (e.g., at the 1.0-km scale) to decision-making associated with developing least-regrets transmission plans and identifying preferred transmission corridors to support development in numerous promising renewable resource areas.

We appreciate the opportunity to comment on the environmental and land-use matters raised by staff in the RETI 2.0 process. We look forward to participating in the RETI process as it further develops.

Respectfully submitted,



Steven Kelly
Policy Director
IEP Association



Shannon Eddy
Executive Director
Large-scale Solar Association



Nancy Rader
Executive Director
California Wind Energy
Association