

## DOCKETED

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*Comment Received From: Emily Leslie*

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**Conservation Parties (Defenders of Wildlife, TNC, Sierra Club, CDB, Audubon)  
Comments on RETI 2.0 Environmental and Land Use Technical Group Meeting (July  
21, 2016)**

Hello,

This is Emily Leslie, Consultant for Defenders of Wildlife, submitting comments on the RETI 2.0 Environmental and Land Use Working Group meeting held on July 21, 2016. Please see the full comment letter attached.

We appreciate the efforts of the agencies, and the opportunity to participate in this important proceeding.

Best,  
Emily Leslie

*Additional submitted attachment is included below.*



To: Dockets Unit  
California Energy Commission  
Docket No. 15-RETI-02  
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Date: July 28, 2016

Subject: Comments to Renewable Energy Transmission Initiative 2.0 ELUTG Meeting  
(July 21, 2016)

Docket Number: 15-RETI-02

### **Introduction and Summary**

The Defenders of Wildlife, The Nature Conservancy, Sierra Club, Center for Biological Diversity, and Audubon California (“Conservation Parties”) respectfully submit these comments on the Renewable Energy Transmission Initiative (RETI) 2.0 Environmental Land Use Technical Group (ELUTG) Meeting, held on July 21<sup>st</sup>, 2016.

We strongly support the ongoing work of the California Governor’s Office, California Natural Resources Agency (CNRA), the California Energy Commission (CEC), the California Public Utilities Commission (CPUC), the California Independent System Operator (CAISO), and the Bureau of Land Management (BLM) to align renewable energy development and transmission planning with natural resource protection. RETI 2.0 presents an opportunity

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to coordinate these processes through the Data Basin platform in support of a sustainable, low carbon energy future.

Achieving a low carbon energy future is critical for California – for our economy, our communities and the environment. Key to this future is not only rapidly decarbonizing the energy and transportation sectors, but also protecting and managing the natural and working lands that provide for conservation of species and habitat along with important co-benefits such as sequestering carbon and protecting water quality and supply.

An overview summary of topics covered in our comments is listed here for convenience:

1. Problems with Transmission Assessment Focus Areas project cluster study approach
2. Missing environmental data

### **1. Transmission Assessment Focus Areas Project Cluster Study Approach**

At the ELUTG meeting, it was proposed that, due to the large area of the Transmission Assessment Focus Areas (TAFAs), the study approach be changed from providing environmental and land use information for the entire TAFA (the previous approach), to providing environmental and land use information only for smaller Project Concentration Area “clusters.” These clusters are largely defined by concentrated commercial renewable energy development activity. We are deeply troubled by this approach.<sup>1</sup>

This approach is significantly flawed for several reasons, including the following:

- Inconsistency with existing planning processes and tools
- Biased identification of priority development areas – missing important opportunities
- Reliance on past trends rather than seeking forward-looking solutions

Inconsistency with federal and state renewable energy development planning efforts: The current proposed clusters are not consistent with existing stakeholder processes and their tools and work products, which have been developed through significant investment of state, federal and stakeholder resources. For example, the clusters in the San Joaquin

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<sup>1</sup> We understand that it was decided not to address broader geography, due to the excessive time, and resources that would be required to perform much new analysis. We believe that the proposed narrow definition of the project concentration areas eliminates certain low-conflict lands and focuses in some cases on areas that are higher conflict. The reduction of assessment area is a limiting factor on the ability to achieve stated goal of RETI process.

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Valley are not consistent with the areas identified as “least conflict” in the San Joaquin least conflict solar study. In the California desert, a substantial amount of the DRECP development focus areas (DFAs) are inexplicably not included in the clusters. This is very concerning particularly given the statements by the state and federal agencies that transmission will be aligned to ensure that the DFAs will be usable for future development. Equally troubling, the clusters either envelop or are contiguous to many of the DRECP conservation areas that are not available for development. If RETI 2.0 is supposed to inform transmission decision-making, the Cluster Study Approach should be consistent with federal and state renewable energy stakeholder processes and planning, including federal land use designations. It is essential to align our transmission planning with our renewable energy land use planning to meet CA’s ambitious renewable energy goals in a timely manner. Not doing so is not only a missed opportunity, it could lead to unnecessary conflicts and delays to renewable energy build-out.

Indeed, the study results should include and build upon these previous work products, which have been successful demonstrations of collaborative approaches to renewable energy land use planning.

Biased identification of priority development areas: Data representing commercial interest should not be the leading factor in Project Concentration Area (cluster) identification and determination. Allowing the clusters to be determined by the locations of historic commercial development activity may create a self-fulfilling prophecy in which future development is driven by poorly informed siting decisions of the past – the very problem stakeholders and federal and state agencies have been working not to repeat into the future. The purported purpose of RETI 2.0 is to identify locations that are best suited to renewable energy development, as described in the excerpt from the RETI 2.0 website below:

*In addition to the 2008 Renewable Energy Transmission Initiative, state, federal, and local agencies have collaborated on other landscape planning processes to identify the most appropriate locations for renewable energy development, including the Desert Renewable Energy Conservation Plan and the San Joaquin Valley Solar Project. RETI 2.0 will incorporate and build off of the science, data, and analyses from these efforts.<sup>2</sup>*

The RETI 2.0 environmental and land use analysis should establish polygons based on two different approaches in two different types of regions. In areas where successful stakeholder planning processes have already been completed, polygons should be located on environmentally preferred areas only. In the San Joaquin Valley this means least-

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<sup>2</sup> <http://www.energy.ca.gov/reti/>

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conflict lands, and in the DRECP this means DFAs, and in some counties, this means zones/overlays explicitly identified for renewable energy development by local government. Outside of the San Joaquin Valley study area and the DRECP and certain counties, the environmental assessment polygons should be broader than the current narrow commercial-project-based polygons, and instead should only exclude areas where development is legally and legislatively prohibited. This would establish comparability, and ensure consistency with existing renewable energy planning processes and tools, by explicitly capturing known areas of high and low environmental-conflict in the environmental profile results. This would build upon previous work to bring us closer to aligning transmission investments with environmental and land stewardship values.

The RETI 2.0 process has not made clear the status of “projects” included within the datasets employed, i.e., “RPS Calculator 6.2 PPA”, “Renewable Projects CEC”, and “Photovoltaic CEC.” It is plausible that these datasets include “projects” ranging from those that are energized, to speculative projects that have not achieved key project development milestones, to projects that have been canceled or terminated. We would recommend that these data sources should be filtered to remove canceled or terminated projects, projects that are already operational, and overly speculative projects which have not yet reached important development milestones, to avoid wasting time analyzing locations that are known to be unsuccessful.

The RETI 2.0 process should help prioritize transmission investment for lower conflict project clusters – this should include DRECP DFAs and San Joaquin least conflict areas, even if there have been low/minimal levels of commercial activity in these locations in the past.

Reliance on past trends rather than seeking forward-looking solutions: The environmental land use technical group should set themselves up for success in this planning process. The most important element for success is aligning transmission investments with low conflict development areas. This enables developers to go to places where they will be able to get renewable energy built and delivered quickly and with less conflict, minimizing delays or project failure. An analysis that allows proposed projects to predetermine the focus areas, fails to achieve that potential because it does not consider other areas with lower conflicts, and limits the forward-looking utility and value of the RETI process. There may be great opportunities for low conflict development in locations that have not been explored yet. There are also many areas which have already been identified as low-conflict but which need further prioritization in energy and transmission processes to bring to market. It is a more pragmatic and attainable goal for the RETI process to identify new locations, and support locations previously identified as low conflict rather than focusing in areas where mistakes may have been made in the past.

## 2. Missing environmental data

Upon review of the RETI 2.0 Databasin Gateway, we were not able to obtain the environmental data layers that are being proposed for completeness. No environmental data layers currently appear in the online gateway. This is a major flaw and precludes the effectiveness of the environmental and land use working group. It is impossible to provide a meaningful and informed comment on environmental data layers if we cannot actually see those data layers and analyze them. The failure to provide these data layers to use during the time in which we are supposed to be commenting on them raises concerns about the meaningfulness of the public review and comment process within RETI 2.0. Thus, we urge that decisions based on this information are delayed until we have an opportunity to review these layers. We look forward to the opportunity to review and comment on the environmental data layers when they are made available. We will generally review for consistency with existing tools: the CPUC RPS Calculator, the San Joaquin least conflict solar study and DRECP work, and The Nature Conservancy's ORB model study.

## Conclusion

While we appreciate the opportunity to participate in this process, our concerns outlined above raise questions about the transparency and meaningfulness of public participation in these working groups and the larger process. We believe that RETI 2.0 presents an opportunity to create a vision for rapidly decarbonizing the electricity sector while protecting the natural and working lands that provide for the conservation of species and habitat as well as other important co-benefits such as carbon sequestration. We look forward to working with you to ensure that RETI 2.0 fulfills this opportunity and moves California forward in its efforts to meet its climate goals.

Respectfully submitted,

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July 28, 2016

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