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Defenders of Wildlife Comments on IEPR 2017-08-02 Workshop

Additional submitted attachment is included below.

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From: Kim Delfino, Defenders of Wildlife

Date: August 16, 2017

Subject: Comments of Defenders of Wildlife on the August 2, 2017 Environmental Information for Energy Planning Workshop

Docket Number: 17-IEPR-13

Defenders of Wildlife (Defenders) respectfully submits these comments on the August 26, 2017 Environmental Information for Energy Planning Workshop to the California Energy Commission (CEC).

Defenders, on behalf of our 140,000 members and supporters in California, works towards protection of wildlife, ecosystems, and landscapes while supporting the timely development of renewable energy resources in California. Achieving a low carbon energy future is critical for California – for our economy, our communities and the environment. Achieving this future—and *how* we achieve it—is critical for protecting California's internationally treasured wildlife, landscapes, productive farmlands, and diverse habitats.

Defenders strongly supports leveraging analytical tools for landscape scale analysis, and facilitating local government efforts for renewable energy planning. We appreciate that the Commission has put so much effort into developing tools to this end. We are excited to see the progress on the Environmental Report Writer and strongly believe it will benefit and support smart from the start planning for energy projects. The benefits of the Environmental Report Writer will not be limited to just energy planning. Even more importantly, the Environmental Report Writer is poised to deeply benefit landscape level planning and preliminary development project planning across California. The Environmental Report Writer allows governmental agencies, project proponents, tribes, stakeholders, conservation organizations, and communities to readily access fundamental environmental information that can be used to guide initial land use considerations.

I. Comments

We offer the following comments on the August 2 workshop, in response to the questions that were posed to stakeholders at the workshop.

Guiding Question #1: Which relevant datasets are missing from the application or make it useful?

Usefulness Comment #1: Need to "Drive" the Environmental Report Writer

Our comments are based upon the demonstration of the Environmental Report Writer and the presentations at the workshop and thus are limited by not being able to "drive" the Environmental Report Writer to better evaluate the its functionality and the value and relevancy of the selected datasets.

Usefulness Comment #2: Additional Datasets

We recommend that County General Plan designations be included as a dataset. This will provide basic information on the types of land use that would be allowed on unincorporated private lands e.g. agricultural, open space, residential, commercial, etc. Some of these land use designations will be clearly or potentially incompatible with proposed energy or other types of development. It may also be useful to include this information for a select few Cities with vast tracts of undeveloped land such as California City. The Office of Planning and Research should be able to assist obtaining geospatial data corresponding to local government General Plans. See Appendix A for more information.

Usefulness Comment #3: Protected Lands

It appears that a number of conservation easements held by land trusts do not appear in the protected lands data set. We recommend outreach to the land trust community to obtain missing shape files for conservation easements and other protected lands held by land trusts and other non-governmental conservation organizations. The California Council of Land Trusts may be able to assist.[1]

We are also attaching a list of geospatial datasets that were submitted in August of 2016 to the CPUC in support of the RPS proceeding (R-15-02-020). This list of geospatial datasets was compiled by a coalition of environmental NGOs, and we recommend that the CEC should consider adding datasets from this list, for interagency consistency. See Appendix B for more information.

Usefulness Comment #4: Finer Scale Imaging and Ground Truthing Needed

[1] https://www.calandtrusts.org/

The current intactness data layers are based on 1,000 meter resolution which will not always reveal disturbed areas such as road or off road vehicle use. Currently imagery is available down to at least the 5 meter resolution for the entire state.[2] Since the intactness layer influences conservation value, it should be updated by using finer scale imagery. This would improve the ability to identify roads and other man-made features which diminish landscape intactness and increase the accuracy for assessing conservation values. The increase resolution would also facilitate accurate ground truthing of results.

We continue to recommend that visual inspection of geospatial model results, and calibration against reality, using satellite imagery, should be performed as standard practice where geospatial models are used. This quality assurance step is critical, and should be well-documented for stakeholder review.

Usefulness Comment #5: Distributed Generation Analytical Functionality Needed

We note that in the May 24, 2017 IEPR workshop (Lead Commissioner Workshop on Strategic Transmission Investment Planning: Interactive Data Platforms to Support Collaborative Planning and Advanced Technologies), CBI presented another, similar tool, called the Distributed Generation Screening Tool.[3] It was indicated in that workshop that it may be possible to integrate the functionalities of the two tools, enabling distributed generation (DG) analysis from within the Environmental Report Writer interface. We recommend that the Environmental Report Writer functionality should be expanded to include such functionality. We note that DG (especially rooftop PV) is an attractive technological alternative to large central ground-mounted solar development, with reduced footprint and therefore reduced biological impacts.

Because the Environmental Report Writer tool is intended to evaluate environmental impacts, it should include the technology option with the lowest of all site impacts: DG.

The Distributed Generation Screening Tool allows the user to select inputs such as mounting structure (rooftop, carport, or ground-mount), and it allows the user to set thresholds such as number of focal species, level of development, and conservation value, and then the tool produces the following output: locations within a search area that meet the user's criteria.

[2] https://landsat.gsfc.nasa.gov/data/
https://www.mapbox.com/maps/satellite/
https://earthengine.google.com/datasets/
https://www.planet.com/products/open-california/#/center/-122.2340,38.1034/zoom/15

[3] http://dg-solar.org/

We recommend that this type of DG functionality should be added to the Environmental Report Writer, as a next step in the tool development roadmap.

Usefulness Comment #6: Obsolete DRECP Private Lands Development Focus Areas

Many of the Counties within the Desert Renewable Energy Conservation Plan (DRECP) area are in the process of or have completed general plan updates or adoption of general plan elements which directly affect where large scale renewable energy may be developed. These planning activities and those that will occur in the coming years are rapidly making the proposed DRECP Development Focus Areas (DFA) obsolete and the DFAs should not be relied upon as a planning tool.

Guiding Question #2: What are the different use cases that would be best for testing the functionality and value of the application?

Case Study Comment #1: RECE Policy Analysis

San Bernardino County just adopted a Renewable Energy and Conservation Element (RECE) to their General Plan.[4] The RECE sets out vision, objectives, goals, and policies for how and where renewable energy will be developed and used in the unincorporated areas of San Bernardino County. The RECE included some siting criteria and standards for renewable energy development. During the Board of Supervisor's hearing there were questions on where and how much private land would be available for renewable energy development if the draft RECE were adopted.[5] There was particular focus on proposed RE Policy 4.10 which would have prohibited development of utility-oriented renewable energy development in the Rural Living land use district and within the boundaries of existing community plans. Renewable energy industry representatives argued that the Policy would effectively prevent any additional utility scale renewable energy development to occur on private lands in San Bernardino County. The Board of Supervisors ultimately adopted the RECE without RE Policy 4.10 and directed RE Policy 4.10 be sent back to the Planning Commission for further review.

It would be useful and interesting to use the Environmental Report Writer to analyze the end result of the policies, including the RE Policy 4.10, in the draft RECE:

[4] http://cms.sbcounty.gov/lus/Planning/RenewableEnergy.aspx

[5] http://www.sbcounty.gov/uploads/LUS/Renewable/RECElementFinalPublicHearingDraftApril2017WEB2.pdf

1. How many acres of private lands would be available for utility scale renewable energy development?
2. Where are those developable lands located?
3. What are the environmental characteristics of those developable lands?

Case Study Comment #2: Other Proceedings

In our April 6, 2017 comment letter, we suggested that geospatial planning tools could be used in the following proceedings:

1) IEPR Strategic Transmission Investment Plan
2) SB350 implementation
3) CPUC/CEC IRP modeling
4) Procurement approvals pursuant to IRPs
5) Local government could use these geospatial planning tools in developing General Plans and Specific Plans
6) Counties that are participating in Phase 2 of DRECP (Kern, LA, San Bernardino)
7) Counties that have CCAs
    a. These geospatial planning tools could be used to inform selection criteria for renewable energy procurement
8) Other planning and development activities such as infrastructure planning and development

We continue to emphasize the importance of data quality, in order to ensure beneficial effectiveness in these types of applications.

Additional Comments:

Utility of Geospatial Data and Landscape-Level Planning

Other commenters have suggested that geospatial analysis and landscape level planning will not result in conservation of ecosystems and species. Other commenters claim that these methods are inadequate for project-level siting and analysis. These concerns miss the point and purpose of geospatial analysis and landscape level planning. In fact, the loss of habitat and impacts to species seen in California over the past many decades is the result of *not* utilizing geospatial analysis and landscape level planning to guide development away from areas of high natural resource value.

The June 7, 2017 comment letter from Alliance for Desert Preservation (ADP) has several flaws in logic. The ADP letter claims the DRECP fails to achieve a standard of "best

available science." However, it only cites one scientist's dissenting opinion about the location of priority habitat connectivity linkages, a topic with a known level of subjectivity and uncertainty. The letter fails to acknowledge the qualifications and countless man-hours of contributions by qualified scientists to the DRECP, and it fails to acknowledge the countless opportunities for public comment and stakeholder input which have always been part of the landscape level planning proceedings in California. The ADP letter suggests that all landscape level planning efforts should halt immediately, an implausible and counterproductive recommendation, with inadequate supporting argument.

Defenders agrees with one principle in the ADP letter: utility-scale ground-mount renewable energy development is only *one* of many measures needed to reach California's environmental goals. We agree that distributed generation (DG), rooftop PV, energy efficiency, and energy storage are also important measures in a suite of complementary technologies which must be implemented simultaneously. However, the CEC has jurisdiction over siting of power plants, and the scope of CEC docket 17-IEPR-13 is intentionally limited to this topic. Other greenhouse gas (GHG) reduction technologies such as energy efficiency and energy storage are addressed separately in other proceedings, and it is then the responsibility of the CPUC to add all of these technologies up, to monitor progress toward the state's goals, in the Integrated Resource Plan proceeding (R-16-02-007). CEC docket 17-IEPR-13 was never intended to solve all of the state's environmental challenges, or to address all possible GHG reduction technologies. As such, the ADP argument of inadequacy of tools presented in this proceeding does not hold. We support the continued improvement and enhancement of geospatial planning tools, and we oppose efforts to slow progress in this important work.

With respect to CEC's jurisdiction over the siting of power plants, geospatial analysis and landscape level planning are the starting point to identifying (1) areas of expected high sensitivity which should be protected and (2) areas expected to be "least conflict" that are potentially suitable for development. The Environmental Report Writer and other landscape level planning and geospatial tools do not supersede project and site specific level analysis, CEQA, NEPA, or local government approvals. On the contrary, geospatial planning tools make additional data available and accessible to support, complement, and enhance these processes. Once a specific project location and proposal is identified then all of the necessary site-specific analyses such as biological and cultural resource surveys and studies must still be completed, prior to a development project being considered for permits by the land use authority and responsible agencies.

Science-based geospatial analysis and landscape level planning tools provide essential supporting and enabling functionality, to make smart-from-the-start planning possible.

These tools help to protect our remaining natural resources while meeting our energy, housing, and economic needs for a sustainable future in California.

II. Conclusion

Defenders of Wildlife appreciates the opportunity to comment on the August 2, 2017 CEC Environmental Information for Energy Planning Workshop and look forward to the Environmental Report Writer being released.

We appreciate and commend the Commission for continuing to provide leadership in the important area of landscape scale planning. We encourage the Commission to continue this important work as it will facilitate improved siting and development of energy projects as well as providing additional benefits for other land use planning and siting efforts. We look forward to continued participation in the proceeding.

Sincerely,

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Appendix A: Additional Local Government Datasets Recommended for Consideration

In 2015, San Diego County compiled a list of local governments which have adopted energy elements to their General Plans.[6] See excerpt from San Diego County analysis below. Additional geospatial datasets may be obtained from many of these County Land Use Service departments, or from the Office of Planning and Research latest survey results.

"Many California counties and cities have already adopted a separate, optional energy element. Scott Morgan with the California Office of Planning and Research noted that at least 25 jurisdictions have added an Energy Element into their general plan over the past 20 years, including Kern, Marin, Sacramento, and Santa Barbara Counties. Imperial County adopted a unique Geothermal/Alternative Energy and Transmission Element in 2006 (2014). These jurisdictions are listed below in TABLE 5-1 by chronological order. Please note that these are only the jurisdictions that responded to the Governor's Office of Planning and Research 2013 survey and specifically have an Energy Element. Many other jurisdictions have included energy in one of their required seven elements and are not included in this list. For example, Butte County includes energy issues in the Open Space and Conservation Element (Morgan, 2014)."

TABLE 5-1. California Counties and Cities with Energy Elements

1980s	1990s	2000s	2010s
Santa Ana (1982)	Lassen County (1993)	Costa Mesa (2002)	Dixon (2010)
	Sacramento County (1993)	Kern County (2004)	Ontario (2010)
	Siskiyou County (1993)	Shasta County (2004)	Rosemead (2010)
	Santa Barbara County (1994)	Banning (2006)	San Luis Obispo (2010)
	Ukiah (1995)	Marin County (2007)	Taft (2010)
	Yucca Valley (1995)	Riverside (2007)	Yuba County (2011)
	Sierra County (1996)	Cathedral City (2009)	Simi Valley (2012)
	Sutter County (1996)	Emeryville (2009)	Tulare County (2012)
			San Mateo County (2013)

[6] Source: http://www.sandiegocounty.gov/content/dam/sdc/pds/advance/CREP/CREP-report-initial-draft.pdf

Appendix B: Recommended Additional Datasets for Consideration

	Recommended Action	**Category 1 (Development Prohibited) Recommended Dataset**	**Data Source**
1	Add lakeshores	National park system (parks, preserves, historic parks, historical sites, lakeshores) [all studies]	PAD-US (search for "National Park System")
2	Add state wildlife refuges	National Wildlife Refuges (US FWS) & state (under "Habitat and Species Mgmt Areas" in PAD-US) [all studies]	PAD-US ("National and State Wildlife Refuge")
3	Add the proposed NLCS in the FEIS for the DRECP LUPA	BLM National Conservation Areas (under "National Landscape conservation system" in PAD-US) (just King Range, Black Rock, High Rock, Headwaters Forest Reserve) [RETI]	PAD-US ("Select BLM National Conservation Areas"), WSEP, SPEIS
4	Add Castle Mountains NM	(BLM) National Monument	PAD-US ("(NPS) National Monument"), WSEP, SPEIS
5	Add Mojave Trails, Sand to	(NPS) National Monument	PAD-US ("(NPS) National Monument"), WSEP, SPEIS

	Snow National Monument Castle Mountains, and Berryessa Snow Mountain		
6	Add	USFS National Monuments (San Gabriels, Sand to Snow etc)	PAD-US
7	Promote to category 1; expand to include wind and geothermal	BLM Special recreation management areas [WREZ & WECC] – solar, wind, geothermal	WSEP
8	Add	BLM no surface occupancy restriction areas [WREZ & WECC] - solar	WSEP
9	Add	BLM designated and proposed Research Natural Areas + Sikes Act Tracts [WREZ & WECC] - solar	PAD-US ("BLM Research Natural Area")
10	Expand to include wind and geothermal	Area of Critical Environmental Concern on BLM land ONLY [all studies] - for solar	WSEP
11	Add	BLM Wildlife	PAD-US ("BLM Wildlife Management Areas")

		Management Areas [WREZ & WECC] - solar	
12	Confirm OOS parks or add	State Parks (CA, MT, OR, WA, WY)	PAD-US ("State Parks")
13	Add	State forest [WREZ]	PAD-US ("State Forest")
14	Add	State Wild and Scenic Rivers	http://www.dfg.ca.gov/biogeodata/gis/clearinghouse.asp
15	Update	Lands purchased with private funds and donated to federal government [RETI] (The Wildlands Conservancy)	TNC
16	Add	Wetlands: RAMSAR sites	Website: https://rsis.ramsar.org/ris-search/?f[0]=regionCountry_en_ss%3AUnited+States+of+America
17	Add	Watershed Protection Areas [WREZ]	PAD-US ("Watershed Protection Areas")
18	Add	Marine Protected Areas [WECC]	PAD-US ("Marine Protected Areas")
19	Add	Historic/Cultural areas with Gap statuses 3,4	PAD-US ("Historic or cultural areas")
20	Add	Private Conservation Land (held in Fee or by Conservation Easement) (P_Des_type in PAD-US) and other Private non-profit	PAD-US ("Private Conservation Land")

		land [WECC]	
21	Add	National Conservation Easement Database (NCED)	http://www.conservationeasement.us/
22	Add	Lands protected under California Farmland Conservancy Program (CFCP)	Please contact CFCP Program Manager Molly Pemberty (916) 324-0863 or Molly.Penberth@conservation.ca.gov
23	Add	Mitigation lands managed by the CDFW, USFWS	Please check with CDFW, USFWS to confirm the latest data has been received/incorporated
24	Add	Protected lands identified by the California Council of Land Trusts (CCLT)	Please contact Darla Guenzler at CCLT (916) 669-0660 or darla@calandtrusts.org
25	Add	PG&E's Land Conservation Commitment Program (PG&E LCC)	Please contact PG&E LCC Program Manager Aimee Crawford (916) 923-7002 or aecl@pge.com
26	Add	Lands protected by easements through NRCS programs (wetland reserves, erodible land reserves)	Please contact the California NRCS Program http://www.nrcs.usda.gov/wps/portal/nrcs/main/ca/programs/easements/
27	Add	Protected lands identified by Wildlife Conservation Board	Please contact WCB Executive Director John Donnelly (916) 445-0137or John.Donnelly@wildlife.ca.gov

28	Add	Lands protected under Army Corps of Engineers programs (404 permits, mitigation lands)	NGOs can help with obtaining data layers, if necessary
29	Add	CA Rangeland Conservation Coalition map of priority areas	Please contact The Nature Conservancy for data
30	Add/update	Lands precluded from development by County and City General Plans, Planning Overlays, and Development Codes	Particular counties of interest: Imperial, Riverside, San Bernardino, Kings County, Kern County updates regarding Williamson Act. NGOs can provide
31	Add	Lands precluded from development CEC Funded County Energy Plans	NGOs can help with obtaining data layers, if necessary

	Recommended Action	**Category 2 (Development Limited) Recommended Dataset**	**Data Source**
1	Add	BLM National Conservation Areas (All others)	PAD-US ("BLM National Conservation Area"), WSEP, SPEIS
2	Add	BLM Visual	SPEIS

		Resource Management class I and II [WREZ]	
3	Add	BLM ROW avoidance [WREZ & WECC] - all technologies	SPEIS
4	Add	BLM no surface occupancy restriction areas [WREZ & WECC] - wind and geothermal	WSEP and SPEIS
5	Add, promote to Category 1	BLM designated and proposed Research Natural Areas + Sikes Act Tracts [WREZ & WECC] - wind and geothermal	PAD-US
6	Add	BLM Wildlife Management Areas [WREZ & WECC] - wind and geothermal	PAD-US
7	Promote to Category 1	Area of Critical Environmental Concern on BLM land [all studies] - for wind and geothermal	WSEP and SPEIS
8	Add	Area of Critical Environmental Concern on non-BLM land [all studies] - all	SPEIS

		technologies	
9	Add	BLM ephemeral washes	http://www.evs.anl.gov/research-areas/highlights/hydrologic-processes.cfm
10	Add	State reserves (State Natural Reserves, e.g., Torrey Pines Reserve, Antelope valley poppy reserve)	PADUS ("Reserves")
11	Add	Other wildlife areas and ecological reserves(BLM, county, Bureau of reclamation)	PADUS (Other wildlife areas and ecological reserves)
12	Add DRECP Conservation Strategy (Reserve Design)	Lands precluded from development under Natural Community Conservation Plans [RETI]	http://www.energy.ca.gov/reti/documents/index.html
13	Add	Habitat areas for listed wildlife species mapped by State, Provincial or Federal Agencies [WECC]	Organization: Fish and Wildlife Service (FWS) Note: Melanie at DFW can provide this data
14	Update	USFWS Designated critical habitat for federally listed endangered and threatened species [RETI]	FWS critical habitat portal

		(includes Desert Tortoise, Peninsular BHS, FTL)	
15	Add, and request additional species recommendations from USFWS	USFWS Upland Species Recovery Units	http://www.fws.gov/ecos/ajax/docs/five_year_review/doc3222.pdf
16	Add	USFWS Sage Grouse Core or Priority Areas	Organization: CA BLM and CA Fish and Game
17	Add	Wetlands: Ephemeral washes in arid environments	Argonne National Lab's Environmental Science Division: http://www.evs.anl.gov/research-areas/highlights/hydrologic-processes.cfm