

DOCKETED

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Friends of the Inyo Comments on CEC Commissioner Land Use Screens

Additional submitted attachment is included below.



March 30, 2023

California Energy CEC
Docket Unit, MS-4
Docket No. 21-SIT-01
715 P Street
Sacramento, California 95814-5512

Delivered via email to: docket@energy.ca.gov

RE: Docket No. 21-SIT-01 — SB100 Implementation Planning for SB 100 Resource Build
Comments on Commissioner Workshop on Land Use Screens

Friends of the Inyo (FOI), on behalf of our nearly 1,000 members, submit these comments in response to the March 13, 2023, Commissioner's workshop on Land Use Screens for Electric System Planning and the Electric System Planning Web Mapping Application (Mapping Tool). Our comments are limited to the lands within the Inyo and Mono Counties in California. FOI is a grassroots non-profit organization based in Bishop, California. Our mission is to ensure the public lands of the Eastern Sierra exist in an intact, healthy natural state for people and wildlife through preservation, stewardship, exploration, and education. Over our 30-year history, FOI has actively engaged with land and water management agencies in the Eastern Sierra, including the Bureau of Land Management (BLM), U.S. Forest Service (FS), and State Lands Commission.

FOI supports California's co-equal goals in Senate Bill 100 and Executive Order N-82-20 (30x30). We advocate for planning California's energy future that balances the protection of our wildlife and wildlands with responsible renewable energy development.

Comments

We appreciate the California Energy Commission (CEC) project team's active engagement with stakeholders and hard work in developing the Land Use Screens. The March 14th update to the Mapping Tool includes substantial improvements in the data sets and methodology. We offer the following comments:

Critical Habitat

We support the inclusion of the critical habitat in the biodiversity dataset. Identification of critical habitat areas is essential for the proactive protection of sensitive and important biological species and is a crucial first step for avoiding and minimizing impacts from energy development and transmission projects. We request that the CEC continue to work with wildlife agencies and the environmental community to refine and update the critical habitat layer to ensure it accurately reflects current data.

Climate Resilience

We support the inclusion of the ACE Climate Resilience layer. Energy projects have long lifespans and are effectively permanent conversions of land to industrial use. Such a conversion is highly unlikely to be compatible with species refugia and climate resilience. It is more than appropriate for climate resilience lands to be included in the land use screens, and these lands should be excluded from energy development.

Connectivity

Climate resilience is dependent on connectivity. According to the Council on Environmental Quality¹, habitat connectivity is "vital to ecosystem health and functions" and "promotes climate adaptation and resilience by enabling wildlife to adapt, disperse, and adjust to changes in the quality and distribution of habitats, including climate-driven shifts in species' geographic ranges." Identifying and considering habitat and migration connectivity are fundamental components of land use planning for renewable energy development. We request that the CEC continue working with agencies and stakeholders to identify and protect lands that will provide migration corridors and refugia for species to support resilience.

Techno-Economic Exclusions

Elevation

FOI requests consideration of a techno-economic exclusion for lands above 8,000 ft in elevation. This exclusion criteria does not affect the majority of California but would help protect special status species habitats in the Eastern Sierra including Bi-state Sage Grouse, Sierra Nevada Bighorn Sheep, and Nelson Desert Bighorn Sheep. Including the elevation limit would also help preserve climate refugia and support climate resiliency for various species.

Slope

We also request a slope exclusion for areas with slopes greater than 10%. Development on lands with slopes greater than 10% can reasonably be expected to require additional grading and site disturbance and the corresponding risk of geological and hydrological impacts and

¹ Mallory, B. (2023) *Guidance for Federal Departments and Agencies on Ecological Connectivity and Wildlife Corridors*. United States Council on Environmental Quality: Washington, D.C.
<https://www.whitehouse.gov/wp-content/uploads/2023/03/230318-Corridors-connectivity-guidance-memo-final-draft-formatted.pdf>

impacts to species. Removal of mature vegetation for grading on slopes greater than 10% would also accelerate erosion rates.

Tribal Consultation

We encourage the CEC to continue to consult with Tribal Nations as we move toward SB 100 goals. Protecting important cultural areas and landscapes should be a priority consideration of the CEC. As recommended in the 2021 SB 100 Joint Agency Report, we support and encourage broadening engagement with and having closer collaboration with tribal governments on landscape-level land-use planning.

Data Verification

We request the CEC revisit the Land Use Screens datasets for the Eastern Sierra for Sierra Nevada Bighorn Sheep, a state and federally listed endangered species. We understand CA Department of Fish and Wildlife (CDFW) has updated shapefiles for Sierra Nevada Bighorn Sheep habitat. Based on our discussions with CDFW, the March 14, 2023, Land Use Screens layers do not appear to include the current herd habitat. In particular, the Coyote Ridge Herd has a much larger habitat southwest of Bishop than the Critical Habitat layer is showing. The same applies to the Twin Lakes Herd and Green Creek Herd northwest of Mono Lake. The current herd data for the Coyote Ridge, Twin Lakes, and Green Creek Herds in Inyo and Mono Counties should be obtained from CDFW.

Finally, we request the incorporation of Audubon's Important Bird Areas and California Native Plant Society's Important Plant Areas into the data sets. Incorporation of this data will provide a more accurate representation of areas with low conflict with renewable energy development.

Long-Term Funding for Updates

We appreciate the significant improvements to the Land Use Screens over the past few years, particularly since last fall. Building out and continued refinement of the Land Use Screens and methodology will be required to capture and reflect California's wealth of resources - both natural and renewable. We support long-term funding for the CEC to support ongoing development and maintenance of the Land Use Screens and mapping methodology.

Using Land Use Screens

At its heart, energy planning is land use planning. We strongly support using the CEC's Land Use Screens for California's energy planning rather than allowing developers and utilities to drive CA's energy future. The Land Use Screens have been vetted by a wide variety of stakeholders to identify the right mix of datasets to address California's energy and environmental goals found in SB 100 and 30x30.

Conclusion

Thank you for the opportunity to comment on the CEC Land Use Screens. We look forward to continued participation in California's renewable energy planning. Please contact Wendy Schneider at Wendy@friendsoftheinyo.org with any questions.

Sincerely,

A handwritten signature in black ink that reads "Wendy Schneider". The signature is written in a cursive style with a large initial "W" and "S".

Wendy Schneider
Executive Director