

LAND USE SERVICES DEPARTMENT



COUNTY OF SAN BERNARDINO

PLANNING DIVISION

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CHRISTINE KELLY
Director

California Energy Commission

DOCKETED
12-GREP-1

TN # 69042

JAN. 04 2013

January 4, 2013

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 12-GREP-1
1516 Ninth Street
Sacramento, CA 95814-5512

RE: The California Energy Commission is developing a competitive grant solicitation targeted to qualified counties in California to provide funding for the development or revision of rules and policies that facilitate the development of eligible renewable energy resources, and their associated electric transmission facilities, and the processing of permits for eligible renewable energy resources.

Energy Commission Stakeholder Questions Request for Comments

Questions for Stakeholders: The Energy Commission is soliciting input from stakeholders to help inform the development of the grant solicitation that will implement Public Resources Code Section 25619. The Energy Commission is especially interested in receiving input from the qualified counties. Please respond to the following questions regarding the Energy Commissions renewable energy planning grant program. Stakeholders are also encouraged to submit responses that extend beyond the questions.

The following are the responses from the County of San Bernardino to the questions from the California Energy Commission regarding the development of a competitive grant solicitation.

1. What are the renewable energy and natural resource conservation planning needs and priorities in the qualified counties?

Funding for amendments of the General Plan, Development Code and Community Plans as may be needed to update or establish land use policies and development standards for renewable energy projects would be the most important planning needs at this time. The updating of renewable energy policies and standards with emphasis on siting criteria, land use compatibility and protection and maintenance of infrastructure would be priorities for the County of San Bernardino.

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2. What types of development or revision of rules and policies should be funded through this grant?

Grant funds should be provided to evaluate and amend existing policies in the County General Plan, with possible re-organization of the General Plan to include an optional Energy or Sustainability Element. Policies with siting criteria could be developed to facilitate and streamline renewable projects, while ensuring compatibility with other land uses and internal consistency with other land use, infrastructure and economic development policies of the General Plan. Finally, development standards tailored to renewable energy projects would provide the tools necessary to implement the new and updated renewable energy policies.

3. What barriers to implementation of the rules and policies do Counties face? For example, resource, financial and/or legal constraints.

In addition to the financial constraint to update the General Plan and Development Code, there are three main concerns that may be considered barriers:

- The need for an alternative approach for Endangered Species Mitigation. The County would support an in lieu fee program that would provide conservation, restoration, recovery strategies and predation control without requiring acquisition of mitigation lands at multiplied ratios. The desired approach would facilitate renewable energy projects without undue impacts on the potential for recreation or future development on public and private lands.
- The need for a mechanism to address infrastructure impacts. The construction phase of renewable energy projects impacts County roads that otherwise would have very low maintenance needs. Also, development of large tracts of land with solar energy projects that may not require supporting infrastructure can create gaps that would impede extension of infrastructure to surrounding properties.
- The need to identify and mitigate the costs of ongoing operation and maintenance required to provide adequate public safety services and road maintenance, as well as the potential loss of recreation/tourism opportunities and revenues.

4. How will the development or revision of rules and policies described in answers questions 1 and 2 facilitate the development of eligible renewable energy resources, and their associated electrical transmission facilities, and the processing or permits for eligible renewable energy resources?

By finding solutions to the barriers identified in questions 1 and 2, the County would be better prepared to inform alternative energy developers of everything they need to consider in their project site selection. This will provide a higher level of certainty and confidence for investment in alternative energy projects, and will facilitate their development under well-defined policies and development standards.

5. How much will the development or revision of rules and policies described in questions 1 and 2 cost and how long will it take to complete? Can the development or revision of these of these rules and policies be completed in phases if funding for such work and times to expend such funds is limited and what would that phasing look like?

To amend the General Plan, Development Code and associated Environmental Documents would take approximately 12 to 18 months, and could be phased. Depending on the level of detail that could be funded, the cost of the policy and development standard programs, with and Environmental Impact Report would likely cost anywhere from \$100,000 to \$250,000.00. The mitigation lands assessment and credit strategy mentioned under item 7 would be in the same cost range.

6. How many renewable energy projects has your county permitted to date? What were the resource types, sizes, and scales of these projects, and how long were the permitting processes?

The County of San Bernardino Land Use Services Department has processed 10 Renewable Energy Facility projects to date. The scale of the projects range from 1 megawatt to several hundred megawatts. The processing time took approximately 2 to 4 years.

7. Do counties plan to work on revisions to rules and policies with regional partners? If so, what regional partners will you work with and what role will these partners play?

Major utility service providers, resource agencies and cities located within the County would be likely partners during development of alternative energy projects, but would not be likely to partner in grant funding proposals because the grants would be used for development of plans, policies and regulations for implementation by the County. The BLM may be a partner in the assessment of public lands available for habitat mitigation and development of a strategy for retirement of grazing allotments and assignment of mitigation credit values.

8. What criteria should the Energy Commission use to score and rank grant applications? Please offer specific criteria and the rationale/basis for such criteria.

The first criterion for funding should be that the County supports siting and development of Renewable Energy Facilities. The intention to use grant funds to develop the policy and

regulatory framework required to facilitate renewable energy projects should also be a primary criterion.

Should the Energy Commission create two funds within this grant solicitation with one providing criteria and funding for counties in the DRECP? If so, how should the criteria and funding amounts for DRECP and non-DRECP counties differ? Should the funding be allocated competitively?

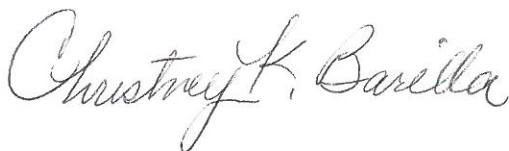
The priority for funding should be afforded to jurisdictions most impacted by and with the greatest potential for development of renewable energy projects.

9. Public Resources Code Section 25619(b) allows the Energy Commission to allocate not more than 1 percent (\$70,000) of the appropriated funds to provide training to county planning staff to facilitate the siting and permitting of eligible renewable energy resources. What type of training will benefit county planning staff the most?

County staff would benefit from additional training on State laws and policies concerning renewable energy, as well as the California Environmental Quality Act, the National Environmental Policy Act, and related permitting processes common to renewable energy projects.

If you have questions, please contact me at (909) 387-4373 or by email at cbarilla@lusd.sbcounty.gov.

Sincerely,



Christney K. Barilla, Senior Planner
Land Use Services Department, Planning Division

cc: Terri Rahhal, Planning Director
Dave Prusch, Supervising Planner