



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 23, 2015

California Energy Commission
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1516 Ninth Street
Sacramento, California 95814-5512

California Energy Commission

DOCKETED

09-RENEW EO-1

TN 75185

FEB 23 2015

Dear Commission Members:

**DESERT RENEWABLE ENERGY CONSERVATION PLAN
DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT
STATEMENT (DRECP NEPA/CEQA)**

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIS)/Environmental Impact Statement (EIS) for the Draft Desert Renewable Energy Conservation Plan (DRECP).

The plan has the potential to impact the development of renewable energy within Los Angeles County Antelope Valley. Therefore, during the preparation of the DRECP, staff of the Department of Regional Planning (Department) met with Energy Commission staff to emphasize the need to provide for the protection of Los Angeles County Significant Ecological Areas (SEAs). The Department staff electronically transmitted the boundaries of the SEAs to the Energy Commission staff for use in the preparation of the DRECP. We thank the Energy Commission's staff for being responsive to our concerns and incorporating the data into the DRECP.

We informed the Energy Commission staff that the Department was moving ahead simultaneously with the preparation of a Renewable Energy Ordinance for Los Angeles County and with the preparation of an update to the Antelope Valley Areawide General Plan. We are pleased to announce that the update to the Antelope Valley Areawide General Plan has been completed and has received the approval of the Los Angeles County Board of Supervisors (Board). We expect the Board to conclude its final adoption proceedings regarding the update to the Antelope Valley Areawide General Plan next month (March 2015). We anticipate that the Board will take action on the Renewable Energy Ordinance in May 2015.

We wish to advise you that the proposed Renewable Energy Ordinance does include a prohibition with regards to utility-scale ground-mounted renewable energy development on properties classified in the Plan update as Economic Opportunity Areas. Also, the Antelope Valley Areawide General Plan includes new and expanded boundaries for SEAs

within the Antelope Valley. Utility-scale ground-mounted renewable energy development will be prohibited within the County SEAs. The Department will be forwarding to you the revised data including the boundaries of the Economic Opportunity Areas and the boundaries of the new and expanded SEAs upon completion of the expected final adoption process. We respectfully request that the DRECP be updated to reflect these revisions.

We note that the preparation of the Environmental Impact Report (EIR) which accompanied the preparation of Los Angeles County Renewable Energy Ordinance was funded by a \$603,000.00 grant awarded by the Energy Commission to the County in 2014. We wish to take this opportunity to extend our gratitude for your generous support.

The Department is pleased that the DRECP emphasized repeatedly that no local zoning authority would be eliminated or weakened as a result of adoption of the DRECP. We would like to suggest that those sections of your document which describe procedures for developing renewable energy projects on private lands under the jurisdiction of local governments be revised. Clarification of the process through which local governments would inform the staff administering the DRECP of receipt of new project applications is needed. It is unclear if DRECP would wish to have the local government or the applicant forward case filing materials to your offices for review and it is unclear if there might be a DRECP fee imposed to cover the costs of your staff's review of the application and the procedures for collecting any such fees.

The DRECP/EIR/EIS discusses the impacts of constructing generation tie-lines between new renewable energy projects and existing transmission lines. Within the unincorporated areas of Los Angeles County the Department implements a policy which requires the undergrounding of all generation tie-lines. We would suggest that the undergrounding of all generation tie-lines be incorporated into the DRECP as a required mitigation measure.

The DRECP/EIR/EIS discusses methods for the control of dust generated during and after the construction of renewable energy facilities. One method which is recommended is the use of chemical dust suppressants. The Department has found that the use of dust suppressants creates a significant negative impact upon properties surrounding the renewable energy site. The Department implements policies which prohibit their use and would suggest that the DRECP incorporate a prohibition against the use of dust chemical suppressants into required mitigation measures.

The DRECP/EIR/EIS discusses the environmental impacts of fuel modification methodology. The document should make clear that the final authority with regards to determining necessary fuel modification requirements shall rest with the local Fire Department. Restricting local fuel modification requirements in an effort to minimize biotic

impacts can result in the creation of unnecessary fire hazards for neighboring communities.

"Timely restoration of disturbed areas" is addressed in the DRECP/EIR/EIS as a dust control mitigation measure. The discussion emphasizes the use of native plant materials. However, the Department has concluded, and the DRECP/EIR/EIS has noted, that native plants are very slow growing. Therefore, the Department would suggest that the DRECP make it clear that the use of non-native plants in wind prone areas is acceptable as a dust control mitigation measure.

In conclusion, I would like to take this opportunity to thank Commissioner Karen Douglas for having presented briefings before the Los Angeles County Regional Planning Commission and to staff of the Fifth Supervisorial District for conducting community workshops within the Antelope Valley and for working closely with the Department's staff during the preparation of the DRECP EIR. Her ongoing efforts have been very much appreciated.

Should you have any follow-up questions, please contact Mr. Paul McCarthy, Los Angeles County DRECP Stakeholder representative at (213) 974-6443, or by e-mail at pmccarthy@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.

Sincerely,



Richard J. Bruckner
Director

RJB:SA:PMC:m