

Thank you for your comment, April Sall.

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Comment Submitted:



# THE WILDLANDS CONSERVANCY

September 14th, 2009

*Delivered via e-mail (project website), and U.S. mail with attachments*

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**RE:** Scoping Comments for the Solar Energy Development Programmatic EIS: Solar Energy Study Areas (SESA's)

Dear BLM and DOE staff:

The Wildlands Conservancy (hereafter, TWC) would like to thank the Bureau of Land Management and the Department of the Interior for the opportunity to provide public scoping comments on the Solar Programmatic Environmental Impact Statement (PEIS); which is aiming to further develop solar energy resources on 24 tracts of BLM-administered lands throughout the south west states (California, Utah, Arizona, New Mexico, Nevada, and Colorado), which are designated as Solar Energy Study Areas (hereafter SESA's). These scoping comments will focus on the California SESA's.

TWC is a 501c3 non-profit public benefit corporation with the dual mission to preserve the beauty and biodiversity of our earth for present and future generations, and to provide free outdoor education to our youth. TWC has preserved more land in California with private funding than any other conservation organization and owns the largest non-profit preserve system in CA.

TWC is extremely supportive of renewable energy development and eliminating our dependence on fossil fuel energy sources and reducing our carbon footprint. TWC leads by example; our first preserve was established off-the-grid and self-sufficient in 1995. Since that time we have installed photovoltaic solar arrays on the majority of our preserves. TWC has a strong vested interest in the current renewable energy discussion and corresponding developments being proposed on federal lands within the California Desert region.





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TWC is passionate about land conservation and preserving intact, functioning ecosystems. We initiated the largest private land acquisition project in U.S. History, The Catellus Land Purchase. This purchase of over 600,000 acres in the CA Desert connected Joshua Tree National Park to Mojave National Preserve with public conservation lands. These lands were all gifted to the Dept. of the Interior for management of their conservation resources and values. Just 4 years after the completion of this project, applications for renewable energy projects and the 'greening' of California's energy supply has become a targeted goal. This can be accomplished while continuing to protect our treasured landscapes and fragile ecosystems.

TWC is an advocate for the preservation of the unique and sensitive lands of the Mojave Desert, and we request that the following comments be applied to the PEIS to maintain the conservation, historic, and recreation values of these public lands.

One of our goals is to facilitate the determination of the Solar Energy Zones' (SEZ's) from analysis of the SESA's. We hope that you will consider our rationale for why these SESA's need to be further considered and revised for solar energy development in attempt to maintain conservation values within the California Desert Conservation Area (CDCA). We highly praise and thank the BLM for their hard work in identifying the lands in each SESA; however we are suggesting that these SESA's be scaled down in size to minimize environmental impacts in the CDCA. The following comments are formulated to further identify the most appropriate lands for solar development.

In an effort to facilitate the BLM's daunting task of identifying suitable public lands for solar development, a number of environmental organizations including TWC have worked together to develop a desert siting criteria memo specifically designed for use by the BLM in the California Desert Conservation Area (CDCA). These criteria will help to identify lands both within and outside the SESA's that are lower in environmental resources and sensitivity. This memo is attached and should be utilized in the Solar PEIS SESA and SEZ designation.

We understand that the goal of the Solar PEIS is to attain the targets established by Congress as set forth in Title II, Section 211 of the Energy Policy Act of 2005, the Executive Order 13212, Actions to Expedite Energy-Related Projects, and in response to the Secretary of the Interior's Secretarial Order No. 3285 issued March 11<sup>th</sup>, 2009. The PEIS will assist agencies to develop and implement agency-specific programs that would establish environmental policies and environmental impact mitigation strategies for solar development.

We hope for the Solar PEIS to utilize a constructive and conservation biology approach to SESA (and ultimately SEZ) designation, as there are appropriate lands available for solar development that, if developed, will deliver minimal harm to the sensitive desert environment and surrounding resources.





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- **SESA necessity (Executive Order Compliance):**

The executive order does not seem to favor production over conservation, as it calls for executive departments to expedite projects that will increase the production, transmission, or conservation of energy. Considering that conservation efforts can significantly reduce GHG emissions alone without altering the environment or land use values, we feel that these SESA's are unnecessary as the first step in combating climate change.

- **EPA 2005 compliance:**

The Solar PEIS NOI of May 29<sup>th</sup>, 2008 refers to the need to fulfill the requirements of the EPA 2005 (title...). This section of the EPA states that the Secretary of the Interior should within 10 years of enactment of the Act "...seek to have approved non-hydropower renewable energy projects located on public lands with a generation capacity of at least 10,000 MW of electricity." With 66 active solar applications on public lands with the current projected capacity to generate 48,000 MW, and more projected from existing wind and geothermal project applications, compliance with this stated section of the EPA 2005 is already assured, therefore eliminating the need for many large-scale solar projects within the SESA's and the CDCA.

- **Solar Energy Study Area Maps (CA):**

- The lands between JTNP and MCAGCC that are designated as BLM lands being analyzed for solar development in the PEIS: These lands are in direct wildlife linkages from the park to the marine base (note SCW linkages study).
- Lands that border MCAGCC between JTNP and Mojave National Preserve—these include Catellus sections and fall within proposed national monument boundary—need to be removed from analysis. They also include several ACEC's, WSA's and DWMA's such as Pisgah Lava Flow ACEC.
- Contingent corridors: we request that the corridor along hwy 62 and hwy 247 through the Big Morongo Canyon ACEC and TWC lands (Pioneertown Mts. Preserve) be removed from the CA SESA map.

We understand that 24 tracts of BLM-administered land public lands in the west will be designated as prime zones for utility-scale solar energy development, and that they will work to fund environmental studies and open new solar energy permitting offices and speed the reviews of industry proposals (taken from Secretary Ken Salazar's Press Release Announcing 'Fast Track' Initiatives for Solar Energy Development on Western Lands, June 29<sup>th</sup>, 2009).

**'The BLM will continue to process existing renewable energy applications both within and outside the solar energy study areas'.** This should not be the case. Once the SESA's are in place, only here should applications be continued to be processed, and not outside them. There were already 158 active solar applications covering 1.8 million acres with a projected capacity to





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generate 97,000 MW of electricity. Some of these applications may gain approval, and some are not even 'real'; they are from speculators. This much public land is more than necessary even without considering other renewable energy options, including conservation, the use of previously disturbed lands (both private and public), and local distributed RE generation such as solar PV on rooftops of commercial and residential buildings. Therefore, land outside of these SESA's should no longer be needed for consideration of solar development.

The BLM has accepted many solar transmission applications for ROWS in environmentally sensitive areas and in areas that have no access to sufficient existing transmission and are far from designated transmission corridors. We are requesting that no solar projects be approved outside of the solar energy zones developed using the SESA's to determine areas with the minimal environmental impacts.

- The need for large-scale solar utilities is being overestimated and fails to protect and consider land values (environmental, recreational, historical, scenic, and cultural). If this much public land is set aside for solar, all these other values will be either lost or severely damaged.
- **Prioritization of degraded/disturbed lands (both public and private)**
- In parallel develop as rapidly as possible distributed generation (DG), retrofitting, and energy efficiency practices. This will determine how much land is truly necessary for large-scale solar. This can and should be included in the discussion as it plays a significant role in renewable energy development.
- Rooftop solar, PV, and other forms of DG will become more economically feasible as time goes on, and they will be expedited. New figures suggest rooftop PV will reach and be competitive with fossil fuel energy by 2011.
  - US DOE states regarding its Solar Energy Technology Program: "PV systems built in 'brownfields'—the estimated 5 million acres of abandoned industrial sites in our nation's cities—could supply 90% of America's current electricity". This does not even include the potential for PV systems on rooftops.
- Private lands such as fallowed ag-lands need to be considered first and prioritized over public, intact BLM lands
- **Specific comments to each SESA:** specific areas to prioritize for solar development and areas to eliminate from each SESA

We understand that not all of the land in each SESA will be developed for solar electricity production; however we want to ensure that the applications that do get permitted are done so in the most appropriate areas of each SESA. This includes the lands that are closest to existing transmission, and previously disturbed/degraded lands.





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The Solar PEIS website states that ‘threatened and endangered species designated critical habitat, wildlife movement corridors, and BLM ACEC’s and DWMAS’ would be excluded from lands within the solar energy study areas. Sections of each SESA seem to violate this standard:

- **Iron Mountain SESA:** This SESA is one the 2 SESA’s that we recommend be eliminated altogether from solar energy development studies due to highly sensitive resources and inconsistency with our siting criteria:
  - Again, located within the core of CA desert region; provides core habitat
  - Remote and isolated from adequate existing transmission
  - Would effectively sever important connectivity in the Mojave/Coloradan desert eco-tone and the conservation investments already in place, biologically disconnecting areas that currently allow for movement of plants and animals through the landscape
  - Desert Tortoise habitat
  - Sensitive cultural sites (see comments from The Wilderness Society)
  - If developed, would likely compromise existing desert bighorn sheep movement corridors
  - Opportunities currently exist to improve essential connectivity across the MWD aqueduct, including improvements to movement for desert tortoise, bighorn sheep and other wide-ranging animals that should not be precluded.
  - Includes citizen’s proposed wilderness inventory lands
  - Rare plant occurrences such as white-margined beardtongue (*Penstemon albomarginatus*)
  - Western edge overlaps know Bighorn Sheep range
  - Large drainage with functions as ephemeral stream
  
- **Riverside East**—located w/in core of CA desert; DWMA for Desert Tortoise in western part of this SESA; Desert Tortoise critical habitat outside of DWMA/ACEC boundary in western and southern areas of this SESA; identified desert tortoise habitat in western, northwestern, and northeastern part of this SESA (CNDDDB 2009); severs the connectivity and linkage b/w N. Colorado and Eastern Co. desert tortoise recovery units that is used in the Draft Revised Recovery Plan to justify combining these 2 units; new plant species in the process of being described around Palen dry lake; numerous sensitive cultural sites;





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- Colorado Desert aboriginal trails; could compromise desert bighorn sheep movement corridors; rare plant occurrences
  - Areas of this SESA may become possible donations to Joshua Tree National Park
  - No 'brownfields' are located within this SESA
  - Eastern part and Ford Dry lake has few disturbed lands (mechanically)
  - Blythe airport—disturbed lands above it (abandoned alfalfa fields)
  - If developed, this would effectively sever important connectivity in the Mojave/Coloradan desert eco-tone and the conservation investments already in place, biologically disconnecting areas that currently allow for movement of plants and animals through the landscape; the western portion of this SESA is dense microphyll woodland and is a transition zone between Mojave and Sonoran Desert eco-regions.
  - There are opportunities that currently exist to improve essential connectivity across the I-10 corridor, including improvements to movement for desert tortoise, bighorn sheep and other wide-ranging animals and should not be precluded.
  - Threats to potential wildlife linkages around JTNP
  - Cumulative impacts of potential solar and other projects on the boundary of JTNP are of significant concern
  - Palen Dry Lake: sensitive microphyll woodland habit surrounds this feature and includes newly discovered plant species
  - Sensitive cultural resources: South McCoy Mts., Papago Creation site north of Desert Center, Ford Dry Lake, Palen Dry Lake, Colorado Desert Aboriginal trails, and Sidewinder Well ACEC
- **Pisgah SESA:** We recommend this SESA to be either eliminated or significantly reduced in size to avoid impacts to the following:
  - Desert Tortoise movement corridor and occupied habitat along western edge of Cady Mts. to maintain connectivity between the Ord-Rodman DWMA/ACEC and the Superior-Cronese DWMA/ACEC
  - Sensitive cultural sites: The eastern end of this SESA has trails out of the mountains to the ancient lake bed, sleeping rings, and obsidian chipping sites
  - Rare plant occurrences (i.e. *Penstemon albomarginata*)





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- Pisgah Lava Flow ACEC (site for numerous long-term evolutionary biological studies and new species discovery)
  - The northern boundary of this SESA extends into rare plant habitat and we would like to see it moved slightly further south
  - This SESA is directly adjacent to Pisgah lava flow ACEC and Cady Mts. WSA
  - East-west corridor of movement for Desert Tortoise
- **Imperial East SESA:** We recommend this SESA be reduced as appropriate to avoid impacts to the following:
- Sensitive cultural sites
  - Riparian habitat areas adjacent to the All-American canal
  - Flat-tailed horned lizard range
  - This SESA best fulfills the desert siting criteria memo (attached) to analyze/ study solar potential, and possible development.

**Conclusion:** We recommend several lands that may be further analyzed to potentially replace the SESA's we are requesting be eliminated from solar energy study and development. These include lands in Antelope Valley and Westmoreland

## **Final Issues and Recommendations:**

- **Light blue areas on CA SESA map:** BLM lands being analyzed for solar development in PEIS—we suggest that the need for these lands outside the designated SESA's be eliminated. These areas should not be analyzed until the SESA's have been thoroughly analyzed finalized, as the acreage amounts in these already exceed the total need.
- **Desert Siting Criteria:** Many environmental organizations have worked together to determine areas within California, including the CDCA, that are appropriate for solar development, emphasizing on previously disturbed lands (both private and public) that are close to existing transmission and urban load centers. (see attached Desert Siting Criteria Memo)
- **Climate change** has increased the need to preserve wildlife linkages; therefore the PEIS should address ecosystem protection and conservation, as global climate change causes habitat fragmentation and degradation, causing wildlife to move out of their current ranges.







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- **Solar Technologies untested at this scale:** Another thing to consider is that many of these solar technologies being proposed has been untested at the scale they are requesting. This has to be considered before hundreds of thousands of acres of public land are destroyed by solar development, because if these plants are built and then become inoperable, the land has been wasted, and cannot be restored.
- **Water issues:** Concentrated solar thermal power plants (CSP) require large amounts of water to function and operate properly. The desert has limited water resources, and its simply unrealistic and ludicrous to assume that water will be available (as groundwater) in the sites many of these projects are being proposed as it just is not available. The little water that does exist in the desert is needed to maintain aquifer levels for wildlife and plants. This means that if a CSP plant does get permitted in any one of these desert sites, it will have to bring water in from elsewhere, increasing the carbon footprint that we are trying to eliminate by producing solar electricity in the first place.
- **We strongly urge you to consider previously disturbed lands** such as fallowed agricultural lands and 'brownfields' first. rather than undisturbed lands that cannot be restored once destroyed. This applies to both private and public lands.

Finally, we want to stress that we are highly supportive of renewable energy generation, and even solar generation, in the California Desert. However, it needs to be sited in the appropriate locations such as **previously disturbed private and public lands** before considering untouched, pristine desert landscapes, and achieved through distributed generation (i.e. PV). We have attached the Desert Siting Criteria memo for your examination to find these more appropriate lands for solar development.

\*\*Note: TWC supports the CA SESA comment portion of the group comment document submitted by The Wilderness Society, NRDC and Sierra Club, et al.

Thank you for the opportunity to provide insight and comment regarding the Solar Programmatic Environmental Impact Statement.

Sincerely,

April Sall, Conservation Director  
The Wildlands Conservancy

