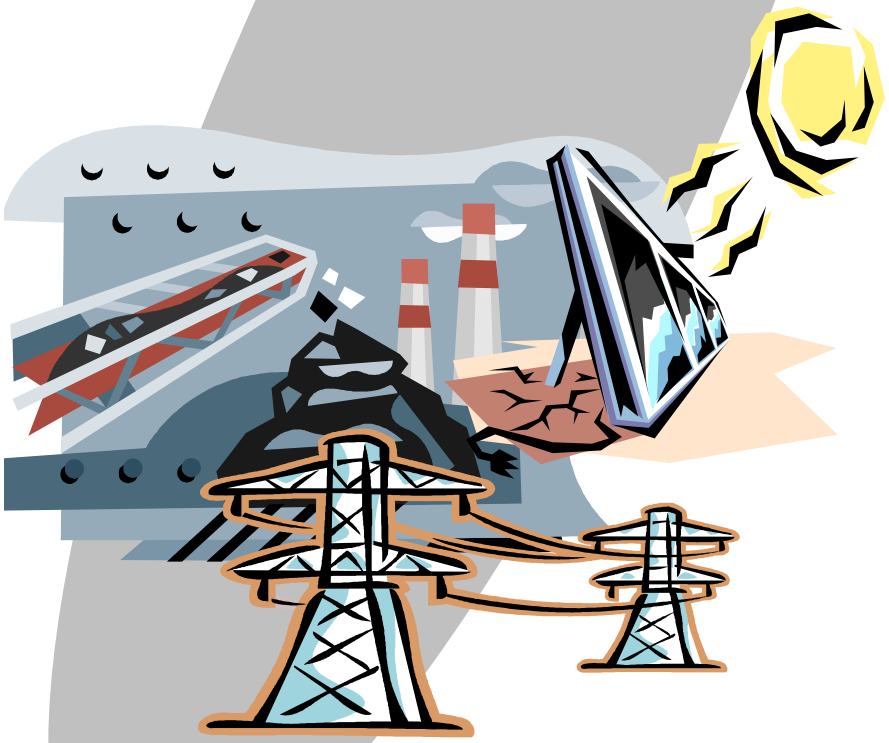
California Desert District

Communication Plan

Renewable Energy Development In the California Desert District



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EXECUTIVE SUMMARY

Both the President's National Energy Policy Act of 2005 and the state of California's commitment to expanding renewable energy technology and development have resulted in a dramatic increase in interest and filing of right-of-way applications for development of renewable energy projects (mainly wind and solar) on public lands in the California desert.

An April 2007 Bureau of Land Management (BLM) Instruction Memorandum No. 2007-097 (Solar Energy Development Policy) establishes policy for the processing of right-of-way applications for solar energy development projects on public lands administrated by the BLM and also evaluating the feasibility of installing solar energy systems on BLM administrative facilities and projects.

BLM will be proactive in responding to demands for renewable energy projects while protecting the environment. Our efforts will be achieved through a coordinated, consistent approach to processing applications across all BLM field offices in southern California. The BLM in California is helping to meet renewable energy needs through geothermal, wind, solar and biomass public land sources and will continue to play a critical role in transmission of that energy through power lines and pipelines that crisscross the state. Both the ability to transmit adequate electrical power around to all of southern California's communities, including periods of peak demand, and the reliability of power supply are key concerns that BLM-administered lands must help meet.

BACKGROUND

As of August 2007, the CDD has received more than 50 solar energy applications from numerous companies, some filing multiple applications, and others filing overlapping applications for electric power generation facilities using several solar energy technologies. All together, these propose to construct up to 38,000 megawatts of power on public lands and can best be described as "expressions of interest," as most do not describe full development details at the time of application to BLM. Actual development proposals will be much more focused in design, acreage involved, and associated ancillary facilities and acreage before detailed analysis can begin. BLM will evaluate issuing rights-of-way for projects that are in conformance with land use plans and minimize environmental impacts.

BLM is refining its strategy to deal with this influx by working with federal and state agencies and transmission line operators. Solar energy generation projects will also need the authorization from state regulators to connect to the energy grid.

In September of 2002, the Governor of California signed legislation creating California's renewable portfolio standard (RPS), requiring electricity sellers to increase their procurement of eligible renewable energy resources by at least one percent annually, so that 20 percent comes from these resources by 2017. In the *Energy Action Plan* adopted in

May of 2003, the target date was accelerated to 2010. The development of solar energy projects on public lands in California would be instrumental in achieving the RPS goal. BLM's *Solar Energy Development Policy*, originally developed in 2004 and updated in April 2007, establishes a framework for land managers to process right-of-way applications for solar energy development projects on public lands. The policy directs BLM to be proactive in responding to demands for solar energy projects while protecting the environment. Authorizing solar energy projects on public lands is part of agency efforts to meet the Energy Policy Act's national goal of 10,000 megawatts of renewable energy produced on federal lands by 2015.

The California **Renewable Energy Transmission Initiative** (RETI) is a statewide initiative to help identify the transmission projects needed to accommodate these renewable energy goals, support future energy policy, and facilitate transmission corridor designation and transmission and generation siting and permitting. RETI will be an open and transparent collaborative process in which all interested parties are encouraged to participate. RETI will assess all competitive renewable energy zones in California and possibly also in neighboring states that can provide significant electricity to California consumers by the year 2020. RETI also will identify those zones that can be developed in the most cost effective and environmentally benign manner and will prepare detailed transmission plans for those zones identified for development.

BLM has an agreement with Department of Energy's National Renewable Energy Laboratory (NREL), under which NREL would assist BLM by providing technical review and analysis of Plans of Development of solar energy systems, which are being proposed by applicants. NREL also has prepared solar radiation potential maps at the request of the BLM for Arizona, California, Nevada, and New Mexico. The maps identify nearly flat areas with high levels of surface solar radiation that have potential for commercial solar energy development.

GOALS

One goal of the communication plan is to have stakeholders/audiences/publics receive and understand key messages related to developing policy, procedures, changes, and significant events in the processing of right-of-way applications for solar energy development projects on public lands administered by the BLM California Desert District. A CDD solar energy website page will be developed to provide the easiest access to general information, associated links, and questions and answers.

A second goal is to provide consistent, coordinated procedures that will ensure accurate and consistent messages to internal and external stakeholders and industry that will work hand-in-hand with a consistent application process.

OBJECTIVES

Establish consistent application procedures which are based on regulatory requirements and reviewed in a consistent manner in all field offices within the California Desert District. Each application will meet the same standards in three function areas:

- Corporate Qualifications
- Application Planning
- Technical Sufficiency

Ensure consistent internal communication within BLM among employees to ensure key messages are received, understood and properly disseminated. Exchange information on what works best and coordinate with BLM offices in adjacent states.

Establish coordination mechanisms with other regulatory agencies to develop and implement joint processing procedures, including public participation.

Ensure that applications are processed in a manner that minimizes speculation and ensures diligent development.

Seek opportunities for: 1) joint processing of applications with other regulatory agencies; 2) joint preparation of required environmental documents; and 3) joint efforts to solicit public participation.

Develop and implement communications tools such as news releases, newsletters, and internet website at: http://www.blm.gov/ca/st/en/fo/cdd/alternative_energy.html to meet the informational and educational needs of constituencies and the general public. It will provide timely information on applications filed with BLM. It will also provide useful links to public web sites related to renewable energy.

Key Messages

- BLM recognizes the important role of the public lands in providing for development of renewable energy projects, including solar, wind and geothermal.

- Renewable energy is both a national and state priority, exemplified by BLM's own national Wind Energy Policy and Solar Energy Development Policy issued in April 2007 and BLM’s Wind Energy Programmatic EIS.

- BLM will be proactive in responding to solar energy proposals in the California Desert while ensuring protection of the environment in the California Desert.

- Recently, there has been significant interest focused on wind and solar energy development in the California Desert. The process an applicant must follow to take a project to the point of approval by all required entities is complex. Only a percentage of the projects for which BLM has applications will ultimately be built.

- BLM has received more than 50 solar applications, which if added together could provide up to 38,000 megawatts of power. This is more power than needed to meet either the State of California's minimum renewable energy portfolio goals or BLM's goals for renewable energy from public lands

- BLM has developed a Memorandum of Understanding (MOU) with the California Energy Commission (CEC) to jointly process applications for concentrating solar power (CSP) projects.

- BLM has developed a consultation MOU with U.S. Fish and Wildlife Service to define how the Bureaus will work together to efficiently consult under the Endangered Species Act.

- Some companies filed multiple applications and others filed overlapping applications. Actual development proposals will be required to be much more comprehensive and complete before detailed analysis begins.

- It is anticipated that only a portion of the applications filed will ultimately be constructed and placed on-line, for a variety of reasons.

- BLM will screen applicants early in the process to determine if the type of renewable energy project proposal would be in conformance with the plan.

- BLM will issue authorizations, called rights-of-way, for the smallest economically feasible acreage to minimize visual and environmental impacts.

- Companies have proposed a variety of "cutting edge" technologies that will be described in detail during the required environmental analysis process under the National Environmental Policy Act (NEPA) and, in some cases, in a joint process to comply with the California Environmental Quality Act (CEQA).
- The public will have ample opportunities for involvement during the NEPA process, including commenting on draft environmental impact statements, attending public meetings, etc.

AUDIENCES

Bureau Leadership:
National, State and local.

Bureau employees
CDD Renewable Energy Team (roster below)

Stakeholders:
Corporations involved in development
California Energy Commission
California Public Utilities Commission (CPUC)
Electric utility companies
National Renewable Energy Lab (NREL/DOE)
Governors Councils on Renewable Energy
Cal Independent System Operator (ISO)
Military
U.S. Fish and Wildlife Service
California Department of Fish and Game
Electrical Transmission grid operators
Native American tribes

Constituents:
Desert Advisory Committee
Desert Managers Group

Local community:
Community leadership (If applicant within 5 miles of city limits)
County leadership
Local water boards
Air quality control boards

Interest Groups

TALKING POINTS

General

Both the President's National Energy Policy Act of 2005 and the state of California's commitment to expanding renewable energy technology and development have resulted in a dramatic increase in interest and filing of right-of-way applications for development of solar energy projects on public lands in the California desert. A right-of-way grant, issued under the authority of the Federal Land Policy and Management Act of 1976 (FLPMA), is the appropriate means for BLM to authorize renewable energy development on public lands.

Specific

- As of February 2008, the California Desert District has received more than 70 applications for solar energy development from many different companies, with some filing multiple applications and others filing overlapping applications. These applications propose solar energy generation facilities that could provide up to 38,000 megawatts of power. The number of applications changes frequently, going both up and down, depending on the situation. About a dozen of these applications have been rejected for environmental reasons or for failure to provide information in a timely manner.

- In September of 2002, the Governor of California signed legislation creating California's renewable portfolio standard (RPS), requiring electricity sellers to increase their procurement of eligible renewable energy resources by at least one percent annually, so that 20 percent comes from these resources by 2017. In the *Energy Action Plan* adopted in May of 2003, the target date was accelerated to 2010. Eligible renewable energy sources include solar, thermal and photovoltaic. The development of solar energy projects on public lands in California would be instrumental in achieving the RPS goal.

- BLM's *Solar Energy Development Policy*, originally developed in 2004 and updated in April 2007, establishes a framework for land managers to process right-of-way applications for solar energy development projects on public lands. The policy directs BLM to be proactive in responding to demands for solar energy projects while protecting the environment. Authorizing solar energy projects on public lands is part of agency efforts to meet the Federal Energy Policy Act's national goal of 10,000 megawatts of renewable energy produced on federal lands by 2015.

- Renewable energy development proposals will be evaluated within BLM’s land use planning process. The California Desert Conservation Area (CDCA) Plan was approved in 1980. It has been amended many times. The most recent amendments are considered bioregional plans because, collectively, they encompass the entire CDCA. Outside of designated wilderness and wilderness study areas the land use plans do not specifically identify areas where rights-of-way for renewable energy development are not suitable. However, there are areas where such intensive development may not be appropriate, e.g., threatened and endangered species critical habitat (Desert Wildlife Management Areas in the CDCA), ACEC’s, reserve

systems proposed under regional Habitat Conservation Plans/Natural Community Conservation Plans, desert water sources and riparian habitat, and historic properties which may be listed in the National Register of Historic Places. These and other factors will be considered by BLM early in the process of evaluating an application.

In evaluating applications, BLM will comply with the requirements of the Endangered Species Act and the National Historic Preservation Act, along with other laws and regulations, including consultation with Native American tribes.

BLM has signed a Memorandum of Understanding (MOU) with the California Energy Commission (CEC) to conduct a joint environmental review of solar thermal power plant applications. This combined environmental review will streamline the process and be consistent with Department of Interior policy on inter-governmental cooperation.

- Applicants for concentrating solar power (CSP) generating projects above 50 megawatts would each need a right-of-way from BLM and certification for the California Energy Commission (CEC). A Memorandum of Understanding (MOU) was prepared between the two agencies to provide for joint processing and public participation in processing applications for these CSP projects. Typically, when a facility is proposed, the Commission requires the applicant to demonstrate "site control." For projects on public lands, this cannot be demonstrated until BLM approves a right-of way for the project. BLM and the CEC completed a Memorandum of Understanding (MOU) for a joint BLM/CEC process, which is intended to fulfill the requirement to demonstrate "site control," through a BLM right-of-way, simultaneously with the CEC's public certification process.

Q and A's

Q. Where can I find the Bureau of Land Management's policy on solar energy applications?

A. The BLM public web site located at: http://www.blm.gov/ca/st/en/fo/cdd/alternative_energy.html which contains links to all current BLM policies and actions concerning alternative energy.

Q. Is the BLM handling wind energy applications any different than solar?

A. The application process for development will be the same. Both types of development are authorized under a right-of-way grant. However, the wind energy application process usually involves a three year anemometer test period in the area desired to determine feasibility of development while a solar facility application would usually require a plan of development along with a right-of-way grant. An applicant for a solar energy project may also apply for a short term right-of-way to perform solar testing, but the application for development would be processed simultaneously and the right-of-way for testing would be issued while the application for development is being processed.

Q. What is the solar energy application process?

A. Generally, the applicant is applying for a right-of-way for the solar energy generation facility. The project evaluated would generally include the transmission facilities needed to the point of inter-connection with the electric utility grid. Any upgrades to the grid beyond that point would generally be handled as a reasonably foreseeable development for analysis purposes because details would not be sufficient to complete permits for the transmission line upgrades. This is because upgrades to the transmission lines are planned by the operators to take into account load growth and the additional generation capacity anticipated to come online. How to obtain a right-of-way on public land can be found at: http://www.blm.gov/wo/st/en/prog/energy/cost_recovery_regulations/pre-application.html.

Q. How is BLM in California working with industry, state regulators, and the Department of Energy to address BLM's pending solar energy generation applications?"

A. BLM will process the pending right-of-way (ROW) applications according to BLM policy. BLM will coordinate closely with agencies, Tribes and the public during NEPA scoping. Affected agencies and Tribes will be invited to participate as cooperators for NEPA document preparation. The BLM/CEC MOU for conducting joint environmental review will assist the public review and understanding by having the federal and state environmental analysis combined in one document.

Q. How many applications has the BLM received so far for solar energy?

A. The number of applications varies from day to day however at this time over 70 applications for solar energy generation have been received. Over 60 applications associated with wind energy have been received, however, at this time most of those are for the testing phase.

Q. How much acreage does a typical solar facility need?

A. A single 100 megawatt solar generating facility takes up about 800 acres. Most applications are for generating facilities proposing to generate more than 300 megawatts.

Q. What is the expected impact on fragile biological, cultural and recreational resources across the desert?

A. Future alternative energy projects must fit into the existing bio-regional plan decisions that were developed over the past twenty years that provide protection as well as guidance in managing lands and resources for multiple use. The Federal land policy and Management Act of 1976 (FLPMA), which established the California Desert Conservation Area (CDCA) specifically provides for multiple use of the California Desert, while protecting its natural, cultural and historic resources. Most impacts to resources are not known until site-specific NEPA documents are completed. In the case of solar energy development, this analysis will occur when a plan of development is analyzed in an Environmental Impact Statement (EIS). While there are many potential applications associated with renewable energy development, only a portion of them will ultimately be built. Many of these will also disturb fewer acres than they included in their initial application.

Q. Are there any limitations on where solar energy facilities can be built?

A. Current plan management prescriptions prohibit or severely limit disturbance in Desert Wildlife Management Areas (DWMAs), Mohave ground squirrel habitat conservation areas, off-highway vehicle (OHV) recreation open areas, Area(s) of Critical Environmental Concern (ACEC), flat- tailed horn lizard management areas, Peninsular Bighorn Sheep habitat and cultural and historic properties which may be listed on the National Register of Historic Places. Reserve systems proposed under regional Habitat Conservation Plans/Natural Community Conservation Plans, as well as desert water sources and riparian habitat, also will be avoided. Existing plan decisions will have an effect on where renewable energy generating facilities can be located. Pre-application consultations could expedite the identification of issues.

Q. Is there a limit to the number of facilities that would be permitted?

A. There is no specific number of facilities that would be allowed under the California Desert Conservation Area (CDCA) Plan. However, the 11 million acres of public lands in the CDCA are subject to numerous plan decisions which constrain where facilities can be located. Some power generation projects will be located on private lands or on other ownerships. Regulators of the electric utility grid, such as California Independent System Operation (Cal ISO), are responsible for regulating the flow of electricity and who can link

into the grid. These other entities play a critical role in determining which projects can be built. Decisions by Cal ISO and others will affect the ability of applicants to obtain financing to construct their projects.

COMMUNICATIONS STRATEGY

The principle purpose of this *on-going* communications strategy is to provide BLM internal staff and the internal energy strike team appropriate and accurate key messages, talking points, and updates related to the developing and execution of solar energy applications on public lands in the California desert.

Also to provide access to internal questions and answers and talking points to facilitate communication with industry and applicants.

The manner in which key messages and general information is released is directly related to where in the developing permit application process is at and will be principally disseminated to the public through the CDD energy web page.
All responses to media, general public and legislative audiences must be first coordinated through External Affairs.

STAKEHOLDERS

BLM Internal

Native American Tribes

State Agencies

Counties
- Riverside
- San Bernardino
- Imperial
- Inyo
- Kern

Elected Officials

- County Supervisors
- Members of Congress and key committee staffs:
  - Reps: Jerry Lewis, Mary Bono, Joe Baca, Buck McKeon
  - Senators Feinstein and Boxer
- Governor Arnold Schwarzenegger

NGO's

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