



AGENDA REQUEST FORM

BOARD OF SUPERVISORS

COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: August 16, 2011

SUBJECT: Notice of Preparation of an Environmental Impact Report and Notice of Intent of Environmental Impact Statement on the Proposed Desert Renewable Energy Conservation Plan

DEPARTMENTAL RECOMMENDATION: Review the Notice of Preparation (NOP) and Notice of Intent (NOI) for the joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for Desert Renewable Energy Conservation Plan (DRECP).

SUMMARY DISCUSSION: Governor Schwarzenegger ordered the development of the DRECP for the Mojave and Colorado deserts to provide binding, long-term endangered species permit assurances and facilitate renewable energy project review and approvals. The DRECP planning area includes portions of Inyo County: roughly in the Owens Valley to just north of Independence, the Panamint Valley, Death Valley, and other southeast portions of the County (refer to Attachment 2).

A Renewable Energy Action Team (REAT) was formed consisting of the California Natural Resources Agency, California Energy Commission (CEC), California Department of Fish and Game (CDFG), Bureau of Land Management (BLM), and the U.S. Fish and Wildlife Service (USFWS) in part to coordinate the DRECP. Other involved State and federal agencies include the California Public Utilities Commission, California Independent System Operator, National Parks Service, and the Department of Defense. Local governments, including the County of Inyo, were invited to participate on the DRECP Stakeholder Committee with the REAT agencies. In addition to the REAT and other agencies discussed previously, those participating on the Committee include the counties of Kern, San Bernardino, Los Angeles, Imperial, and Riverside, a variety of non-governmental organizations, utilities, renewable energy developers, Native American organizations, and off-highway vehicle associations.

The DRECP is to be a Habitat Conservation Plan under the Federal Endangered Species Act and a Natural Communities Conservation Plan (NCCP) under the California Natural Community Conservation Planning Act. The BLM, in compliance with the Federal Land Policy and Management Act will consider the DRECP for possible amendments to the California Desert Conservation Area Plan. If the County chooses to participate in the DRECP, it may issue permits under the NCCP. Preliminary draft Plan documents are being prepared, and the NOI and NOP were released near the end of July (refer to Attachment 2). A draft Plan and joint EIR/EIS are planned for the spring and summer of 2012, with final adoption planned for 2013.¹

¹ Refer to <http://www.drecp.org/> for more information regarding the Plan and <http://inyoplanning.org/RenewableNewPage.htm> for previous correspondence and other materials published by the County regarding the DRECP.

Notice of Preparation/Notice of Intent

The CEC is the lead agency for the EIR under the California Environmental Quality Act, and the BLM and USFWS are the co-Lead Agencies for the EIS under the National Environmental Policy Act. The NOP indicates that the following environmental topics will be addressed: agricultural resources, air quality, biological resources, climate change and greenhouse gases, cultural resources, flood hazard, hydrology, drainage, groundwater, water supply, water quality, land use, Native American traditional land uses, noise, recreation, public services, safety services, utilities, socioeconomics, environmental justice, and visual resources. A reasonable range of alternatives will be addressed.

Staff has prepared draft correspondence in response to the NOP/NOI for the Board's consideration (Attachment 1). Comments are due by September 12, 2011. Public scoping meetings are planned for Ontario on August 16 and Sacramento for August 24.

OTHER AGENCY INVOLVEMENT: Governor Brown, CEC, USFWS, CDFG, BLM, counties of Kern, Los Angeles, Imperial, Riverside, and San Bernardino, and other affected agencies and stakeholders.

ALTERNATIVES: The Board may consider directing changes to the correspondence or not submitting correspondence.

FINANCING: General funds are utilized to monitor State and federal planning efforts.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) <i>[Signature]</i> 8/9/11 <i>[Signature]</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)

[Handwritten Signature]

Date: 8-10-11

- Attachments:
1. Draft Correspondence
 2. NOP and NOI

August 16, 2011

California Energy Commission
Dockets Office, MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512

Jim Bartel, Field Supervisor
Carlsbad Fish and Wildlife Office
U.S. Fish and Wildlife Service
6010 Hidden Valley Road, Suite 101
Carlsbad, CA 92011

**Re: Notice of Intent and Notice of Preparation for Joint Environmental Impact Statement/
Environmental Impact Report for Desert Renewable Energy Conservation Plan
Docket No. 09-RENEW EO-01**

To Whom It May Concern,

On behalf of the Inyo County Board of Supervisors, thank you for the continued opportunity to participate in development of the Desert Renewable Energy Conservation Plan (DRECP). Inyo County has a long history of providing renewable energy generation for California and the nation, and we are proud that our County possesses the resources necessary for future renewable energy production. The Inyo County Board of Supervisors has consistently expressed its support of appropriate renewable energy development, and we hope that Inyo County will be able to participate in DRECP implementation.

Scope of the Environmental Impact Statement/Environmental Impact Report

We are encouraged that the Renewable Energy Action Team (REAT) agencies are engaging in a comprehensive process to streamline renewable energy permitting through the DRECP and the joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR). While we support proper mitigation of potential environmental impacts resulting from renewable energy development, we are discouraged that the DRECP process is considering eliminating more private property in Inyo County, despite the County's previous input. We remind the REAT agencies that more than 98 percent of the County is in public ownership, and 65 percent is designated Wilderness. With this land ownership pattern, every acre or private land that is converted to public ownership is significant and adverse to the people of Inyo County. With this in mind, we offer the following comments on the scope of the EIS/EIR.

Land Use and Planning – the EIS/EIR should address land use and planning issues between the DRECP and the County's planning policies and land use procedures.¹ As previously requested, alternatives to further taking private lands for biology-related mitigation in our County should be considered, including enhancing existing public lands and considering calculating past Wilderness designations for biology-related mitigation. The analysis should include past, present, and reasonably foreseeable future land use actions that have impacted the County's private land base.

Infrastructure, Services, Housing – the EIS/EIR should evaluate potential impacts on public services, utilities, and housing. Potential impacts to public roads and the County's burden to repair and maintain those roads are of great concern. In our County, many of the service providers in the remote areas where renewable energy may be developed may not have the capacity to adequately provide law enforcement and emergency services.

¹ Refer to http://inyoplanning.org/general_plan/index.htm regarding the County's General Plan.

The boom-and-bust cycle of resource-driven development may also lead to increased demand for housing, which then may be abandoned after construction due to the relatively low long-term employment opportunities from renewable energy facilities.

Recreation – the potential impacts of renewable energy development to recreation should be evaluated. Renewable energy development and potentially biology-related mitigation has the potential to block access to recreation, and mitigation and alternatives to minimize these potential effects should be evaluated. In our County, these impacts should be considered in light of past and continuing efforts to reduce access for motorized recreation.

Socioeconomics – the fiduciary benefits of renewable energy development to local agencies should be compared to the costs of providing infrastructure and services for the development. The analysis should consider the boom-bust cycle of resource-driven development – especially renewable energy development that in most cases does not generate substantial long-term employment locally – as well as the opportunity costs of such development. While it is noble to encourage renewable energy development on private disturbed lands, these areas offer local agencies greater potential revenue generation in the long run through other development opportunities, and the socioeconomic effects of their development with renewable energy facilities and/or dedication to biology-related mitigation could be severe, especially in our County with its skewed land ownership pattern.

Coordination

Based on our preliminary review of the DRECP planning documents, it appears as if the Plan is inconsistent with the Inyo County General Plan, despite the County's previous input. We therefore request continuing and enhanced coordination with the BLM to address and resolve the inconsistencies between the DRECP and the Inyo County General Plan and approved policies. In accordance with 43 C.F.R. 1610.3-1(f), Inyo County hereby informs the BLM of the inconsistencies between Inyo County plans and policies and the DRECP. The County requests staff-to-staff meetings to address these inconsistencies and, ideally, to resolve them.

Thank you for including Inyo County in this important planning process. Please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292 or by email at kcarunchio@inyocounty.us to schedule coordination or if you have any questions.

Sincerely,

Susan Cash
Chairperson, Inyo County Board of Supervisors

cc: Kevin Carunchio, CAO
Randy Keller, County Counsel
Joshua Hart, Planning Director
DRECP Stakeholders
Governor Brown
Secretary Salazar, DOI
Bob Abbey, BLM
Dan Ashe, USFWS
Ren Lohefener, USFWS
Gerald Hillier, Quadstate
Regional Council of Rural Counties
California State Association of Counties
National Association of Counties

Notice of Preparation

To: Via Certified Return-Receipt U.S. Mail

State Clearinghouse, Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

Responsible Agencies and Trustee Agencies
(See attached list)

From: California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Subject: Notice of Preparation of an Environmental Impact Report on the Proposed Desert Renewable Energy Conservation Plan

The California Energy Commission (Commission) will be the Lead Agency under the California Environmental Quality Act for purposes of preparing the Environmental Impact Report (EIR) for the Desert Renewable Energy Conservation Plan (DRECP). The U. S. Fish and Wildlife Service (Service) and the Bureau of Land Management (BLM) will be the Co-Lead Agencies for the Environmental Impact Statement (EIS) component of what will be a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) environmental document. The Service is publishing a Notice of Intent (NOI) to prepare the EIS concurrently with this NOP. The EIR/EIS will also address a possible amendment by BLM to the California Desert Conservation Area (CDCA) Plan of 1980, as amended. The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is not attached.

For public agencies, we need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project, if any. Your agency may need to use the EIR/EIS prepared by our agency if you have authorities related to implementation of the DRECP. For others, we are interested in your views about the scope and content of the environmental information that are of interest to you or affected organizations you represent.

DRECP Notice of Preparation

Three public scoping meetings are scheduled to take place at the following times and locations, where you may learn more about the project and submit written comments:

August 16, 2011, 7–9 p.m. Doubletree Ontario Hotel Lake Gregory Ballroom 222 N Vineyard Ave. Ontario, CA 91764	August 24, 2011, 2–4 p.m. California Energy Commission Hearing Room A 1516 Ninth St. Sacramento, CA 95814	August 24, 2011, 7–9 p.m. California Energy Commission Hearing Room A 1516 Ninth St. Sacramento, CA 95814
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The presentation portion of the scoping meeting will be available via Webex at the start of the scoping meeting. Those who cannot attend in person may listen to the presentation portion. For information to attend the Webex portion of the scoping meetings, please see the instructions at the end of this notice. You may provide written comments on the scope of the EIR/EIS electronically by email to the Commission's Docket Unit address or in writing. Please include the docket number 09-RENEW EO-01 and indicate Renewable Energy Executive Order in the subject line or first paragraph of your comments. Those submitting comments electronically should provide them by email in either Microsoft Word format or as a Portable Document Format (PDF) to docket@energy.state.ca.us. Please include your name or organization's name in the file name. **One paper copy must** also be sent to the Energy Commission's Docket Unit. Please hand deliver or mail an **original** copy to:

California Energy Commission
Dockets Office, MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512

Submit comments within forty-five (45) days of the receipt of this NOP, by **September 12, 2011**, at the address shown above to the attention of Kristy Chew. For public agencies, we will need the name and contact information of a contact person.

**NOTICE OF PREPARATION
DESERT RENEWABLE ENERGY CONSERVATION PLAN EIR/EIS**

INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), the California Energy Commission (Commission) and the U.S. Fish and Wildlife Service (Service) and Bureau of Land Management (BLM) will initiate the preparation of a joint Environmental Impact Report and Environmental Impact Statement (EIR/EIS) for the Desert Renewable Energy Conservation Plan (DRECP) and for a possible amendment to the California Desert Conservation Area (CDCA) Plan of 1980, as amended.

The Commission is the lead agency under CEQA for considering approval of the DRECP. The Service and BLM are the federal co-lead agencies under NEPA. The Service will consider approval of the DRECP as a Habitat Conservation Plan (HCP) under the Federal Endangered Species Act (FESA). BLM will consider approval of a possible CDCA Plan amendment.

The DRECP comprehensively addresses how participating entities with jurisdiction over renewable energy and transmission projects and related facilities in the deserts of California will conserve natural communities and species pursuant to the California Natural Community Conservation Planning Act (NCCP Act) and FESA. The DRECP is a proposed multi-species HCP intended to conserve threatened and endangered species and natural communities in the Mojave and Colorado Desert regions of southern California, while also facilitating the timely permitting of renewable energy projects to help meet the State's goal of providing at least 33 percent of electricity generation through renewable energy by 2010 and the Federal government's goal of increasing renewable energy generation on public land.

The DRECP is intended to serve as a Natural Community Conservation Plan (NCCP) under Section 2800 et seq. of the California Fish and Game Code and a multiple species HCP pursuant to Section 10(a)(1)(B) of FESA. As planned, the approved DRECP and associated permits would provide renewable energy developers and entities undertaking DRECP conservation efforts with authorization for the incidental take of certain endangered, threatened, and special-status plant and animal species for covered activities (as defined in the DRECP). Such authorizations would be granted by agencies that are formal participants in the DRECP.

The BLM, in compliance with the Federal Land Policy and Management Act of 1976, as amended, will consider the DRECP in its analysis as the basis for a possible amendment to the California Desert Conservation Area (CDCA) Plan of 1980, as amended. The BLM issued a Notice of Intent to Prepare an EIS for this purpose on November 20, 2009 (74 FR 60291). With this notice BLM announces the joining of the EIS for the possible CDCA Plan amendment with the Service's EIS for the DRECP. The Service and BLM will serve as co-lead agencies on the EIS. For

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further information on the potential CDCA Plan amendment, please refer to the BLM November 2009 *Federal Register* notice of intent.

Responsible agencies under CEQA include state and local agencies that will approve the DRECP or take actions to help implement it. This potentially includes agencies that have jurisdiction over renewable energy projects within the DRECP Planning Area that elect in coming months to become formal “plan participants” in the DRECP. At this time, the California Department of Fish and Game (CDFG) is identified as a responsible agency, because of its role in approving the DRECP under the NCCP Act.

Several other state and local agencies have been identified as potential responsible agencies based on their jurisdiction over covered renewable energy projects, related facilities, or conservation actions within the DRECP Planning Area, but these agencies have not signed the DRECP planning agreement. Some of these agencies might decide to become plan participants in the DRECP, which will make them responsible agencies under CEQA. The potential responsible agencies include the California Public Utilities Commission, the State Lands Commission, and counties with land within the DRECP Planning Area.

In addition to being a responsible agency, CDFG is an agency with legal jurisdiction over natural resources affected by the project that are held in trust for the people of the State of California (trustee agency), as well as with jurisdiction over fish and wildlife resources and CDFG-administered lands within the Planning Area. Besides CDFG, three other trustee agencies have been identified for the DRECP EIR/EIS: the State Lands Commission, which controls state-owned “sovereign” lands within the DRECP Planning Area; the California Department of Parks and Recreation, which manages state park land within the area; and certain campuses of the University of California, which have Natural Reserves System sites within the area.

In addition to the Service and BLM, several federal agencies may be approving or funding aspects of the DRECP and will be consulted during development of the EIR/EIS. These include the U.S. Forest Service, the National Park Service, and the Department of Defense.

BACKGROUND INFORMATION

At both the federal and state levels, recent energy policy includes increased targets for electricity generated from renewable energy sources. Physiographic conditions in California’s deserts and their proximity to areas of heavy electricity usage offer renewable energy potential of statewide and national significance. Renewable energy and transmission development is proceeding throughout this region. California’s deserts also support a variety of special-status species and other sensitive biological and natural resources. The DRECP will establish the structure to balance renewable energy development and biological resource conservation across the California desert region. The following provides a summary of the context within

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which the DRECP was developed. Additional information about DRECP is available at www.drecp.org.

California has long-established energy policies to promote renewable electricity generation. Established in 2002 under Senate Bill (SB) 1078 and accelerated in 2006 under SB 107, California's RPS is one of the most ambitious renewable energy standards in the country. The RPS program required investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources until they reach 20% by 2010. Subsequent recommendations in California energy policy reports advocated a goal of 33 percent by 2020.

In November 2008, California's Governor issued Executive Order (EO) S-14-08 requiring an increase in the percentage of electricity generated by renewable resources to 33% by 2020. This standard became law with the enactment of Senate Bill No. 2 (Simitian), signed by the Governor on April 12, 2011 (Pub. Resources Code, § 25740, as amended by Stats. 2011, 1st Ex. Sess., ch 1X). Executive Order S-14-08 mandated the development of the DRECP, a major component of California's renewable energy planning efforts. The proposed DRECP, when approved, is expected to further these objectives and facilitate the development of renewable projects in the California Mojave and Colorado deserts. The executive order also directed state agencies to streamline regulatory processes and minimize environmental impacts associated with this development. The DRECP was mandated to address permitting for incidental take of special-status species and impacts to their natural communities in the Mojave and Colorado deserts of California where much of the energy development will occur.

EO S-14-08 recognized the Renewable Energy Action Team (REAT), which was created through Memoranda of Understanding (MOUs) between the CDFG, Commission, Bureau of Land Management (BLM), and Service, along with an MOU signed by the Secretary of the U.S. Department of the Interior and the Governor of California in October 2009. The REAT is composed of representatives from the CDFG, Commission, BLM, and Service, and has a primary mission to streamline and accelerate the permitting processes for renewable energy projects, while contributing to the conservation of special-status species and natural communities at the ecosystem scale. EO S-14-08 directs the REAT to accomplish both of these goals in the Mojave and Colorado Desert regions of California through the DRECP.

EO S-21-09 was signed on September 15, 2009, directing the California Air Resources Board (CARB) to adopt regulations to help implement the previously established 33% state goal in EO S-14-08, but CARB has ceased work on implementing these regulations, because enactment of Senate Bill 2 made them unnecessary. The California Public Utilities Commission (CPUC) has studied a 33% RPS as part of its 2008 and 2010 Long-Term Procurement Plan proceedings. CPUC published an implementation analysis for the 33% RPS in June 2009 (CPUC 2009).

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Department of the Interior Renewable Energy Goals

Secretarial Order No. 3285 establishes the development of renewable energy as a priority for the Department of the Interior (DOI) by amending and clarifying departmental roles and responsibilities, as well as establishing a Departmental Task Force on Energy and Climate Change. The order outlines how the Departmental Task Force on Energy and Climate Change will develop a strategy designed to increase the development and transmission of renewable energy from appropriate areas on public lands and the Outer Continental Shelf. It also specifies that the task force will develop best management practices (BMPs) for renewable energy and transmission projects to ensure environmental responsibility, establish clear policy direction for authorizing the development of solar energy on public lands, and recommend other actions to fulfill the goals of the order. Ultimately, the order establishes that the DOI will collaborate with other federal agencies, departments, states, local communities, and private landowners to facilitate the timely and responsible development of renewable energy and associated transmission while protecting and enhancing the nation's water, wildlife, and other natural resources.

The DRECP Process

The State of California and the Federal DOI signed an MOU in October 2009 that directs California agencies and DOI agencies to take the necessary actions to further the implementation of the Governor's EO S-14-08 and Secretarial Order No. 3285 in a cooperative, collaborative, and timely manner. The MOU provides several specific objectives to attain this goal that include development of the DRECP.

In furtherance of this process, a DRECP Planning Agreement was prepared according to the requirements of the NCCP Act. The Planning Agreement identifies the scope and goals of the DRECP, along with the process for preparing the DRECP and the roles and responsibilities of the Plan participants. The Planning Agreement was executed by the Plan participants, consisting of the CDFG, the Commission, BLM, and Service, in May 2010.

The DRECP management team consists of representatives from the REAT agencies (i.e., the Commission, BLM, CDFG, and Service), the Governor's Office, DOI, and the California Natural Resources Agency. This management team provides direction to the DRECP Director and Assistant Director. Independent Science Advisors (ISA) provided input during the planning process. The consultant team receives direction from the DRECP Director and Assistant Director in the preparation of analyses and DRECP documentation.

The DRECP Stakeholder Committee consists of representatives from the renewable energy industry, environmental groups, electric utilities, REAT agencies, other federal land management entities, counties, Native Americans, outdoor recreation groups, and other interest groups. The Stakeholder Committee provides input to the DRECP management team

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through the planning process, feedback on interim products, and a forum for public participation. Working groups provide a forum for focused discussion of key planning issues. Four working groups of the Stakeholder Committee have been established to date: the Covered Activities Working Group, Covered Species Working Group, Cultural Resources Working Group, and Resource Mapping Working Group.

Formal preparation of the draft EIR/EIS is commencing and is incorporating all necessary information as it is created in connection with and as part of the DRECP process. Work on the DRECP will continue, but the DRECP planning process has progressed to the point that analysis of the DRECP's environmental impacts under CEQA can begin.

PROJECT DESCRIPTION

Project Objectives

The overall DRECP program goals include the following planning goals as stated in the DRECP Planning Agreement:

- *Provide for the longer-term conservation and management of Covered Species within the Planning Area*
- *Preserve, restore, and enhance natural communities and ecosystems that support Covered Species within the Planning Area*
- *Build on the competitive renewable energy zones identified by the Renewable Energy Transmission Initiative*
- *Further identify the most appropriate locations within the DRECP Planning Area for the development of utility-scale renewable energy projects, taking into account potential impacts to threatened and endangered species and sensitive natural communities*
- *Provide a means to implement Covered Activities in a manner that complies with the NCCP Act, FESA, CESA, NEPA, CEQA, and other relevant laws*
- *Provide a basis for the issuance of Take Authorizations allowing the lawful Take of Covered Species incidental to Covered Activities*
- *Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements for Covered Activities within the Planning Area*
- *Provide a framework for a more efficient process by which proposed renewable energy projects within the Planning Area may obtain regulatory authorizations and which results in greater conservation values than a project-by-project, species-by-species review would have*
- *Provide durable and reliable regulatory assurances, as appropriate, under the NCCP Act and the FESA for Covered Activities that occur within the Planning Area*

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- *Identify and incorporate climate change adaptation research, management objectives, and/or policies into the final plan document.*

Covered Activities

The purpose of the DRECP is to contribute to the conservation of Covered Species and natural communities while streamlining listed species permitting for renewable energy development and transmission projects. To ensure that all relevant renewable energy projects are included and addressed, the Covered Activities are defined broadly as the exploration, construction, operation, maintenance, and decommissioning of public and private utility-scale renewable energy generation and transmission in the Planning Area.

The activity types covered by the DRECP include:

- Solar (photovoltaic [PV] and thermal) projects,
- Wind projects,
- Geothermal projects,
- Transmission facilities that support renewable energy development, and
- DRECP conservation actions.

Covered Activities generally include:

- Pre-project activities (geotechnical borings, site reconnaissance, and, depending on the type of project, installation of temporary meteorological stations or test drilling and trenching),
- Site preparation and construction,
- Related infrastructure requirements,
- Operations and maintenance,
- Monitoring, and
- Decommissioning.

Covered Species and Natural Communities

The DRECP will provide for the conservation of natural communities found in the plan area in order to meet the regulatory standards of the NCCP Act and to conserve the species covered by the Plan. The natural communities of planning interest were described in Exhibit B of the DRECP Planning Agreement. The natural communities in the DRECP include forest, woodland, riparian, scrub and chaparral, grassland and other herbaceous communities, wetland, dune, and barren and unvegetated communities. Covered Species are those species addressed in the

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DRECP for which conservation actions will be implemented and for which the participating entities will seek authorization for take under the NCCP Act and Section 10 of the FESA.

Species Proposed for Coverage by the HCP/NCCP ("Covered Species")

Taxa	Common Name	Scientific Name	Federal Status ¹	State (CNPS List) Status ²
Federal and State Listed Species				
Mammal	Amargosa River vole	<i>Microtus californicus scirpensis</i>	FE	SE
Mammal	Mohave ground squirrel	<i>Spermophilus [Xerospermophilus] mohavensis</i>	BLM	ST
Mammal	Peninsular bighorn sheep	<i>Ovis canadensis nelsoni</i> DPS	FE/BLM	ST/FP
Bird	California condor	<i>Gymnogyps californianus</i>	FE	SE/FP/CDF
Bird	Swainson's hawk	<i>Buteo swainsoni</i>	FS/BCC/BLM	ST
Amphibian/Reptile	arroyo toad	<i>Anaxyrus (Bufo) californicus</i>	FE	CSC
Amphibian/Reptile	desert tortoise	<i>Gopherus agassizii</i>	FT	ST
Plant	Amargosa niterwort	<i>Nitrophila mohavensis</i>	FE	SE
Plant	Peirson's milk-vetch	<i>Astragalus magdalenae</i> var. <i>peirsonii</i>	FT	SE
Plant	Triple-ribbed milk-vetch	<i>Astragalus tricarinatus</i>	FE	None
Plant	Lane Mountain milk-vetch	<i>Astragalus jaegerianus</i>	FE	None (CNPS List 1B.1)
State and Federal Unlisted Species				
Mammal	California leaf-nosed bat	<i>Macrotus californicus</i>	BLM	CSC
Mammal	Mojave river vole	<i>Microtus californicus mohavensis</i>	Rank: GST1 S1	FESA: None
Mammal	Pallid bat	<i>Antrozous pallidus</i>		CSC
Mammal	Townsend's big-eared bat	<i>Corynorhinus townsendii</i>		CSC
Bird	American peregrine falcon	<i>Falco peregrinus anatum</i>	FD/BCC	SE/FP
Bird	Bald eagle	<i>Haliaeetus leucocephalus</i>	FD/BCC/BLM	SE/FP/CDF
Bird	burrowing owl	<i>Athene cunicularia</i>	BLM/BCC	CSC

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Species Proposed for Coverage by the HCP/NCCP ("Covered Species")

Taxa	Common Name	Scientific Name	Federal Status ¹	State (CNPS List) Status ²
Bird	golden eagle	<i>Aquila chrysaetos</i>	BLM/BCC	FP/CDF
Bird	Greater sandhill crane	<i>Grus canadensis tabida</i>	BLM/FS	ST/FP
Amphibian/Reptile	flat-tailed horned lizard	<i>Phrynosoma mcallii</i>	BLM/FS	CSC
Amphibian/Reptile	Mojave fringe-toed lizard	<i>Uma scoparia</i>	Rank=G3G4 S3S4	FESA:None
Plant	Barstow woolly sunflower	<i>Eriophyllum mohavense</i>	BLM	None (List 1B.2)
Plant	Desert cymopterus	<i>Cymopterus deserticola</i>	BLM	None (CNPS List 1B.2)
Plant	Mojave monkeyflower	<i>Mimulus mohavensis</i>	BLM	None (List 1B.2)
* FT status of western snowy plover: This status applies only to the Pacific coastal population and does not apply to the population occurring in the DRECP area				

¹Federal Status – FE: Federally Endangered; FT: Federally Threatened; FD: Federally Delisted; FS: Forest Service sensitive; BLM: Bureau Land Management sensitive.

²State Status – SE: California Endangered; ST: California Threatened; CSC: California Species of Concern; FP: Fully Protected (State fully protected species and their communities will be the focus of conservation actions, but take authorization cannot be issued). California Native Plant Society List - CNPS List 1B: Considered rare, threatened, or endangered in California and elsewhere; CNPS List 2: Considered rare, threatened, or endangered in California, but more common elsewhere; CNPS List 3: Plants which need more information; CNPS List 4: Limited distribution – a watch list.

PROJECT AREA

The DRECP generally covers the Mojave and Sonoran Desert regions of California and adjacent areas where renewable energy development may occur. The DRECP Planning Area includes the desert regions and adjacent lands in seven California counties: Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego. The DRECP Planning Area (shown in Figure 1) covers approximately 22,587,000 acres.

ENVIRONMENTAL BASELINE

CEQA Guidelines Section 15125 states that an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation (NOP) is published, or if no NOP is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines

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whether an impact is significant. For the DRECP EIR/EIS, project impacts will be analyzed using existing physical conditions in the Planning Area at the time of this notice as a baseline.

ALTERNATIVES

The EIR/EIS will consider the following alternatives: (1) The proposed action, which includes approval of the proposed DRECP, the issuance of take authorizations consistent with the proposed DRECP under section 10(a)(1)(B) of the FESA, and approval of an amendment to the CDCA; (2) no action/no project, which would involve (no approval of the DRECP, Federal permit issuance, and CDCA amendment); and (3) a reasonable range of other alternatives. The EIR/EIS will include a detailed analysis of the impacts of the proposed action and alternatives and will evaluate them against the no-action alternative, which assumes the DRECP will not be implemented. The range of alternatives to be considered and analyzed will represent varying levels of conservation and impacts, and may include variations in the scope of covered activities; variations in the locations, amount, and type of conservation; variations in permit duration; or a combination of these elements.

POTENTIAL ENVIRONMENTAL EFFECTS

The EIR/EIS will analyze resources that could be affected by DRECP covered activities within the Planning Area, including but not limited to impacts on the covered species listed above. The following categories have initially been identified as having potentially significant impacts from implementation of the DRECP and its covered activities or that require analysis under NEPA (e.g., Socioeconomics and Environmental Justice):

1. Agricultural Land and Production (Loss or Conversion of)
2. Air Quality and Attainment Status
3. Biological Resources
4. Climate Change and Greenhouse Gases
5. Cultural Resources – Historic and Pre-historic
6. Flood Hazard, Hydrology, and Drainage
7. Groundwater, Water Supply and Water Quality
8. Land Uses, including DOD Military Operations
9. Native American Traditional Land Uses
10. Noise
11. Outdoor Recreation
12. Planned Land Uses and Policies

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- 13. Public Services, Safety Services, and Utilities
- 14. Socioeconomics and Environmental Justice
- 15. Visual Resources

It is anticipated the EIR/EIS will focus on potentially significant impacts in the above categories, but comments in response to the NOP, comments from scoping meetings, and ensuing analyses may identify additional environmental impacts or otherwise lead to a revision in the list of categories. The Commission will not determine which, if any potentially significant impacts are in fact significant until the EIR/EIS is prepared.

SCOPING MEETINGS

Joint Public Scoping meetings for the EIR/EIS are scheduled to take place at the following three times and locations:

August 16, 2011, 7–9 p.m. Doubletree Ontario Hotel Lake Gregory Ballroom 222 N Vineyard Ave. Ontario, CA 91764	August 24, 2011, 2–4 p.m. California Energy Commission Hearing Room A 1516 Ninth St. Sacramento, CA 95814	August 24, 2011, 7–9 p.m. California Energy Commission Hearing Room A 1516 Ninth St. Sacramento, CA 95814
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The presentation portion of the scoping meeting will be available via Webex at the start of the scoping meeting. Those who cannot attend but in person who would like to hear the presentation portion, please see the following directions (note that each scoping session requires unique login information). Because the remainder of the meeting will take place at multiple information stations, the Webex will conclude at the end of the opening presentations. The Webex will not be set up to receive scoping comments. Comments may only be accepted electronically by email or in writing.

Webex Instructions

COMPUTER LOGON FOR AUGUST 16, 2011, 7- 9 p.m.

- 1. Please go to <https://energy.webex.com> and enter the unique meeting number: 921 956 708
- 2. When prompted, enter your information and the following meeting password: drecp@0816

COMPUTER LOGON FOR AUGUST 24, 2011, 2-4 p.m.

DRECP Notice of Preparation

1. Please go to <https://energy.webex.com> and enter the unique meeting number: 928 857 947
2. When prompted, enter your information and the following meeting password: drecp@0824

COMPUTER LOGON FOR AUGUST 24, 2011, 7-9 p.m.

1. Please go to <https://energy.webex.com> and enter the unique meeting number: 921 654 002
2. When prompted, enter your information and the following meeting password: drecp@0824

TELECONFERENCE PARTICIPATION

After logging in on the computer, an AUDIO CONFERENCE BOX will offer you the choice of phone connections:

1. To have Webex call you back: Type your area code and phone number and click "Call Me"
2. To call into the teleconference: Use the drop-down box to select "I will call in" and follow the on-screen directions
3. International callers: Click on the "Global call-in number" link in part (2) above
4. To listen over the computer: If you have the needed equipment and your computer is configured, click on "Use Computer Headset" and then "Call Using Computer" to use VoIP (Internet phone)

TELEPHONE ONLY (NO COMPUTER ACCESS): Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number:

August 16, 2011, 7-9 p.m. = 921 956 708
August 24, 2011, 2-4 p.m. = 928 857 947
August 24, 2011, 7-9 p.m. = 921 654 002

WEBEX TECHNICAL SUPPORT

For help with problems or questions trying to join or attend the meeting, please call WebEx Technical Support at 1-866-229-3239.

Anyone interested in more information concerning the DRECP EIR/EIS process, or anyone who has information concerning the study or suggestions as to significant issues, should contact Kristy Chew at 916-654-4818 or kchew@energy.state.ca.us. Also, information about the DRECP is available at www.drecp.org.

WRITTEN COMMENTS

This notice is being furnished to obtain suggestions and information from other agencies and the public on the scopes of issues and alternatives that will be addressed in the EIR component of the joint EIR/EIS. The primary purpose of the scoping process is to identify important issues

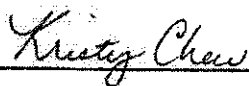
DRECP Notice of Preparation

raised by the public and responsible and trustee agencies related to the DRECP and the covered activities that would be permitted under it. Written comments from interested parties are invited to ensure that the full range of issues related to the development of the DRECP and issuance of take authorizations are identified. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. **Written comments on this part of the Scoping process will be accepted for 45 days after the release of this NOP, until September 12, 2011.**

CEQA requires each Responsible Agency and Trustee Agency to provide the Lead Agency, within 45 days after receiving the NOP, with specific detail about the scope, significant environmental issues, reasonable alternatives, and mitigation measures related to the Responsible Agency's or Trustee Agency's area of statutory responsibility that will need to be explored in the EIR/EIS. In accordance with CEQA Guidelines Section 15082(b)(1)(B), responsible and trustee agencies should indicate their respective level of responsibility for the project in their response.

You may provide written comments on the scope of the EIR/EIS in writing and by email to the Commission's Docket Unit. Please include the docket number 09-RENEW EO-01 and indicate Renewable Energy Executive Order in the subject line or first paragraph of your comments. Those submitting comments electronically should provide them by email in either Microsoft Word format or as a Portable Document Format (PDF) to docket@energy.state.ca.us. Please include your name or organization's name in the file name. **One paper copy must also be sent to the Energy Commission's Docket Unit. Please hand deliver or mail an original copy to:**

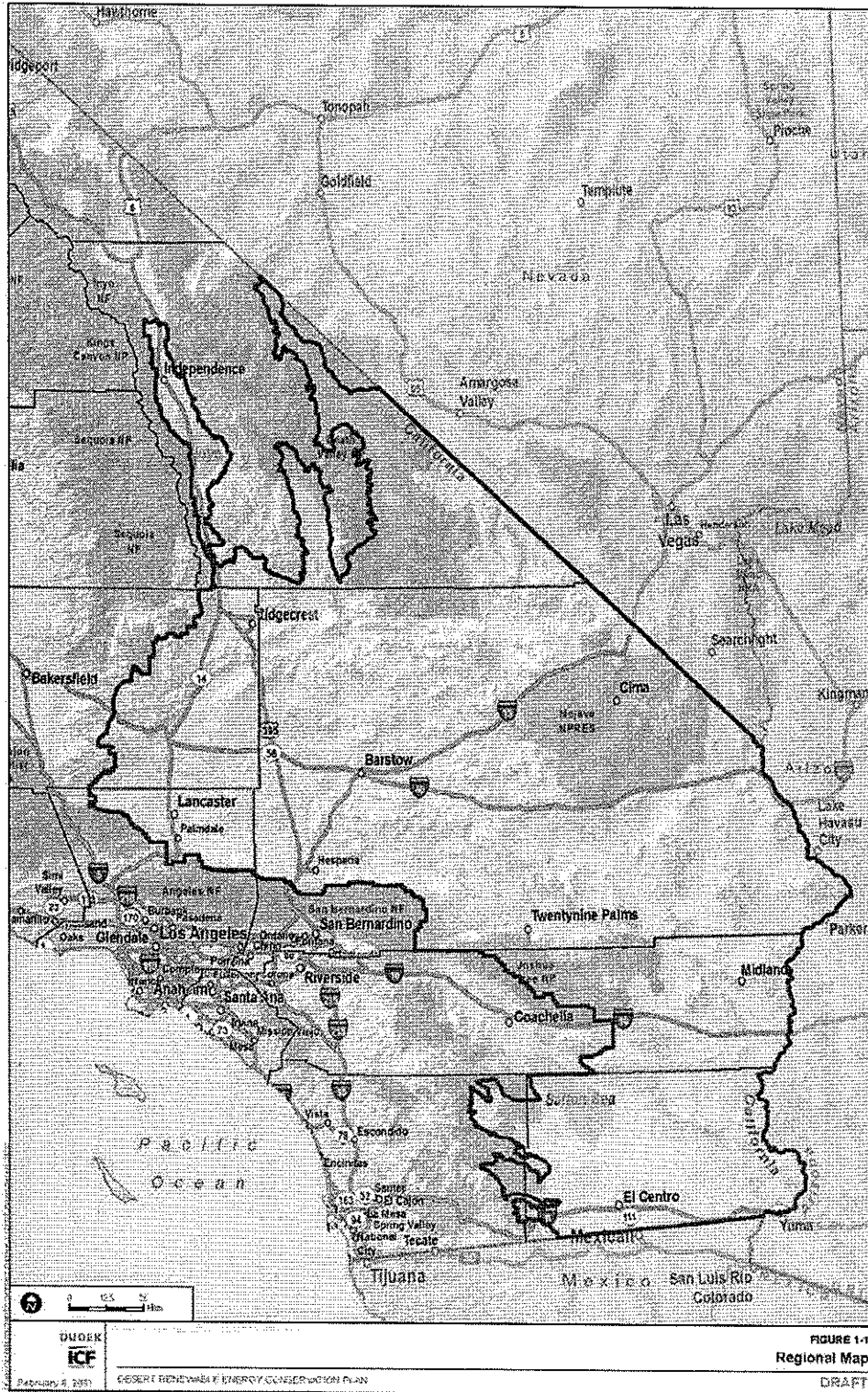
California Energy Commission
Dockets Office, MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512



Kristy Chew, DRECP, California Energy Commission

Date: July 28, 2011

DRECP Notice of Preparation



INSERT

A final decision on the merits of the application will not be made before October 27, 2011. During the 90-day period, interested parties may comment on the State application, AA-086375, and supporting evidence. Interested parties may also comment during this time on the BLM Draft Summary Report. The State application and the BLM Draft Summary Report may be viewed on the BLM Recordable Disclaimer of Interest Web site at <http://www.blm.gov/ak/st/en/prog/rdi.html>, or in the BLM Public Room located at 222 West 7th Avenue, Anchorage, Alaska 99513.

Comments filed with the BLM Division of Cadastral Survey, including names and street addresses of commenters, will be available for public inspection at the BLM Alaska State Office (see ADDRESSES above), during regular business hours from 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public view, we cannot guarantee that we will be able to do so.

If no valid objection is received and all else is proper, a Disclaimer of Interest may be approved stating that the United States does not have a valid interest in these lands.

Authority: 43 CFR 1864.2(a).

Craig Frichtl,

Chief, Branch of Survey Planning and Preparation.

[FR Doc. 2011-19218 Filed 7-28-11; 8:45 am]

BILLING CODE 4310-JA-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Fish and Wildlife Service

[FWS-R8-ES-2011-N131; 80221-1112-80221-F2]

Desert Renewable Energy Conservation Plan, Habitat Conservation Plan and Possible Land Use Plan Amendment, Southern California: Environmental Impact Statement

AGENCY: Fish and Wildlife Service, Interior; Bureau of Land Management, Interior.

ACTION: Notice of intent and notice of public meetings; request for comments.

SUMMARY: We, the Fish and Wildlife Service (Service), intend to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed Desert Renewable Energy Conservation Plan (DRECP). The EIS will be a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR), for which the Service and the Bureau of Land Management (BLM), together with the California Energy Commission (CEC) and the California Department of Fish and Game (CDFG), intend to gather information necessary for preparation. The DRECP will then be prepared to meet the requirements of the Federal Endangered Species Act of 1973, as amended, and the State of California's Endangered Species Act and Natural Communities Conservation Planning Act. The BLM, in compliance with the Federal Land Policy and Management Act, as amended, will consider this NEPA process and the resulting DRECP documents in its analysis toward possible amendment of BLM's California Desert Conservation Area (CDCA) Plan of 1980, as amended.

DATES: Please send written comments on or before September 12, 2011 (see ADDRESSES).

Three public scoping meetings will be held for the EIS/EIR, and we will accept written comments at these meetings. These public meetings will be held on the following dates and at the following locations:

1. August 16, 2011, 7-9 p.m., Lake Arrowhead Ballroom, Doubletree Ontario Hotel, 222 N Vineyard Ave. Ontario, CA 91764.
2. August 24, 2011, 2-4 p.m., Hearing Room A, California Energy Commission, 1516 Ninth St. Sacramento, CA 95814.
3. August 24, 2011, 7-9 p.m., Hearing Room A, California Energy Commission, 1516 Ninth St. Sacramento, CA 95814.

For more information, see "Public Comments" and "Reasonable Accommodation" under SUPPLEMENTARY INFORMATION.

ADDRESSES: Send your comments or requests for more information by any one of the following methods.

E-mail: FW8DRECP@fws.gov. Include "Scoping Comments" in the subject line of the message.

Fax: Attn: Jim Bartel, Field Supervisor, (760) 431-5902.

U.S. Mail: Jim Bartel, Field Supervisor, Carlsbad Fish and Wildlife Office, U.S. Fish and Wildlife Service, 6010 Hidden Valley Road, Suite 101, Carlsbad, CA 92011.

In-Person Drop-off: You may drop off comments during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ken Corey, Assistant Field Supervisor, by phone at (760) 431-9440, or by U.S. mail at the above address; or Vicki Campbell, DRECP Program Manager, by phone at (916) 978-4320, or by U.S. mail at the BLM California State Office, 2800 Cottage Way, Suite W-1623, Sacramento, CA 95825.

SUPPLEMENTARY INFORMATION: The Service intends to prepare an EIS under NEPA for the proposed Desert Renewable Energy Conservation Plan (DRECP). The EIS will be a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR), for which the Service and BLM, together with the California Energy Commission (CEC) and the CDFG, intend to gather information necessary for preparation. The DRECP will then be prepared to meet the requirements of the section 10 habitat conservation plan (HCP) process under the Federal Endangered Species Act of 1973, as amended (ESA), and the State of California's Endangered Species Act (CESA) and Natural Communities Conservation Planning Act (NCCPA). The Service and BLM will serve as co-lead agencies in the overall EIS process.

BLM, in compliance with the Federal Land Policy and Management Act, as amended (43 U.S.C. 1701-1782; FLPMA), will consider the NEPA process and DRECP documents in its analysis as it considers possibly amending its California Desert Conservation Area Plan of 1980, as amended (CDCAP). The BLM issued a Notice of Intent to Prepare an EIS for a possible amendment to the CDCAP on November 20, 2009 (74 FR 60291). At this time, BLM announces the joining of its EIS preparation for the possible CDCAP amendment with the Service's EIS for the DRECP. For further information on the potential CDCA Plan amendment, please refer to BLM's November 20, 2009, Federal Register notice.

The Service will serve as the administrative lead for all actions related to this Federal Register notice for the DRECP HCP EIS component of the EIS/EIR. The CEC will serve as the State lead agency under the California Environmental Quality Act (CEQA) for the EIR component.

The Service is publishing this notice to announce the initiation of a public scoping period, during which we invite other agencies (local, State, and Federal), Tribes, nongovernmental organizations, and the public to submit written comments providing suggestions

and information on the scope of issues and alternatives to be addressed in the EIS. Concurrently with this notice, the CEC has publicly released a CEQA notice of preparation for its EIR via State and local media. Please see <http://www.drecp.org> for more information on the CEQA process.

Background

The proposed DRECP would establish the structure to integrate renewable energy development and biological resource conservation across the Mojave and Colorado Desert regions of southern California. The Department of the Interior (DOI) Secretarial Order No. 3285 A1 (February 22, 2011) establishes the development of renewable energy as a departmental priority and outlines a strategy to increase the development and transmission of renewable energy from appropriate areas on public lands. The order also provides for DOI collaboration with other Federal agencies, States, local communities, and private landowners to facilitate the timely and environmentally responsible development of renewable energy and associated transmission while protecting and enhancing the nation's water, wildlife, and other natural resources.

In November 2008, California's Governor issued an executive order establishing the State of California's goal of meeting 33 percent of the State's electricity generation from renewable resources by 2020. The 33-percent goal became law with the enactment of California State Senate Bill 2 (Joe Simitian), signed into law by the Governor on April 12, 2011 (Pub. Resources Code, 25740, as amended by Stats. 2011, 1st Ex. Sess., ch.1X). The California Governor's Executive Order S-14-08 (November 17, 2008) mandated the development of the DRECP, a major component of California's renewable energy planning efforts. The proposed DRECP, if approved by the CEC and if permits are issued by the Service and CDFG, is expected to further these objectives and accelerate the processing of renewable projects in the Mojave and Colorado Deserts of southern California. The proposed DRECP is intended to advance State and Federal conservation goals in these desert regions while also facilitating the timely permitting of renewable energy projects, and to provide durable and reliable regulatory assurances, as appropriate, under the NCCPA and the ESA for renewable energy development on non-Federal land in the Mojave and Colorado Deserts of southern California. The DRECP would help provide for effective protection and conservation of desert

ecosystems while allowing the appropriate development of renewable energy projects.

A Renewable Energy Action Team (REAT), consisting of the CEC, CDFG, BLM, and the Service, will oversee preparation and implementation of the DRECP. The REAT was created through Memoranda of Understanding in 2009 and 2010 among the CEC, CDFG, BLM, the Service, the Secretary of the Interior, and the Governor of California. The REAT's primary mission is to streamline and accelerate the permitting processes for renewable energy projects, while contributing to the conservation of endangered species and natural communities at the ecosystem scale.

The proposed DRECP will serve as a multiple-species HCP for CEC in its application for an incidental take permit under section 10(a)(1)(B) of the Federal ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*). The DRECP will also serve as a Natural Community Conservation Plan (NCCP) under section 2800 *et seq.* of the California Fish and Game Code. Upon approval and adoption of the DRECP, the CEC and potentially other applicants would obtain authorization for the incidental take of certain endangered, threatened, and special-status plant and animal species ("Covered Species") from the Service on non-Federal land, and from CDFG on both Federal and non-Federal land. If the Federal and State permits are issued, the permittees could extend their permit authorizations to proponents of additional renewable energy and transmission projects under their jurisdiction.

Section 9 of the ESA (16 U.S.C. 1531 *et seq.*) and Federal regulations prohibit the "take" of a fish or wildlife species listed as endangered or threatened. Under the ESA, the following activities are defined as take: To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed wildlife species, or attempt to engage in such conduct (16 U.S.C. 1532). Under certain circumstances, the Service may issue permits to authorize "incidental take" of listed wildlife species under section 10(a)(1)(B) of the ESA on non-Federal lands. Incidental take is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing permits for endangered and threatened species are at 50 CFR 17.22 and 50 CFR 17.32, respectively.

Section 10 of the ESA specifies the requirements for the issuance of incidental take permits to non-Federal entities. Any proposed take must be incidental to otherwise lawful activities and cannot appreciably reduce the

likelihood of the survival and recovery of the species in the wild. The impacts of such take must also be minimized and mitigated to the maximum extent practicable. To obtain an incidental take permit, an applicant must prepare aHCP describing the impacts that will likely result from the proposed taking, the measures for minimizing and mitigating the impacts of the take, the funding available to implement such measures, alternatives to the taking, and the reason why such alternatives are not being implemented. Thus, the HCP sets forth a uniform and systematic conservation strategy that ensures that impacts to Covered Species and their habitats from activities covered by the HCP ("Covered Activities") are minimized and mitigated to the maximum extent practicable. If a section 10 permit is issued, the permittee(s) would receive assurances for all plant and animal species covered by the HCP on non-Federal land and included on the permit under the Service's "No Surprises" regulation (50 CFR 17.22(b)(5) and 17.32(b)(5)).

Project Area

The proposed DRECP Planning Area generally covers approximately 22,587,000 acres of Federal and non-Federal land in the Mojave and Colorado Desert regions of southern California where renewable energy development potentially may occur, including portions of seven counties (Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego). The proposed HCP would cover non-Federal lands in the project area, the proposed NCCP would cover both Federal (to the extent permitted by law) and non-Federal lands, and the possible CDCA Plan amendment would cover BLM-administered lands. The proposed DRECP and possible CDCA amendment may focus on specific areas for development, such as the west Mojave, Imperial, and eastern Riverside areas.

Potential Applicants

The DRECP is being prepared through a collaboration of Federal, State, and local agencies as the basis for the CEC (and potentially other entities) to apply for incidental take permits for implementation of the DRECP under (1) Section 10(a)(1)(B) of the ESA and (2) Section 2835 (NCCPA) or Section 2081 (CESA) of the California Fish and Game Code. Other potential applicants that may have jurisdiction over renewable energy and transmission development in the DRECP Planning Area, include the California Public Utilities Commission, special utilities districts,

and local agencies (counties and cities). Upon approval and adoption of the DRECP, and issuance of incidental take authorizations by the Service and CDFG, these other entities, if included as permittees, could extend their permit authorizations to proponents of renewable energy and transmission projects under their jurisdiction.

Other entities that may apply for incidental take permits that have authority over lands within the DRECP Planning Area include CDFG, the State Lands Commission, the California Parks and Recreation Department, and certain campuses of the University of California.

Covered Activities

The proposed ESA incidental take permit may allow take of Covered Species of wildlife resulting from Covered Activities on non-Federal land in the proposed DRECP Planning Area. The purpose of the DRECP is to contribute to the conservation of Covered Species while streamlining endangered species permitting for renewable energy development and transmission projects. To ensure that all relevant renewable energy projects are included and addressed, the Covered Activities are defined broadly as the exploration, pre-project activities (geotechnical borings, site reconnaissance, and, depending on the type of project, installation of temporary meteorological stations or test drilling and trenching), site preparation and construction, related infrastructure requirements, operations and maintenance, monitoring, and future decommissioning of public and private utility-scale renewable energy generation and transmission in the plan area. The activity types covered by the DRECP are expected to include transmission facilities that support renewable energy development, solar (photovoltaic and thermal) projects, wind projects, geothermal projects, and conservation actions. To facilitate timely and environmentally responsible development, the proposed DRECP and possible CDCAP amendment may focus on specific areas for development, such as the west Mojave, Imperial, and east Riverside areas. Potential impacts to Covered Species would be addressed through a conservation program that includes avoidance, minimization, mitigation, conservation, and restoration of habitat for Covered Species by multiple components, such as reserve design and assembly processes, protection and management elements, funding assurances, monitoring, and adaptive management within the DRECP Planning Area. More information

on proposed Covered Activities is available on the Internet at http://www.drecp.org/covered_activities.

The planning goals of the DRECP include the following:

- Provide for the longer term conservation and management of Covered Species within the DRECP plan area;
- Preserve, restore, and enhance natural communities and ecosystems that support Covered Species within the DRECP area;
- Build on the competitive renewable energy zones identified by the Renewable Energy Transmission Initiative;
- Further identify the most appropriate locations within the DRECP area for the development of utility-scale renewable energy projects, taking into account potential impacts to threatened and endangered species and sensitive natural communities;
- Provide a means to implement Covered Activities in a manner that complies with the ESA, CESA, NCCPA, NEPA, CEQA, and other relevant laws;
- Provide a basis for the issuance of take authorizations allowing the lawful take of Covered Species incidental to Covered Activities;
- Provide for issuance of take authorizations for other Covered Species that are not currently listed but which may be listed in the future;
- Provide a comprehensive means to coordinate and standardize mitigation and compensation requirements for Covered Activities within the plan area;
- Provide a framework for a more efficient process by which proposed renewable energy projects with the plan area may obtain regulatory authorizations, and which results in greater conservation values than would a project-by-project, species-by-species review; and
- Identify and incorporate climate change adaptation research, management objectives, and policies into the final plan document.

Covered Species

Covered Species are those species addressed in the proposed DRECP for which conservation actions will be implemented and for which the applicants will seek incidental take authorizations for a period of up to 40 years. Proposed Covered Species are expected to include threatened and endangered species listed under the ESA, species listed under CESA, and unlisted species of Federal and State conservation concern.

The following Federally listed threatened and endangered wildlife species are proposed to be covered by

the DRECP: The threatened desert tortoise (*Gopherus agassizii*), endangered Peninsular bighorn sheep (*Ovis canadensis nelsoni*), endangered California condor (*Gymnogyps californianus*), and endangered arroyo toad (*Anaxyrus [Bufo] californicus*).

Take of Federally listed plant species is not prohibited on non-Federal land under the ESA, and authorization under an ESA section 10 permit is not required. Section 9 of ESA does, however, prohibit the removal or malicious destruction of Federally listed plants from areas under Federal jurisdiction and the removal or destruction of such plants in knowing violation of State law. In addition, section 7(a)(2) of the ESA prohibits Federal agencies from jeopardizing the continued existence of any listed plant or animal species, or destroying or adversely modifying the critical habitat of such species. The following Federally listed plant species are proposed to be included in the DRECP in recognition of the conservation benefits to be provided for them under the plan, and the assurances permit holders would receive if they are included on a permit: The threatened Peirson's milk-vetch (*Astragalus magdalenaevae peirsonii*), endangered Amargosaniterwort (*Nitrophilamohavensis*), endangered Lane Mountain milk-vetch (*Astragalus jaegerianus*), and endangered triple-ribbed milk-vetch (*Astragalus tricarinatus*).

The following species that are not Federally listed are proposed to be covered by the DRECP: Amargosa River vole (*Microtus californicus scirpensis*), California leaf-nosed bat (*Macrotus californicus*), Mohave ground squirrel (*Spermophilus [Xerospophilus] mohavensis*), Mojave River vole (*Microtus californicus mohavensis*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), American peregrine falcon (*Falco peregrinus anatum*), bald eagle (*Haliaeetus leucocephalus*), burrowing owl (*Athenecunicularia*), golden eagle (*Aquila chrysaetos*), Greater Sandhill crane (*Grus canadensis stabida*), Swainson's hawk (*Buteo swainsoni*), flat-tailed horned lizard (*Phrynosoma mcallii*), Mojave fringe-toed lizard (*Uma scoparia*), Barstow woolly sunflower (*Eriophyllum mohavense*), desert cymopterus (*Cymopterus deserticola*), and Mojave monkeyflower (*Mimulus mohavensis*).

The species noted above will be evaluated for inclusion in the DRECP as

proposed Covered Species. However, the list of Covered Species may change as the planning process progresses; species may be added or removed as more is learned about the nature of Covered Activities and their impact on native species within the plan area. More information on Covered Species, including State-listed and unlisted species, is available on the Internet at <http://www.drecp.org/covered-species>.

Environmental Impact Statement

Before deciding whether to issue the requested Federal incidental take permit, the Service will prepare a draft EIS as part of the joint EIS/EIR, in order to analyze the environmental impacts associated with potential adoption and implementation of the proposed DRECP as a HCP and NCCP. In the EIS component of the joint EIS/EIR, the Service will consider the following alternatives: (1) The proposed action, which includes the issuance of take authorizations consistent with the proposed DRECP under section 10(a)(1)(B) of the ESA; (2) no action (no Federal ESA permit issuance); and (3) a reasonable range of alternatives that address different scenarios of renewable energy development and species conservation on both Federal and non-Federal land. The EIS/EIR will include a detailed analysis of the impacts of the proposed action and alternatives. The range of alternatives to be considered and analyzed will represent varying levels of conservation and impacts, and may include variations in the scope of Covered Activities; variations in the locations, amount, and type of conservation; variations in permit duration; or a combination of these elements. The BLM may address other considerations in the EIS. In compliance with NEPA, the Service and BLM will be responsible for the scope and preparation of the EIS component of the joint EIS/EIR.

The EIS/EIR will identify and analyze potentially significant direct, indirect, and cumulative impacts of the Service's authorization of incidental take (permit issuance) and the implementation of the proposed DRECP on biological resources, land uses (including BLM, U.S. Department of Defense military operations, and Native American traditional land uses), utilities, air quality, water resources (including surface and groundwater supply and water quality), cultural resources, socioeconomic and environmental justice, outdoor recreation, visual resources, induced growth, climate change and greenhouse gases, and other environmental issues that could occur with implementation of the proposed

action and alternatives. The Service and the BLM will use all practicable means, consistent with NEPA and other essential considerations of national policy, to avoid or minimize significant effects of their actions upon the quality of the human environment.

The Service and BLM have invited the National Park Service (NPS), Environmental Protection Agency (EPA), Department of Energy, and the Department of Defense to be cooperating Federal agencies in the preparation of the EIS, because the proposed project may have effects on lands and facilities under the jurisdictions of those agencies. To date, the NPS and EPA have requested and agreed to be cooperating agencies. The CDFG has requested and agreed to be a State cooperating agency. The Service, BLM, NPS, EPA, and CDFG agree that establishing a cooperating agency relationship will create a more streamlined and coordinated approach in developing this EIS.

Reasonable Accommodation

Persons needing reasonable accommodations to attend and participate in the public meeting should contact Ken Corey at (760) 431-9440 as soon as possible. To allow sufficient time to process requests, please call no later than 1 week before the public meeting. Information regarding this proposed action is available in alternative formats upon request.

Public Comments

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Material the Service receives will be available for public inspection, by appointment, during normal business hours (Monday through Friday, 8 a.m. to 4:30 p.m.) at the Service's Carlsbad address (see ADDRESSES).

At the close of the public comment period, all written comments received by the Federal co-lead agencies will be posted on the Internet at <http://www.drecp.org/public-scoping-comments>. Comments received by CEC in response to their notice of preparation under CEQA will also be posted on the Web site.

Authority: 40 CFR 1501.7.

Tom Pogacnik,
Deputy State Director, Natural Resources,
California State Office, Bureau of Land
Management, Sacramento, California.

Dated: July 22, 2011.

Alexandra Pitts,
Deputy Regional Director, Pacific Southwest
Region, U.S. Fish and Wildlife Service,
Sacramento, California.

[FR Doc. 2011-19175 Filed 7-28-11; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

DEPARTMENT OF AGRICULTURE

Forest Service

[LLWY920000/L51010000.ER0000/
LVRWK09K0990/241A; WYW-174598; IDL-
35849; NVN-089270]

Notice of Availability of the Draft Environmental Impact Statement for the Gateway West 230/500 kV Transmission Line Project in Idaho, Nevada, and Wyoming and Prospective Draft Land Use Plan Amendments

AGENCY: Bureau of Land Management,
Interior; and U.S. Forest Service,
Agriculture.

ACTION: Notice of Availability.

SUMMARY: The Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) announce the availability of the Gateway West Transmission Line Project DEIS and prospective draft Land Use Plan (LUP) Amendments. The DEIS analyzes the consequences of granting a right-of-way (ROW) to Idaho Power and Rocky Mountain Power for locating a 1,103-mile-long electric transmission line from the proposed Windstar Substation near the Dave Johnston Power Plant at Glenrock, Wyoming, to the proposed Hemingway Substation near Melba, Idaho. The project is composed of 10 transmission line segments of 230 and 500 kilovolts (kV); each segment would carry up to 3,000 megawatts (MW).

The requested ROW width would generally be 300 feet but could range from 125 to 350 feet, depending on the design variation and structure type. The proposed route generally follows existing transmission lines and West-wide Energy (WWE) corridors designated pursuant to Section 368 of the Energy Policy Act of 2005. Approximately 610 miles (55 percent) of the proposed route is located within or adjacent to designated corridors or existing transmission lines.