

**DEFENDERS OF WILDLIFE
NATURAL RESOURCES DEFENSE COUNCIL
THE WILDERNESS SOCIETY**

December 9, 2010

Joshua Hart, Director
Inyo County Planning Department
Post Office Drawer L
168 N. Edwards Street
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(Via Email to: jhart@inyocounty.us; inyoplanning@inyocounty.us)

Re: Inyo County Solar and Wind Energy Development: Preliminary Draft General Plan
Amendment No. 2010-03

Dear Mr. Hart:

Thank you for the opportunity to provide comments and recommendations on Inyo County's effort to facilitate responsible solar and wind energy development through an amendment to the General Plan. It is our understanding that the Inyo County Planning Department is embarking on this effort through preliminary informational and scoping meetings and requesting comments from the general public, and that a formal announcement of a proposed amendment to the General Plan will be developed and released for public review in the near future.

These comments and recommendations are submitted by the Defenders of Wildlife ("Defenders"), Natural Resources Defense Council ("NRDC") and The Wilderness Society ("TWS").

Defenders is a national environmental organization with more 950,000 members and supporters in the U.S., 145,000 of who reside in California. Defenders is dedicated to protecting all wild animals and plants in their natural communities. To this end, Defenders employs science, public education and participation, media, legislative advocacy, litigation and proactive on-the-ground solutions in order to prevent the extinction of species, associated loss of biological diversity, and habitat alteration and destruction.

NRDC is a non-profit environmental organization with 1.3 million members and online activists, more than 250,000 of whom live in California. NRDC uses law, science and the support of its members and activists to protect the planet's wildlife and wild places and to ensure a safe and healthy environment for all living things.

The mission of **TWS** is to protect wilderness and inspire Americans to care for our wild places. TWS has worked for more than 70 years to maintain the integrity of America's wilderness and public lands and to ensure that land management practices are sustainable and based on sound

science to ensure that the ecological integrity of the land is maintained. With more than half a million members and supporters nationwide, TWS represents a diverse range of citizens.

We strongly support the emission reduction goals found in the Global Warming Solutions Act of 2006, AB 32, including the development of renewable energy in California. However, in seeking to meet California's renewable energy portfolio standard, permitting agencies and project proponents must carefully plan for, and site and design renewable energy generation and transmission projects in the most sustainable manner possible. This is essential to ensure that project approval moves forward expeditiously and in a manner that does not sacrifice our critically important landscapes and wildlife.

Collectively, we provide the following issues and recommendations to help guide the development of an amendment to the General Plan for preparation of the Environmental Impact Report (EIR) for this proposed project:

1. General planning strategy: We strongly recommend that a long-range, comprehensive, and strategic planning process involving the public be used to achieve the goals of increasing the generation and utilization of renewable solar and wind energy resources in Inyo County. Such a planning approach would enable Inyo County to methodically and objectively guide renewable energy development in an environmentally responsible manner by avoiding or minimizing significant environmental and social conflicts. In item number 4, below, we offer a recommendation for carrying out such a comprehensive, strategic planning effort.
2. Interagency coordination: We recognize and are pleased the Inyo County Planning Department has been participating in other renewable energy planning efforts in California, such as the Renewable Energy Transmission Initiative spearheaded by the California Energy Commission; the Desert Renewable Energy Conservation Plan (DRECP) which is in an early stage of development by the Renewable Energy Action Team comprised of members from the California Energy Commission, California Department of Fish and Game, Bureau of Land Management and Fish and Wildlife Service; and the Programmatic Environmental Impact Statement for Solar Energy Development on public lands.

We strongly encourage continued and frequent involvement by Inyo County in the above efforts, and especially in development of the DRECP. Although the DRECP planning area does not extend into all areas of Inyo County that may be suitable for consideration of future solar and wind energy development, many of the planning and conservation requirements and goals could be readily adopted by the Inyo County Planning Department as part of its overall strategic planning process. For those areas within Inyo County that are within the DRECP planning boundary, we believe that continued participation by Inyo County in this planning effort will provide the most appropriate


venue for identifying suitable areas for renewable energy development and conservation. Furthermore, this approach would allow Inyo County to benefit from the extensive data collection and analysis, scientific expertise, planning structure, and public involvement associated with the DRECP effort.

3. Two-tiered planning strategy: We strongly recommend that the planning strategy used to identify zones renewable energy development within Inyo County is based on two-tiers: 1) Lands subject to Inyo County jurisdiction and 2) Federal and Tribal Lands outside Inyo County jurisdiction. For the latter category of lands, the Bureau of Land Management and Tribal governments would need to agree to take the lead in identifying potentially suitable zones, and work jointly with Inyo County in such a planning effort through a joint CEQA – National Environmental Policy Act (NEPA) process if Inyo County asserts jurisdictional or permitting authority over potential projects on federal or Tribal lands.
4. California Environmental Quality Act (CEQA) compliance: We recommend development of a programmatic plan and EIR for Inyo County's renewable energy development amendment to the General Plan. A programmatic approach would allow for more efficient and timely completion of project-level CEQA analysis for specific projects proposed within identified development zones. Based on our groups' extensive involvement both individually and collectively in "fast-track" renewable energy projects located on public lands in the California Desert and southern Nevada, we developed a keen sense of the need for careful planning for renewable energy entailing identification of development zones that would potentially support environmentally and economically sound renewable energy generation projects. Lastly, by taking a programmatic approach to renewable energy development, the cumulative impacts of a long-range plan would be identified and mitigated in a comprehensive manner. This would allow for development of the most appropriate lands for solar energy and help ensure that they would be environmentally sustainable and potentially dedicated for permanent renewable energy generation. This could preclude the need for costly decommissioning plans and ultimately minimize the amount of lands needed for such use.
5. Action Alternatives: Among the most important aspects of a CEQA-based planning effort will be the identification of a range of reasonable alternatives for renewable energy development, and we highly recommend that alternatives be developed through a public scoping process.
6. Identification of potential development zones: In seeking to identify potential locations for zones or areas within Inyo County designated for renewable energy development, we strongly urge the use of screening or filtering criteria designed to identify lands having minimal biological and environmentally sensitive resources and values. Filtering criteria

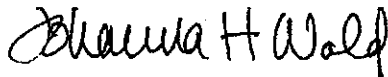
should be developed through a public process involving federal and state agencies, stakeholder organizations and the general public. This process will help ensure that the goals of the renewable energy planning project are achieved in the most appropriate manner and have broad public support. In addition, adoption of a multi-stakeholder public process will help ensure that the potential development areas that are identified will avoid unnecessary loss of or impacts to significant natural landscapes and biological resources within Inyo County.

We hope our comments are helpful to Inyo County in its development of an amendment to the General Plan that identifies potentially suitable and environmentally responsible opportunities for development of solar and wind energy resources. Please contact us if we can provide additional assistance or if you have questions about our comments. Please direct future correspondence to each of the individuals listed below. Thank you.

Sincerely,



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