



**OHMVR COMMISSION MEETING
Upper Lake, CA 95485**

February 28, 2014

STAFF REPORT: Desert Renewable Energy Conservation Plan (DRECP)

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SUBJECT: DRECP Briefing

Summary

Renewable energy development is critical to California's future. California has a 33% renewable energy portfolio standard, one of the highest in the country, and a GHG standard to reduce emissions to 1990 levels by 2020 and 80% below 1990 levels by 2050. All are aimed at preventing impacts of climate change.

The DRECP is a multiagency conservation and planning framework plan intended to guide renewable energy project siting in the Mojave and Colorado/Sonoran deserts of California helping to ensure that California can meet its RPS and GHG emission reduction targets. The DRECP will provide for the conservation and management of certain species, habitats, and natural communities and also protect the historic and intrinsic land uses and values within the California desert. An interim draft document was released in December 2012. The public draft DRECP will be released this spring.

Discussion

The DRECP is designed to comprehensively provide for the conservation of sensitive species and ecosystems and to streamline environmental review and permitting for renewable energy and transmission projects. The DRECP consists of three major planning components:

- A BLM Land Use Plan Amendment (LUPA) in accordance with the Federal Land Policy and Management Act
- A Natural Community Conservation Plan (NCCP) to comply with the California NCCP Act and the California Endangered Species Act
- A General Conservation Plan (GCP) to comply with the Federal Endangered Species Act

The DRECP plan area encompasses 22.5 million acres of private, state, and federal land (approximately 50% encompassing BLM administered lands). The plan area

includes seven counties (Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego), several state and federal agencies, and a large spectrum of uses, values, and resources. There are twelve State Parks within the DRECP plan area including the Ocotillo Wells and the Hungry Valley Districts, which are administered by the OHMVR Division. The OHMVR Division's proposed Eastern Kern County Property Acquisition is also within the plan area.

DPR/OHMVR Division (Division) staff has been proactively involved in DRECP interagency collaboration at all levels of policy and management decision making. Division interests include ensuring the sustainability of OHV recreation opportunities within the California desert, maintaining ecosystem viability and connectivity with lands bordering State Parks, and collaborating with OHV stakeholders to ensure the interests of the Division Grant funding investments are protected and sustained in perpetuity.

What to expect in the DRECP public draft document

- A range of alternatives will be included.
- Permitting would be streamlined for projects within Development Focus Areas (DFAs). DFAs are proposed where conflicts with biological and non-biological resources have been determined to be relatively low.
- Several public land designations will exclude renewable energy – BLM National Conservation Lands, Areas of Critical Environmental Concern, Special Recreation Management Areas (SRMAs), and Open OHV areas.
- The plan does not propose to close any existing designated routes.
- Each alternative would create new or expanded SRMAs on public lands.

Release of Public Draft document

- Interim document was released in December 2012.
- Public draft plan will be released this spring with a 90-day comment period.
- Public meetings will occur throughout the planning area to support the release of the DRECP public draft document.
- Data Basin – DRECP Gateway (www.databasin.org) is an online web-based mapping tool that provides easy to use functionality for anyone interested in reviewing the plan. Information on alternatives, documentation of underlying data and information, key images, modeling, and adaptive management will be available on this mapping site tool. This dynamic tool supports the DRECP as an adaptive management plan.

DRECP Implementation Plan

- Ensures collaboration among participating agencies, entities, and stakeholders and facilitates coordinated decision making.

- Key to the successful implementation of the GCP, NCCP, and LUPA, which are integral to accomplishing the goals and objectives of the DRECP and the decision making process.
- Ensures plan implementation is transparent and understandable.

Commission Action

For information only

Attachments

Key DRECP Policy Drivers Handout

DRECP Regulatory and Policy Drivers

1. **Energy Policy Act 2005: signed by President Bush, Aug 2005**
 - Tax incentives and loan guarantees for innovative technologies, including renewables
2. **California Legislation AB32, passed and signed 2006**
 - Reduce CA greenhouse gases to 1990 levels by 2020 and 80% below 1990 by 2050, and help achieve air quality standards of Clean Air Act
3. **Executive Order S-14-08: signed by Governor Schwarzenegger, Nov 2008**
 - 33% of California's energy production will be via renewables by 2020
 - One stop shopping for RE permitting – established RE office w/in DFW
 - Established REAT
 - Established RE Transmission Initiative (RETI)
 - Established DRECP
4. **MOU: signed by the CA Energy Commission (CEC), CA Department of Fish and Wildlife (CDFW, formerly CDFG), US Fish and Wildlife Service (US FWS), Bureau of Land Management (BLM), Nov 2008**
 - Per EO above, established the CA Renewable Energy Action Team (REAT). Provides for a streamlined permitting process for renewable energy projects and guidance to applicants on siting considerations and conservation strategies
5. **US Department of Interior (DOI) Secretarial Order 3283, Jan 2009**
 - Enhanced public lands role in renewable energy production
 - Lead to the development of the BLM Solar PEIS ROD signed 10/12
6. **US DOI Secretarial Order 3285, March 2009**
 - Established renewable energy production as a DOI priority
7. **MOU: signed by US DOI, State of California, US FWS, BLM, CEC, CDFW, Oct 2009**
 - Formal establishment of the DRECP effort
8. **US DOI Secretarial Order 3285A1, amended Feb 2010**
 - Encouraged the production, development, and delivery of renewable energy as one of DOI's highest priorities
9. **DRECP Planning Agreement: signed by BLM, US FWS, CDFW, CEC, National Fish and Wildlife Foundation (NFWF), May 2010**
 - Established the roles in development of the DRECP, including mitigation funding/accounting; NFWF will disperse mitigation funding for each project subaccount on behalf of the REAT agencies

10. California Legislation SBX2, passed and signed 2011

- Codified Executive Order S-14-08 (producing 33% of CA electrical needs with renewable sources by 2020)

11. MOU: Signed by the US FWS, BLM, CEC, CDFW, CA State Lands Commission (CEC), Sept 2011

- Forms a cooperative relationship for CECs involvement of renewable energy development on CEC's School Lands.

12. MOU: signed by US DOI and State of California, Jan 2012

- Reaffirmed commitment to the DRECP and sets forth new timelines for completion

13. MOU: Signed by BLM and CDFW, November 2012

- Agencies agree to work in a streamlined effort for renewable energy project permitting, while conserving biological and natural resources within the DRECP area. Specifically this MOU addresses "durability" with respect to conservation and mitigation on BLM lands

14. 2013 Introduced Legislation: AB 516, Regulation of Energy and Wildlife Resources, Brown, February 2013.

- The March 19, 2013 amended version would authorize the CDFW to issue a permit to an applicant to take the nests or eggs of any bird and to take any birds-of-prey if the take is incidental to the construction on an electrical transmission infrastructure project, as defined, and if the applicant satisfies other specified conditions

15. Farmland Protection Act AB 823, Permanent protection of farmland, Eggman

- AB 823 would require permanent protection of one acre of farmland for every acre converted to residential, industrial and infrastructural development projects. On April 29th, AB 823 passes out of the Assembly Natural Resources. On May 1, 2013 it was held over in the Assembly Agriculture Committee at the recommendation of Assembly member Eggman, making it a two-year bill that will be reconsidered in 2014. Currently, the DFW is amending language in the Bill.