Record of Decision

DESERT RENEWABLE ENERGY CONSERVATION PLAN

DRECP

Record of Decision for the Land Use Plan Amendment to the California Desert Conservation Plan, Bishop Resource Management Plan, and Bakersfield Resource Management Plan

Prepared by the U.S. Bureau of Land Management | September 2016

NATIONAL SYSTEM OF PUBLIC LANDS
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Desert Renewable Energy Conservation Plan
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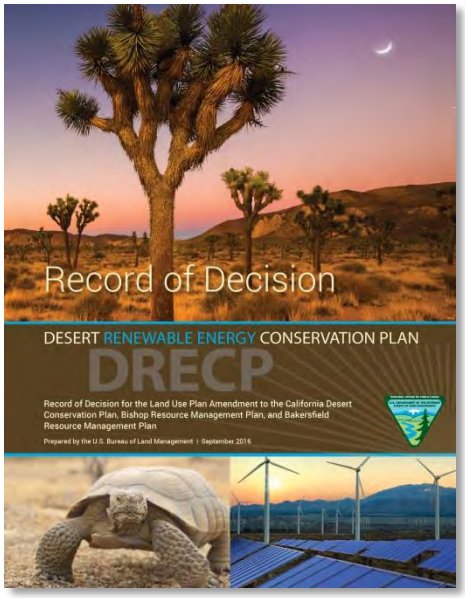

Prepared by:

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ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
ACEC	Area of Critical Environmental Concern
ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effects
BLM	Bureau of Land Management
CAISO	California Independent System Operator
CBI	Conservation Biology Institute
CDCA	California Desert Conservation Area
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEERT	Center for Energy Efficiency and Renewable Technologies
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CMA	Conservation and Management Action
CPUC	California Public Utilities Commission
DFA	Development Focus Area
DOI	Department of Interior
DRECP	Desert Renewable Energy Conservation Plan
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
ERMA	Extensive Recreation Management Areas
ESA	federal Endangered Species Act
FLPMA	Federal Land Policy and Management Act
FR	Federal Register
GCP	General Conservation Plan
GPL	General Public Land
GIS	geographic information system
HCP	Habitat Conservation Plan
LUPA	Land Use Plan Amendment
MW	megawatt
NCCP	Natural Community Conservation Plan
NCCPA	Natural Community Conservation Planning Act
NDAA	National Defense Authorization Act
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NLCS	National Landscape Conservation System

Acronym/Abbreviation	Definition
OHV	Off-Highway Vehicle
PA	Programmatic Agreement
PL	Public Law
REAT	Renewable Energy Action Team
RECPG	Renewable Energy Conservation Planning Grants
RETI	Renewable Energy Transmission Initiative
RMP	Resource Management Plan
ROD	Record of Decision
ROW	right-of-way
RPS	Renewables Portfolio Standard
SHPO	State Historic Preservation Officer
SO	Secretarial Order
SRMA	Special Recreation Management Area
SUA	Shared Use Area
U.S.C.	United States Code
USFWS	U.S. Fish and Wildlife Service
VPL	Variance Process Land
WMRNP	West Mojave Route Network Project
WSA	Wilderness Study Area

I INTRODUCTION

The Bureau of Land Management (BLM) has prepared this Record of Decision (ROD) approving the Land Use Plan Amendment (LUPA) for the California Desert Conservation Area (CDCA) Plan and Bishop and Bakersfield Resource Management Plans (RMPs). The BLM also explains in this ROD the identification of the California Desert National Conservation Lands,[1] as discussed in the attached LUPA. The LUPA was prepared as part of the Desert Renewable Energy Conservation Plan (DRECP). The DRECP has been developed as an interagency plan by the BLM, the U.S. Fish and Wildlife Service (USFWS), the California Energy Commission (CEC), and the California Department of Fish and Wildlife (CDFW) (collectively "REAT Agencies"; Renewable Energy Action Team [REAT]) to (1) advance federal and state natural resource conservation goals and other federal land management goals; (2) meet the requirements of the federal Endangered Species Act (ESA), California Endangered Species Act (CESA), Natural Community Conservation Planning Act (NCCPA), and Federal Land Policy and Management Act (FLPMA); and (3) facilitate the timely and streamlined permitting of renewable energy projects, all in the Mojave and Colorado/Sonoran desert regions of Southern California.

The DRECP is an innovative, landscape-scale planning effort covering 22.5 million acres in seven California counties - Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego. The BLM manages approximately 10 million acres of those acres. The REAT Agencies collaborated throughout the planning process to coordinate efforts across jurisdictional boundaries. The DRECP is a major component of the federal and State of California's renewable energy planning efforts. It is designed to both provide effective protection and conservation of important desert ecosystems, while also facilitating the development of solar, wind and geothermal energy projects in those unique landscapes.

Through this ROD, the BLM is making decisions for BLM-managed lands in the DRECP LUPA Decision Area. These decisions are being made in consideration of other DRECP partner agencies' goals and objectives, as well as any county renewable energy plans.

[1] Public Law 111-11 established the National Landscape Conservation System, and listed the components of this system, including national monuments, national conservation areas, wilderness study areas, national scenic trails and national historic trails designated as a component of the National Trails System, components of the National Wild and Scenic Rivers System, components of the National Wilderness Preservation System, as well as specifically listed areas managed by the BLM, including "public land within the California Desert Conservation Area administered by the Bureau of Land Management for conservation purposes." For the purposes of identifying California Desert National Conservation Lands, areas already included in the National Conservation Lands through previous designations (e.g., Wilderness Study Areas), are outside the scope of this decision.

I.1 Background

A number of federal and state laws, agreements, and policies lead to the DRECP partner agencies to undertake the DRECP process at the state and federal level. At the federal level, the 2005 Energy Policy Act created tax incentives and loan guarantees for innovative technologies, including renewable energy, and set of goal of at least 10,000 megawatts (MWs) of renewable energy generation on public lands by 2015. Secretarial Order 3283, signed January 2009, called for an enhanced public lands role in renewable energy production, and Secretarial Order 3285, signed March 2009, and amended February 2010, established renewable energy production as a Department of Interior (DOI) priority. The President's Climate Action Plan, released in June 2013, set a goal of approving an additional 10,000 MWs of renewable energy on public lands, for a total of 20,000 MWs by 2020.

At the state level, Assembly Bill 32, passed by the California legislature and signed by Governor Schwarzenegger in 2006, required the state of California to reduce greenhouse gases to 1990 levels by 2020, and 80% below 1990 levels by 2050. In addition, Executive Order S-14-08, signed by Governor Schwarzenegger in 2008, required that 33% of California's energy production be via renewable energy in 2020.[2]

These laws and policies led to an increase in both interest and applications for renewable energy projects in the California desert, on private and public lands. In addition to possessing substantial renewable energy development opportunities, the California Mojave and Colorado/Sonoran desert region is also home to an impressive array of endangered, threatened, and sensitive species and their habitats, a robust cultural heritage, and recreational opportunities for both residents and visitors. Seeing this development interest and recognizing the need to protect the other resources there, the DRECP partner agencies recognized an increasingly collaborative opportunity to coordinate review and approval of large-scale renewable energy production facilities and associated transmission lines and other infrastructure in a way that both recognizes a need to streamline the development process for utility-scale renewable energy projects, while simultaneously providing for the long-term conservation and management of the special-status species and other biological, physical, cultural, scenic, and social resources within the DRECP Plan Area.

This recognition lead to the 2008 Memorandum of Understanding signed between BLM-California, USFWS-Region 8, CDFW (then California Department of Fish and Game), and CEC, which agreed to undertake a collaborative planning effort covering public and private land in the Mojave and Colorado/Sonoran deserts. This was followed by a Memorandum of Understanding signed by the DOI and the State of California in October 2009, which formalized the DRECP effort. In May 2010, BLM-California, USFWS-Region 8, CDFW, and

[2] California Senate Bill X2, passed and signed in 2011, adopted this requirement into state law.

CEC signed the DRECP Planning Agreement, which established agency roles in the development of the DRECP. This agreement was reaffirmed, with adjusted timelines, in a Memorandum of Understanding between the DOI and State of California in January 2012.

I.1.1 Interagency DRECP

At the interagency level, DRECP is a landscape-scale planning effort undertaken to achieve two sets of overarching goals:

- **Renewable Energy.** The plan identifies specific development focus areas with high-quality renewable energy potential and access to transmission in areas where environmental impacts can be managed and mitigated.
- **Conservation.** The plan specifies species, ecosystem and climate adaptation requirements for desert wildlife, as well as the protection of recreation, cultural and other desert resources.

In addition to the interagency conservation and renewable energy mandates and policies, on March 30, 2009, President Barack Obama signed into law the Omnibus Public Lands Management Act of 2009 (PL 111-11) (Omnibus Act), which congressionally established the National Landscape Conservation System (NLCS) to "conserve, protect and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations." Congress directed that public land within the CDCA administered by the BLM for conservation purposes be included in the NLCS. The BLM also used the LUPA process to identify the public lands within the CDCA to be managed for conservation and identified as components of the NLCS pursuant to the Omnibus Public Lands Management Act. The lands included in the NLCS were considered to be part of the interagency conservation strategy during the development of the interagency DRECP.

The LUPA consists of the public lands component of the DRECP, identifying areas appropriate for renewable energy development, as well as areas important for biological, environmental, cultural, recreation, social and scenic conservation, consistent with FLPMA's multiple-use and sustained yield requirements. The LUPA also identifies management goals and objectives within each of these allocations.

In September 2014, the DRECP partner agencies issued the Draft DRECP, which included a draft California Environmental Quality Act (CEQA) Environmental Impact Report and National Environmental Policy Act (NEPA) draft Environmental Impact Statement (EIR/EIS). The Draft DRECP included five alternatives to achieve the renewable energy and conservation goals of the DRECP partner agencies, which were represented by the Interagency Objectives, as well as individual agencies' purpose and need. These alternatives included three integrated components: a BLM LUPA, which covered the BLM-

managed public lands within the DRECP LUPA Decision Area, a USFWS General Conservation Plan (GCP) under Section 10 of the ESA, which covered nonfederal lands within the DRECP Plan Area, and a CDFW Natural Community Conservation Plan (NCCP) under the California NCCPA, which covered both federal and nonfederal lands within the DRECP Plan Area. Although the three components were developed as an integrated plan, the LUPA was designed to meet the BLM's purpose and need, and further the interagency goals on public lands, either independently or as part of the larger interagency plan.

I.1.2 BLM LUPA (DRECP Phase I)

In March 2015, following a 152-day public comment period on the Draft DRECP and EIR/EIS, the DRECP partner agencies announced that completion of the plan would follow a phased approach, with the first phase consisting of the BLM LUPA covering over 10 million acres of BLM-managed lands. Phase I identifies lands for inclusion in the NLCS, and includes the BLM land allocations for renewable energy, conservation and recreation, as well as the goals and objectives for the management of those land use allocations. In addition to furthering the interagency goals, the BLM LUPA meets the BLM's purpose and need, as expressed in the Draft DRECP and EIR/EIS and Proposed LUPA and Final EIS.

After publication of the Proposed LUPA and Final EIS, the Proposed LUPA was subject to a 30 day protest period in late 2015. In March 2016, the BLM published a notice in the Federal Register specifically listing the 134 Areas of Critical Environmental Concern (ACECs) being considered, and opening a 60 day public comment period on those ACECs.

The BLM LUPA was developed in collaboration with the other federal, state and local agencies, and Tribal governments, and public comments received on the Draft DRECP and EIR/EIS, protests and comments on the Proposed LUPA and Final EIS, and public input during the 60-day ACEC public comment period. As explained above, the LUPA amends the CDCA Plan and the Bishop and Bakersfield RMPs. While the BLM LUPA only applies to BLM-managed lands, it will serve as a foundation for renewable energy and conservation planning in the desert, which will assist partner agencies in meeting both federal and state climate change and conservation goals.

I.1.3 DRECP Phase II

Phase II, which will follow this ROD, will focus on further aligning local, state, and federal renewable energy development and conservation plans, policies, and goals on private and state lands. Phase II builds off of the Renewable Energy Conservation Planning Grants (RECPG) that were awarded by the CEC to counties in the DRECP Plan Area. Phasing of the DRECP allows for additional work with the counties, which have primary land-use and permitting authority on private lands in their counties.

I.2 DRECP Plan Area and LUPA Decision Area

The Interagency DRECP Plan Area includes most of the CDCA and portions of the Bishop and Bakersfield RMPs (see Figure 1). This area includes lands in portions of Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego Counties. The DRECP Plan Area covers approximately 22,585,000 acres, and encompasses the Mojave Desert and the Colorado/Sonoran Desert ecoregion subareas in California.

In addition to the DRECP Plan Area, the BLM LUPA Decision Area included BLM-managed lands outside of the DRECP Plan Area that are part of the CDCA for specific amendments to the CDCA Plan requirements governing those lands, as outlined in the Approved LUPA (see Figure 2).

The BLM LUPA Decision Area does not include the Colorado River Corridor, which is under the management of the BLM–Arizona State Office, or the lands covered by the 2013 Imperial Sand Dunes Recreation Area Management Plan. It should be noted that those lands are included on the maps and in the acreage figures because they are part of the CDCA. Although the entire DRECP Plan Area was used to develop the DRECP and is included throughout the Final EIS for analysis and illustrative purposes, the BLM LUPA will only apply to BLM-managed public lands. In total, the BLM LUPA Decision Area, depicted in Figures 1 and 2, includes BLM lands within the DRECP Plan Area plus the additional BLM lands covered by the CDCA Plan that are outside the DRECP Plan Area, but that are affected by the LUPA.

I.3 Purpose and Need

A number of federal and state laws and policies led the DRECP partner agencies to recognize the need for a landscape approach to renewable energy and conservation planning in the California desert, as detailed in Section I.1 above. This led the REAT Agencies to develop interagency objectives for the DRECP. To reflect the BLM's specific legislative, regulatory, and policy needs, the BLM developed a purpose and need for the LUPA. This purpose and need supports the Interagency Objectives, but also provides an independent justification for the BLM to undertake the DRECP LUPA.

I.3.1 Interagency Objectives

The interagency goal of the DRECP is to provide a streamlined process for the development of utility-scale renewable energy generation and transmission consistent with federal and state renewable energy targets and policies, while simultaneously providing for the long-term conservation and management of special-status species and vegetation types as well as other physical, cultural, scenic and social resources within the DRECP Plan Area through the use of with durable regulatory mechanisms.

I.3.2 BLM LUPA Purpose and Need

The BLM must respond to the increasing demand for renewable energy development and transmission, driven in part by:

- The Energy Policy Act's goal of the BLM approving the development of at least 10,000 MWs of renewable energy generation on public lands and the President's the more recent goal of approving an additional 10,000 MWs on public land by 2020 (Executive Office of the President 2013).
- The Presidential Memorandum, issued May 17, 2013, directing federal agencies to modernize federal infrastructure review and permitting regulations, policies, and procedures. Among other best management practices, this memorandum directs federal agencies to:
    - Integrate project reviews among agencies with permitting responsibilities; ensure early coordination with other federal agencies, as well as with state, local, and tribal governments;
    - Strategically engage with, and conduct outreach to, stakeholders;
    - Employ project-planning processes and individual project designs that consider local and regional ecological planning goals;
    - Utilize landscape-level mitigation practices;
    - Promote the sharing of scientific and environmental data in open-data formats to minimize redundancy, facilitate informed project planning, and identify data gaps early in the review and permitting process; and,
    - Apply best environmental and cultural practices as set forth in existing statutes and policies.
- The DOI's established national policy goals (Secretarial Order [SO] 3285 and SO 3285A1; DOI 2009) to identify and prioritize specific locations best suited for large-scale production of solar energy on public lands; encourage the production, development, and delivery of renewable energy as one of DOI's highest priorities; and work collaboratively with others to encourage the timely and responsible development of renewable energy and associated transmission while protecting the nation's water, wildlife, and other natural resources.
- SO 3330 establishes a DOI-wide mitigation strategy that will ensure consistency and efficiency in the review and permitting of infrastructure development projects and in conserving the nation's valuable natural and cultural resources (DOI 2013). This strategy includes the use of a landscape-scale approach to identify and facilitate investment in key conservation priorities in a region, early integration of mitigation

considerations in project planning and design, ensuring the durability of mitigation measures over time, ensuring transparency and consistency in mitigation decisions, and a focus on mitigation efforts that improve the resilience of our nation's resources in the face of climate change.

In addition to the authorities listed in the Final EIS, the DOI policy, "Implementing Mitigation at the Landscape-Scale," (600 DM 6) was approved in October 2015, and was issued after publication of the Proposed LUPA and Final EIS. This policy establishes DOI policy and provides guidance to bureaus and offices to implement mitigation measures associated with legal and regulatory responsibilities and the management of federal lands, waters, and other natural and cultural resources under the jurisdiction of DOI, including use of the best available science and landscape-scale approaches.

This policy is intended to improve permitting processes by providing developers with added predictability, as well as efficient and timely environmental reviews. It also helps achieve benefits for impacted communities and the environment by effectively avoiding, minimizing, and compensating for impacts to DOI-managed resources and their values, services, and functions. The policy was designed to (1) improve the resilience of our Nation's resources in the face of climate change; (2) encourage strategic conservation investments in lands and other resources; (3) increase compensatory mitigation effectiveness, durability, transparency, and consistency; and, (4) better utilize mitigation measures to help achieve departmental goals. The BLM is in the process of developing its own bureau-level guidance, consistent with established DOI policy, which will cover actions going forward.

On November 3, 2015, the President issued a Presidential Memorandum, "Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment." This memorandum instructed federal agencies, including DOI, to adopt a clear and consistent approach for avoidance and minimization of, and compensatory mitigation for, the impacts of their activities and projects they approve. It also recognized that there are additional legal protections for some resources that are of such irreplaceable character that minimization and compensation measures, while potentially practicable, may not be adequate or appropriate, and therefore agencies should design policies to promote avoidance of impacts to these resources. The BLM also recognizes that large-scale plans and analysis should inform the identification of areas where development may be appropriate, where high natural resource values result in the best locations for protection and restoration, or where natural resource values are irreplaceable.

The BLM has reviewed these policies and has determined the approved LUPA is consistent with them and furthers their purpose and goals. The DRECP LUPA supports the policy's goals of improving the permitting process by increasing predictability, as well as providing a landscape-scale analysis of conservation, and a framework for avoidance, minimization, and compensation of sensitive resources.

Meeting renewable energy production and policy goals will require the BLM to coordinate closely with the State of California in permitting renewable energy and transmission projects proposed on federally administered lands while also considering the state's Renewable Energy Portfolio goals. (See Executive Order 13604 [77 Federal Register (FR) 18887 March 28, 2012] on improving infrastructure permitting and review, Section 3[a(i)] on federal–state coordination.) To accommodate this growth in renewable energy, the BLM also needs to consider changing land use allocations and management prescriptions in its CDCA Plan and Bakersfield and Bishop RMPs to address potential renewable energy and transmission development in the DRECP Plan Area.

BLM's objectives for the DRECP, as reflected in the LUPA, are to:

- Conserve biological, physical, cultural, social, and scenic resources.
- Promote renewable energy and transmission development, consistent with federal renewable energy and transmission goals and policies, in consideration of state renewable energy targets.
- Comply with all applicable federal laws, including the BLM's obligation to manage the public lands consistent with FLPMA's multiple use and sustained yield principles, unless otherwise specified by law.
- Comply with Congressional direction regarding management of the CDCA in Section 601 of FLPMA, including to "[p]reserve the unique and irreplaceable resources, including archaeological values, and conserve the use of the economic resources" of the CDCA (FLPMA 601[a][6]; 43 United States Code [U.S.C.]1781(a)(6)).
- Identify and incorporate public lands managed for conservation purposes within the CDCA as components of the NLCS, consistent with the Omnibus Act.
- Amend land use plans consistent with the criteria in FLPMA and the CDCA Plan.
- Coordinate planning and management activities with other federal, state, local, and tribal planning and management programs by considering the policies of approved land resource management programs.
- Ensure that the BLM land use plan is consistent with state and local plans to the maximum extent consistent with federal law.
- Make some land use allocation decisions outside the DRECP area but within the CDCA, including Visual Resource Management Classes, land use allocations to replace multiple use classes, and NLCS designations.

DRECP Planning Area Boundary
CDCA Plan Boundary
County Boundary

Land Ownership

Federal Lands
- United States Bureau of Land Management
- United States Department of Defense
- United States Bureau of Reclamation
- United States Department of Agriculture
- United States Fish and Wildlife Service
- United States National Park Service

State Lands
- California Department of Fish and Wildlife
- California Department of Parks and Recreation
- California State Lands Commission
- Other State Lands

Other Lands
- Tribal Lands
- Local Agency
- Private

Nevada
Arizona
MEXICO
Pacific Ocean
Inyo
Owens Valley
Independence
Central Mojave
Tehachapi Mountains
Kern
California City
West Mojave
Los Angeles
Lancaster
Adelanto
Victorville
Lucerne Valley
Barstow
San Bernardino
Needles
Big Bear Lake
Twentynine Palms
Palm Springs
Palm Desert
Indio
Coachella
Riverside
East Riverside
Blythe
Chocolate Mountains
Imperial
San Diego
Imperial Valley
Calipatria
Brawley
Imperial
El Centro
Holtville
Calexico
266
190
127
395
58
14
138
18
247
40
95
177
10
111
86
115
8
98
0 12.5 25 Miles

Sources: ESRI (2015); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 1
DRECP Plan Area

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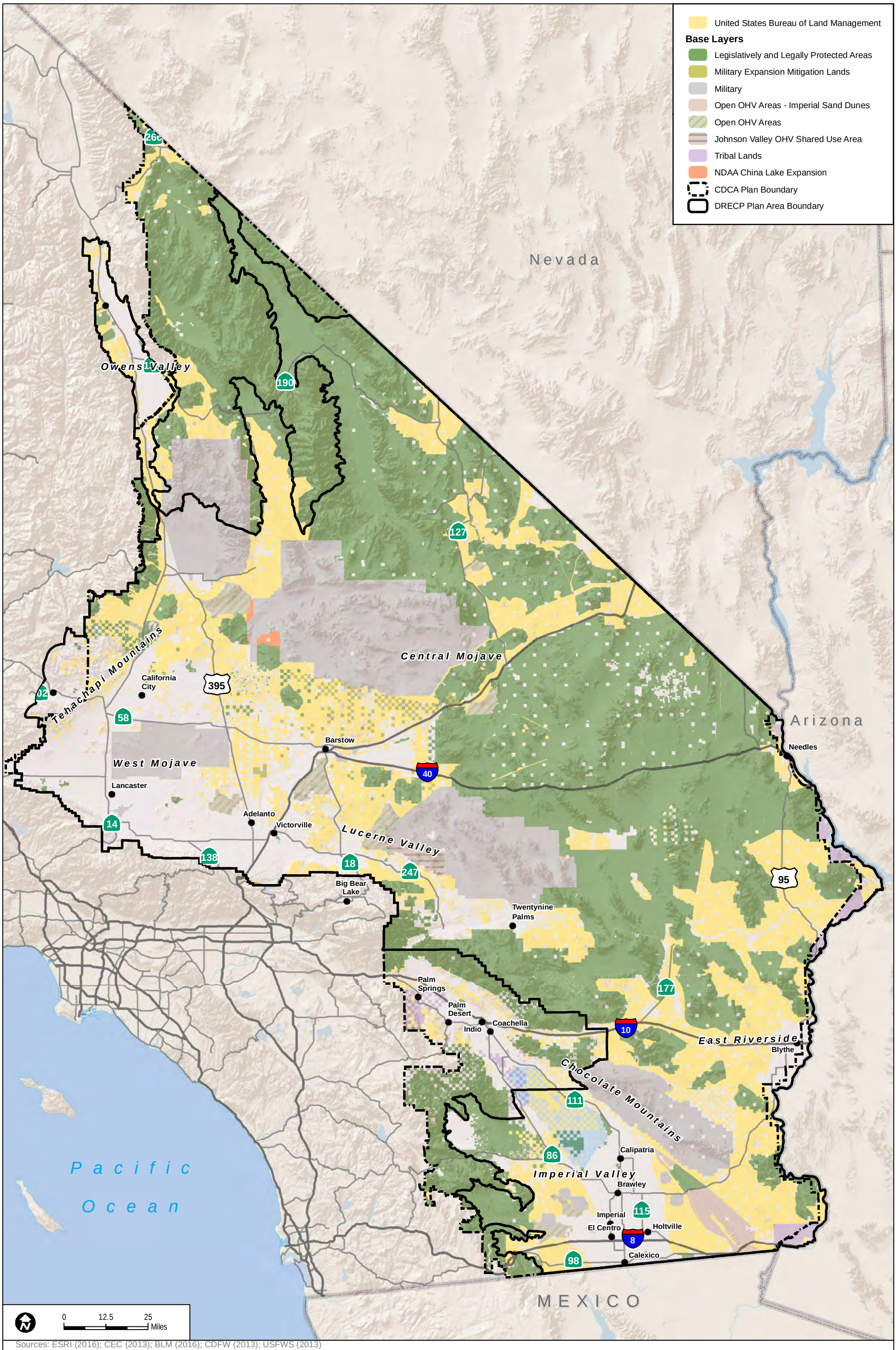

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 2

DRECP LUPA Decision Area

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I.3.3 Decisions Being Made

Through the LUPA approved by this ROD, the BLM is amending the CDCA Plan and the Bakersfield and Bishop RMPs. These amendments identify goals and objectives, and allowable uses and management actions designed to achieve those goals and objectives. Specifically, in furtherance of the purpose of the LUPA to: (1) conserve biological, environmental, cultural, recreation, social, and scenic resources; (2) respond to federal renewable energy goals and policies, including state-level renewable energy targets; and, (3) comply with FLPMA multiple use and sustained yield management requirements, the LUPA identifies:

- Areas of the public lands not previously identified in the CDCA Plan that are suitable and available for utility-scale solar, wind, and geothermal energy development and associated transmission, and where that development can be focused, incentivized, and streamlined;
- Areas of the public lands that are not suitable and are unavailable for these types of uses;
- Other changes to land use allocations on the public lands, including but not limited to multiple-use classes in the CDCA, Visual Resource Management Classes, Special Recreation Management Areas (SRMAs), National Trail Management Corridors, wildlife and plant management areas, ACECs, and utility corridors; and
- Allowable uses, management actions, stipulations, best management practices, and mitigation measures to reduce or avoid impacts associated with large ground-disturbing activities, including renewable energy and transmission projects on public lands, and allowable uses and management actions designed to restore and enhance resources, and visitor experiences on public lands.

I.3.4 Identification of California Desert National Conservation Lands

The BLM is also using the LUPA process to identify the public lands within the CDCA to be managed for conservation and identified as components of the NLCS pursuant to the Omnibus Act. The LUPA, and the accompanying environmental review, provides a comprehensive review of public land conservation in the CDCA, updating and consolidating the conservation decisions made in the CDCA Plan of 1980 and its subsequent amendments, using landscape-scale data. This review considered the criteria for National Conservation Lands, as defined in the Omnibus Act, and identified nationally significant landscapes with outstanding cultural, ecological, and scientific values. The BLM is using the DRECP planning process to formally identify those lands within the CDCA that the BLM will manage for conservation purposes in the CDCA. Those lands will be identified as California Desert National Conservation Lands, and will be managed as a component of the NLCS.

The Approved LUPA identifies lands meeting the criteria of the Omnibus Act, and establishes CMAs to conserve, protect, and restore those lands. These lands are therefore included in the lands listed in Sec. 2002(b)(2) of the Omnibus Act as an "area designated by Congress to be administered for conservation purposes" and are a component of the NLCS. Once identified, these lands can be removed from the NLCS only through an act of Congress; their designation cannot be changed through a land use plan amendment.

I.4 Planning Process

I.4.1 Types of Decisions

I.4.1.1 California Desert National Conservation Lands

In June 2000, the DOI and the BLM administratively established the NLCS to provide for coordinated protection of the BLM's conservation lands. On March 30, 2009, President Barack Obama signed into law the Omnibus Act, which congressionally established the NLCS to "conserve, protect and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations." Congress directed that public land within the CDCA administered by the BLM for conservation purposes be included in the NLCS.

Secretarial Order 3309, Management of the NLCS, provides additional instruction to the BLM on the management of the NLCS. It instructs the BLM to ensure that components of the NLCS are managed to protect the values for which they were designated. Appropriate multiple uses may be allowed, but the BLM should prohibit uses that are in conflict with the values for which the units were designated. The Secretarial Order also directs the BLM to manage NLCS components as an integral part of the larger landscape, in collaboration with the neighboring landowners and surrounding communities, to maintain biodiversity and promote ecological connectivity and resilience in the face of climate change. The Order instructs the BLM to integrate science and interdisciplinary perspective into the management of these areas, and to offer visitors the adventure of experiencing natural, cultural, and historic landscapes through self-directed discovery. It also directs BLM to build and sustain communities of partners and volunteers; drawing upon the expertise of specialists throughout the BLM, in coordination with tribes, other federal, state, and local government agencies, interested local landowners, adjacent communities, and other public and private interests. It further directs BLM to endeavor to inspire the next generation of natural resource and public land stewards by engaging youth through education, interpretation, partnerships, and job opportunities.

The BLM recognizes that the public has a heightened interest in the management and protection of the NLCS, including those in the California desert. The BLM has a unique and timely opportunity to assess the conservation potential of CDCA lands through the DRECP

process, which includes a FLPMA land use planning component. The BLM has used the public participation structure of the FLPMA land use planning component to assess and identify lands managed for conservation purposes to be included in the NLCS consistent with the Omnibus Act.

To identify lands in the California desert that qualify for inclusion in the NLCS, the BLM first applied the criteria from the Omnibus Act to determine what lands qualified for inclusion in the NLCS. It then identified lands meeting those criteria, and finally developed management direction for the California Desert National Conservation Lands within the CDCA. These steps are described in detail in Volume I, Section I.3.1.2.1, of the DRECP Proposed LUPA and Final EIS.

I.4.1.2 Land Use Planning Decisions

Land use plan decisions for public lands guide future land management actions and subsequent site-specific implementation decisions and fall into two categories: (1) desired outcomes (goals and objectives) and (2) the measures to achieve desired outcomes (i.e., management actions and allowable uses). Goals are broad statements of desired outcomes (e.g., maintain ecosystem health and productivity, promote community stability, ensure sustainable development) that usually are not quantifiable. Objectives identify specific desired outcomes for resources. Objectives are usually quantifiable and measurable. Desired future conditions can be identified in goals or objectives.

After establishing desired outcomes, the BLM identifies allowable uses and management actions that are anticipated to achieve the identified goals and objectives. “Allowable uses” is an umbrella term that defines which uses are allowable, restricted, or prohibited on certain land use allocations or areas, including the subsurface mineral estate managed by the BLM. Management actions are proactive measures that will enhance resource values and can include but are not limited to resource restoration projects, daily activities, and administrative designations such as ACECs.

The existing CDCA Plan and the Bishop and Bakersfield RMPs, establish goals and objectives, allowable uses, and management actions that will remain valid unless they are specifically amended by the LUPA approved by the ROD.

I.4.1.3 Duration of DRECP LUPA Decisions

BLM regulations under 43 CFR 1610.5-5 do not specify a duration for LUPA; therefore, the LUPA approved as part of the DRECP will not expire and will remain in place until amended through future land use planning efforts as described in BLM regulations (43 CFR 1610). As a general matter, the BLM periodically evaluates land use plans to determine if new decisions are required through the plan amendment process (see BLM 2005, pp. 33–38).

The plan amendment process is subject to NEPA and includes opportunities for participation by the public and other federal, state, and local agencies. The LUPA approved as part of the DRECP could be amended in the future pursuant to changing conditions or law and policy as required by applicable federal law and regulations.

The public lands within the CDCA include lands that comprise nationally significant landscapes with outstanding cultural, ecological, and scientific values. Those lands are administered by the BLM for conservation purpose as part of the NLCS, and will be managed to protect the values for which these lands were designated. The Omnibus Act directs BLM to provide for permanent inclusion of these lands in the NLCS. While the lands themselves are permanently included in the NLCS, the Conservation and Management Actions (CMAs) applicable to activities on those lands remain subject to land use planning decisions, and may be changed through the land use plan amendment process, so long as those changes are consistent with the Omnibus Act.

BLM-authorized activities on public land must conform to the applicable land use plan. If the BLM receives an application for a project that does not conform to the land use plan, it may reject the application without additional analysis. If the BLM determines, however, that the proposal warrants further analysis, it must undertake a plan amendment, which includes a public process, as described in the land use planning regulations at 43 CFR 1610.2.

I.4.2 Site-Specific Implementation Decisions and Requirements for Further Environmental Analysis

The BLM's land use plan decisions approved by this ROD will guide and inform future renewable energy development and resource conservation on BLM-managed lands in the LUPA Decision Area, including the management of California Desert National Conservation Lands, ACECs, SRMAs, and Extensive Recreation Management Areas (ERMAs). These decisions do not authorize any specific activities or imply approval for such activities, which would still require site-specific environmental analysis and a separate decision or authorization, such as a right-of-way grant or lease.

Implementation decisions generally relate to on-the-ground actions that BLM approves and that require site-specific analysis. There are no implementation decisions in this ROD. When the BLM considers any future implementation activity, the BLM decision maker must determine if it would conform to the applicable land use plan (43 CFR 1610.5-3) and what type of environmental analysis is required in accordance with NEPA. The BLM would retain the discretion to deny any such activity. For example, the BLM could deny renewable energy right-of-way applications, geothermal lease, or the post-lease development of a geothermal lease, based on site-specific issues and concerns, even in areas identified as Development Focus Areas (DFAs). The proponent, public, and other interested stakeholders would have

opportunities to participate and comment during the project-specific NEPA process for any particular implementation activity.

Likewise, the proposed management activities in the Special Unit Management Plans for ACECs (Approved LUPA Appendix B), SRMAs, and ERMAs (Approved LUPA Appendix C), would require implementation decisions based on site-specific analysis. In some cases, the BLM has already conducted the necessary site-specific NEPA analysis as part of the DRECP planning effort. In those cases, those decisions are carried forward in the Special Unit Management Plan. For any new management actions, the BLM will conduct site-specific NEPA prior to implementing those actions. The management actions listed in the DRECP LUPA, including the Special Unit Management Plans, are not an exclusive list, and, through monitoring, evaluation and adaptive management, the BLM may identify additional actions needed to manage the values for which California Desert National Conservation Lands were identified, or an ACEC, SRMA, or ERMA was designated.

I.4.3 California Desert National Conservation Lands Identification Process

I.4.3.1 Definition of California Desert National Conservation Lands

The Omnibus Act established the NLCS in order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations. As part of the planning effort, the BLM identified lands with nationally significant ecological, cultural, and scientific values using the criteria listed below. Alternative configurations of these lands are analyzed for their conservation value and importance.

For all alternatives, the BLM considered the following criteria:

- Ecological
    - Species habitat – High-quality habitat for multiple native species; or critical habitat for a federally listed species
    - High level of ecological diversity
    - Illustrates a significant natural value or phenomenon that is exemplary in the physiographic region
- Cultural
    - Contains a nationally significant prehistoric or historic cultural site that is eligible for the National Register of Historic Places
    - Contains a nationally significant cultural landscape that provides context and setting for historic properties or is of religious or cultural importance to Indian tribes

- Scientific
    - Area that has been the focus for significant scientific study or has a natural or cultural value, natural process, or other occurrence of high scientific value for potential future study

In addition to the criteria above, the BLM weighed different criteria, based on different factors affecting the context of "nationally significant" and "outstanding" resources and values, as well as creating a network that would promote the conservation, protection, and restoration of lands meeting the above criteria. These criteria were:

- Development pressure – Area has natural or cultural values representative of other areas under development pressure, or adjoins DFAs.
- Landscape intactness – Relatively undisturbed features, unmodified natural environment of fairly large size, and not impacted by numerous developments (e.g., absence of extensive road network, multiple physical facilities such as communication sites, power lines).
- Scenic quality – Higher levels of scenic quality as determined by the BLM Visual Resources Inventory process.
- BLM jurisdiction – Primarily large blocks of BLM lands (may include interspersed lands managed by other agencies for conservation purposes).
- Landscape Linkages – Habitat and landscape-scale linkages to existing NLCS units, such as Wilderness Areas, Wilderness Study Areas (WSAs), Wild and Scenic Rivers, National Trails, as well as conservation areas managed by other agencies, such as National and State Parks.

In some cases, these values overlapped with the values for which ACECs, Desert Wildlife Management Areas (DWMAs), and other Habitat Management Areas (HMAs) were designated. However, the BLM determined that those areas must contain nationally significant ecological, cultural, or scientific values, as determined using the criteria above, to be included as California Desert National Conservation Lands.

I.4.3.2 Development of California Desert National Conservation Lands Alternatives

To identify lands for inclusion in NLCS, the BLM evaluated lands that, under the No Action Alternative, are managed to protect specific resources, as well as areas proposed in the alternatives to be managed for these purposes, including existing and proposed ACECs, DWMAs, and HMAs as well as lands outside of those areas that linked important resources and designations, such as habitat linkages, or linkages between proposed California Desert

National Conservation Lands, Wilderness Areas, WSAs, Wild and Scenic Rivers, National Trails, and National Parks and Preserves.

Once the BLM had identified areas containing nationally significant landscapes using the primary criteria above, the interdisciplinary team developed a range of alternatives by providing different weights to the additional criteria.

The Preferred Alternative focused on habitat connectivity and cultural and botanical values. For ecological values, it focused on important wildlife linkages; designated critical habitat for threatened and endangered species or BLM Special Status Species habitat; and smaller, highly significant botanical sites. For cultural values, this alternative considered large cultural landscapes important to Native Americans, local communities, and that assist in understanding human habitation in the CDCA; historic trails and roads; and smaller, highly significant cultural sites. The scientific values focused on larger landscapes that offer opportunities for studying ecological responses to climate change, cultural resources, biological resources, hydrology, paleontology, and geology; and smaller sites with opportunities for focused research. Under this alternative, approximately 3,856,000 acres met these criteria for California Desert National Conservation Lands.

Alternative 1 focused on intact landscapes with a high scenic value. For ecological values, this included only the most scenic, intact desert landscapes and habitat. It included some wildlife linkages, but at a smaller scale, and only where lands met the scenic criteria and were not in a transmission corridor. This alternative reflects the cultural importance of a highly scenic, intact landscape, and includes large cultural landscapes and smaller sites that meet the scenic and intactness criteria. Highly scenic portions of historic trails and roads were included. The scientific values included intact landscapes, which offer opportunities for research in areas largely undisturbed by modern human activity. Under this alternative, approximately 1,626,000 acres met these criteria for California Desert National Conservation Lands.

Alternative 2 was the maximum DFA and maximum conservation alternative. Under this alternative, additional threatened and endangered critical habitat and BLM Special-Status species habitat was included, as well as additional wildlife linkages. For cultural resources, the BLM included additional lands that may contain undiscovered sites and larger cultural landscapes. Scientifically, the values are similar to the Preferred Alternative, but with the addition of more disturbed lands and the opportunity for habitat restoration research. Larger intact landscapes provide opportunities for landscape level studies of prehistoric and historic lifeways. This alternative identified approximately 5,538,000 acres of California Desert National Conservation Lands.

Alternative 3 reflected the value of habitat connectivity and scientific uncertainty. Ecologically, this alternative focused on larger landscapes and included most of the wildlife

linkages and designated critical habitat for threatened and endangered species, and BLM Special-Status Species that were identified in the Preferred Alternative. Smaller, more isolated units, including some unique and rare plant habitats, were not included. Cultural values included large cultural landscapes important to Native Americans, local communities, and that assist in understanding human habitation of the CDCA, as well as historic trails and roads. Smaller sites isolated from larger landscapes were not included. Scientifically, large landscapes that offer opportunities for large-scale research on ecological response to climate change, cultural resources, biological resources, hydrology, paleontology, and geology were included, but smaller sites were not. This alternative identified approximately 3,551,000 acres of California Desert National Conservation Lands.

Finally, Alternative 4 focused on integrating DFAs and Variance Process Lands (VPLs). Biologically, it was similar to, but smaller than the Preferred Alternative where there was overlap with DFAs, transmission corridors, and VPLs. Designated critical habitat for threatened and endangered species, BLM Special Status Species habitat, and important wildlife linkages were included; however, some connectivity corridors and habitat areas were interrupted by scattered VPLs and transmission corridors. Cultural values were also similar to those in the Preferred Alternative, except where landscapes were interrupted by VPLs or transmission corridors. Finally scientific values were similar to the Preferred Alternative, but opportunities for landscape-scale research was reduced due to a more fragmented nature of the landscape under this alternative. This alternative identified 2,804,000 acres of California Desert National Conservation Lands.

I.4.4 Biological Conservation Goals and Planning Process

The REAT Agencies went through a biological conservation planning process to develop the DRECP biological conservation strategy. This strategy considered both public and private lands, and formed the foundation for the biological conservation strategy in the BLM LUPA. This strategy is an approach for conserving DRECP Focus Species, BLM Special Status Species, vegetation types, and the landscape and ecological processes that support them. The biological conservation planning process and strategy is an important part of the federal and state strategy for meeting the species, ecosystem and climate adaptation requirements as it relates to the BLM's DRECP purpose and need for desert wildlife, as well as the protection of cultural, scenic and other desert resources.

I.4.4.1 Guiding Principles

The REAT Agencies, stakeholders, and public identified the following broad level goals to guide the overall biological conservation planning for the DRECP:

- Provide for the long-term conservation and management of Focus and BLM Special Status Species within the DRECP Plan Area.

- Preserve, restore, and enhance vegetation types/natural communities and ecosystems that support Focus and BLM Special Status Species within the DRECP Plan Area.

As described further in Draft DRECP and EIR/EIS Appendix C, Biological Goals and Objectives, the following primary DRECP-wide biological goals guided the conservation lands design:

- At the landscape level, the primary goal is to:
    - Create a connected, landscape-scale reserve system consisting of large habitat blocks of all constituent vegetation types/natural communities that (1) maintain ecological integrity, ecosystem function, and biological diversity and allow adaptation to changing conditions; and (2) include temperature and precipitation gradients, elevation gradients, and a diversity of geological facets to accommodate range contractions and expansions in response to climate change.
- At the vegetation type/natural community level, the primary goal is to:
    - Promote biodiversity and ecological function within each vegetation type/natural community and benefit Covered/Focus Species, BLM Special Status Species and native wildlife species that are dependent on, or closely associated with, each vegetation type/natural community.
- At the species level, the primary goal is to:
    - Protect, manage, and contribute to recovery of viable self-sustaining populations of Covered/Focus and BLM Special Status Species throughout the species' distribution in the DRECP Plan Area, including conserving sufficient habitat and resources to adapt to environmental change through time.

The biological resource guiding principles and goals and objectives were further refined for the DRECP Proposed LUPA and Final EIS, based on the phasing of the DRECP and public comment on the Draft DRECP and EIR/EIS. All the details can be found in Appendix C, BLM Biological Resource Goals and Objectives, to the Proposed LUPA and Final EIS. The refined biological resource goals and objectives are presented below.

Landscape and Habitat Connectivity:

- As part of a desert-wide landscape design, on BLM managed public land provide a mosaic of vegetative types with habitat linkages that is adaptive to changing conditions and includes temperature and precipitation gradients, elevation gradients, and a diversity of geological facets that provide for movement and gene flow and accommodate range shifts and expansions in response to climate change.

- Conserve Focus and BLM Special Status Species habitat, vegetation types, and ecological processes of the Mojave and Sonoran deserts in each ecoregional subarea in the BLM Decision Area.
- Design landscape linkage corridors.
- Protect and maintain the permeability of landscape connections between neighboring mountain ranges to allow passage of resident wildlife by protecting key movement corridors or reducing barriers to movement within intermountain connections.
- Conserve unique landscape features, important landforms, and rare or unique vegetation types identified within the BLM Decision Area.

Ecological Processes:

- Promote ecological processes in the BLM Decision Area that sustain vegetation types and Focus and BLM Special Status Species and their habitat.
- Maintain natural surface- and ground-water processes in the planning area, including runoff regimes, percolation, storage, and Special Status Species habitat, including riparian, playa, seeps/springs, and desert wash resource elements.
- Maintain hydrogeomorphic processes that create habitat diversity, channel bank habitat and regeneration sites for plants and wildlife.
    - Protect streams and washes, wetlands, and seasonal wetlands in all watersheds in the planning area.
    - Restore natural flow stream morphology at modified sites that are not in proper functioning condition.
- Conserve floodplain groundwater recharge.
- Conserve undeveloped and natural areas within the watersheds of important riverine and drainage systems.
- Maintain or reestablish a fire regime that supports vegetation types and focus and BLM Special Status Species.
- Minimize or prevent new infestations and, where feasible in target areas, decrease from existing conditions invasive plant species that negatively affect vegetation types and Focus and BLM Special Status Species.
- Conserve the geomorphic (fluvial, alluvial, and Aeolian) processes associated with sand dune formation and the sand transport corridors between the sand dunes and their sand sources.
- Conserve or increase protective management to prevent structures capable of obstructing sand movement, within sand transport areas.

Species – Desert Tortoise:

- Within each desert tortoise recovery unit (USFWS 2011), on BLM land within the LUPA Decision Area, maintain well-distributed populations through a network of conservation lands that provide sufficient contiguous size and configuration to provide long-term population viability, connectivity, growth in recovery unit population size, and increases in recovery unit population distribution.
- Maintain functional linkages between Tortoise Conservation Areas to provide for long-term genetic exchange, demographic stability, and population viability within Tortoise Conservation Areas. Emphasize inclusion of high value contiguous habitats, and minimization and avoidance of disturbance in habitat with high desert tortoise habitat potential.

I.4.4.2 Steps in the Biological Conservation Planning Process

The following provides an overview of the approach used to identifying areas important for biological conservation and is a brief summary of the detailed information provide in the Draft DRECP and EIR/EIS, Appendix D (Reserve Design Development Process and Methods) and DRECP Proposed LUPA and Final EIS, Appendix D (DRECP LUPA Biological Conservation). Also included is a summary of the steps used to develop the biological conservation strategy, which included the conservation lands.

I.4.4.3 Steps in Identifying Areas Important for Biological Conservation

Identify the Planning Area and Existing Protected Areas. The initial step in the process was to identify the biological conservation framework planning area and areas with existing protections. The DRECP biological conservation framework was developed for the DRECP area (excluding military lands, BLM Open Off-Highway Vehicle (OHV) areas, and tribal lands), as in the Draft DRECP. The BLM LUPA addresses conservation and management of BLM-administered lands within the DRECP area, as well as conservation and management of BLM-administered lands within the CDCA outside the DRECP area (together called the LUPA Decision Area). Areas with existing protections served as building blocks for the biological conservation framework map and include Legislatively and Legally Protected Areas (LLPAs) and Military Expansion Mitigation Lands (MEMLs) (collectively referred to as Existing Conservation Areas). For the BLM LUPA, these areas include areas such as designated Wilderness areas, WSAs, and Wild and Scenic Rivers. Existing conservation areas on non-BLM lands are relevant to the BLM LUPA and were also part of the context for developing the LUPA conservation designations.

Incorporate Existing Planning and Early Coarse-Level Approaches. Existing planning and early coarse-level (or "coarse-filter") approaches provided initial inputs into the development of the biological conservation framework map and included existing BLM

land use planning designations (i.e., resource conservation areas identified through the CDCA and RMPs), Renewable Energy Transmission Initiative (RETI) planning products, REAT Agencies Starting Point Maps, the DRECP Preliminary Conservation Strategy map, and the Marxan reserve optimization analysis.[3]

Incorporate Disturbed Lands Mapping and Intactness Information. Disturbed lands mapping and intactness analyses, from multiple sources, were used to further identify degraded and less ecologically intact areas considered less important for the biological conservation. These mapping products and analyses were included in the evaluation and refinement phase leading to the biological conservation framework map.

Apply the Design Driver Approach. As the biological conservation planning process progressed, resource mapping data quality has improved: species distribution models for focus species (referred to as Covered Species in the Draft DRECP) were vetted internally and externally, detailed vegetation (referred to as natural communities in the Draft DRECP) mapping was completed and incorporated, and habitat linkage and process information was integrated. These data improvements served as inputs to an approach that created an initial biological conservation framework map from "driver" resources, referred to as the focal species, natural communities, and processes approach. This map provided a key context for the development of the LUPA's conservation designations.

Evaluate and Refine. Each of the above inputs were integrated and iteratively evaluated. Evaluations were conducted through collaborative geographic information system (GIS) mapping sessions, agency expert field reconnaissance, quantitative GIS analyses, comparisons with newly released data, and were consistent with the applicable FLPMA standards, regulations, policies and handbooks for designating ACECs. The conservation designations were also refined based on public input on the Draft DRECP, Proposed LUPA and Final EIS, and during the ACEC comment period.

I.4.4.4 Steps to Develop the Biological Conservation Strategy

The biological conservation planning process included the following steps, which at times were roughly sequential, but mostly iterative:

1. Establish the conservation focus (e.g., Focus and BLM Sensitive species, and vegetation types)

[3] Biological reserve selection algorithm tool to develop "optimized" reserve configurations. A reserve selection algorithm called Marxan with Zones (Watts et al. 2009) was used to (1) evaluate the distribution of all GIS-based biological data (i.e., early versions of the land cover map, species habitat models, and species occurrence points) and existing conservation and (2) identify clusters of habitat where the most efficient reserve design can effectively meet the quantitative (goals and objectives) conservation targets.

2. Gather baseline biological information
3. Identify biological resource goals and objectives
4. Develop the conservation framework design (i.e., reserve design)
5. Design the layout of the conservation lands
6. Develop CMAs
7. Develop a monitoring and adaptive management approach

The conservation planning process considered conservation on public and private land. The BLM used this information to develop the alternatives for the LUPA as part of the integrated process in the Draft DRECP, the Proposed LUPA for the Final EIS.

I.4.5 Renewable Energy Goals and Planning Process

Through Congressional mandates, and Executive and Secretarial Orders, the federal government is directed to promote the development of domestic renewable energy resources. The BLM, as the largest federal land management agency in the California desert, is charged with the development of renewable energy that is consistent with the BLM's multiple use and sustained yield mandate; as well as FLPMA's recognition of the unique and irreplaceable resources, including archaeological values, and conserve the use of the economic resources found in the CDCA (43 U.S.C. 1781[a][6]). The BLM is seeking to facilitate renewable energy development under Secretarial Order 3285A1 (DOI 2010) and meet the President's Climate Action Plan goals to facilitate additional renewable energy projects on the public lands to support 6 million homes by 2020.

The interagency DRECP, including the BLM LUPA component, is also an important part of the State of California's strategy for significantly increasing the use of renewable energy and reducing the combustion of fossil fuels. Although the state's requirements and goals are not binding on the BLM, they were considered by the REAT when developing the Draft DRECP and EIR/EIS, and the BLM has used them to help determine the potential demand for utility-scale renewable energy in the California desert.

To support the respective state and federal renewable energy goals, the Draft DRECP and EIR/EIS identified desert locations that are most compatible with renewable energy development and areas where the DRECP's mitigation and conservation efforts would be focused. The configuration of the DFAs as part of the DRECP (areas where resource conflicts are minimized and renewable energy development would be streamlined and incentivized) was a collaborative process that considered and integrated state and federal renewable energy goals, natural resources conservation needs, culturally important areas, recreation, and visual resources in the DRECP Plan Area, as well as information from renewable energy, conservation, utility, military, tribal, recreation, and other affected local

stakeholders. The process also considered information generated through the development of the Western Solar Plan. The LUPA carries forward the DFAs that occur on BLM-managed public lands and that were identified in Proposed LUPA and Final EIS. It does not identify DFAs on lands outside of BLM jurisdiction. The LUPA carries forward the Solar Energy Zones designated through the Western Solar Plan, with some adjustments based on new information, and makes refinements to variance lands and exclusion areas based on the collaborative process described below.

I.4.5.1 Guiding Principles

The DRECP partner agencies, stakeholders, and the public identified the following principles to guide the identification of areas compatible with renewable development:

1. Generation should be developed either on already-disturbed land or in areas of lower biological value, and conflict with both biological and non-biological resources should be minimized.
2. Areas identified for generation should have high-quality solar, wind, and/or geothermal renewable energy resources.
3. Generation should be sited close to existing transmission and in areas where transmission could be expected as a reasonable extension of the existing transmission system and planned system upgrades, as identified by the Renewable Energy Transmission Initiative, or other transmission plans.
4. Generation should, to the maximum extent possible, be aggregated to avoid transmission sprawl, reduce cost, and reduce disturbance across the Plan Area. Again, this principle aims to minimize disturbance to biologically, culturally, recreationally, and visually valuable areas.
5. The Plan should provide sufficient areas for development flexibility to ensure the Plan does not constrain competition within the market or unnecessarily result in distorted or environmentally incompatible incentives when implemented (i.e., where feasible, the Plan should remain market neutral between different technologies or different project configurations).

I.4.5.2 Steps in the Planning Process

To plan for future energy development consistent with federal and state policies and mandates, the BLM utilized the following process, which is described more fully in Section I.3.3.3 of the Final EIS.

Identify the Need for Desert Renewable Energy Generation. Estimate the desert-located renewable generation needed to meet both California's and applicable federal

renewable energy goals. This estimate, which is subject to a number of variables and uncertainties, is based on policies and programs affecting the supply of electricity and climate change, the projected mix of renewable and other zero- and low-carbon technologies, economic forecasts, and many other factors. Taking these variables into consideration, the CEC developed a number of plausible scenarios to ascertain the potential need for renewable energy in the desert region in the coming decades. Scenarios and input variables were honed over the course of more than a year based on public comments received from stakeholders and the public . The scenario planning effort ultimately focused on the potential need for renewable energy through 2040. The potential need identified in the scenarios was then adjusted to account for the uncertainty of long-range planning estimates, the desire to ensure flexibility and competitiveness in the renewable energy development industry, and the possibility that limited transmission capacity could constrain renewable energy development in one or more of the DFAs.

Estimate the Acreage that May be Needed. Estimate the acreage that may be needed to achieve the renewable energy goals identified above, accounting for differences in technology and local constraints on development, including land ownership issues and site-specific constraints to development such as very steep slope and environmental resource constraints (e.g., natural or cultural resources that need to be avoided).

Identify Suitable Locations for DFAs and Allocate MWs Among Them. Use resource distribution data, in combination with agency and stakeholder input, to identify and characterize areas suitable for renewable energy development based on the principles described above and accounting for the conservation goals identified during the reserve design process. Once DFA locations are identified, estimate renewable energy profiles that allocate generation capacity (MWs) to each technology and between DFAs for the purpose of transmission planning, resource impact analysis, and mitigation development. The method for this was described in Appendix F of the Draft DRECP and EIR/EIS.

Develop a Conceptual Transmission Plan. Develop a conceptual transmission plan to accommodate the new renewable energy generation planned for each DFA, with assistance from transmission planners from the municipal and investor-owned utilities that will purchase renewable power generated in the Plan Area, U.S. Department of Defense, California Public Utilities Commission (CPUC), and California Independent System Operator (CAISO).

I.4.5.3 Development Focus Areas

Using the principles laid out above to utilize disturbed lands where feasible, and to encourage compact development close to existing transmission, the REAT Agencies worked to identify DFAs.

In developing the DFAs, the aim was to try and identify already disturbed and degraded lands to avoid areas that were viewed as making significant contribution to the biological and non-biological conservation goals. The location, size, and distribution of DFAs were ultimately the result of spatial tradeoffs and restrictions placed on the development of renewable energy resources in the planning area by the various conservation designations in the area.

As part of the planning process various different DFA configurations were identified to assist evaluation of the different potential tradeoffs between renewable energy development goals and biological and non-biological conservation goals. Each subset of DFAs represented a different set of tradeoffs and resulted in potentially different mixes of energy generation types.

I.4.5.4 Solar and Wind Energy Proposed Rule

On September 26, 2014, the BLM published a proposed rule in the Federal Register called "Competitive Processes, Terms, and Conditions for Leasing Public Lands for Solar and Wind Energy Development and Technical Changes and Corrections." The proposed rule would promote the use of preferred areas for solar and wind energy development (called "designated leasing areas"). The proposed rule establishes competitive processes, terms, and conditions for solar and wind energy rights-of-way both inside and outside of these preferred areas. The proposed rule outlines a competitive leasing process for solar and wind energy development in these areas. The DFAs designated on public lands through the DRECP process would be considered designated leasing areas, and would be managed consistent with the newly developed regulations when they are finalized. These new regulations, when finalized, would implement incentives for development in DFAs.

I.4.6 Recreation Planning Process

Through public outreach, scoping, and stakeholder involvement, the BLM determined that in order to meet its purpose and need and fulfill the requirements of FLPMA, it would be necessary to consider protection of areas used for recreation as part of the LUPA. Through scoping, other public involvement, and BLM staff expertise, the BLM identified existing SRMAs, and areas currently managed with a recreation emphasis, such as Open OHV areas, route networks popular for OHV touring, and popular hiking areas. A map showing proposed SMRAs was included in the *Description and Comparative Evaluation of Draft DRECP Alternatives,* published in December 2012. The BLM further refined the recreation areas being designated in the Draft DRECP and EIR/EIS and the Proposed LUPA and Final EIS, based on public input, feedback from user groups, and agency expertise.

I.4.7 Plan Integration

The processes described above focused on identification of California Desert National Conservation Lands, biological conservation components, renewable energy development, and recreation. These processes were fully integrated through the BLM land use planning process. This integrated planning process, which considered multiple use and sustained yield, as well as the conservation requirements of the Omnibus Act, is reflected in the elements of the LUPA, as described below.

The LUPA planning process incorporates the biological conservation and renewable energy strategies of the REAT Agencies and integrates them with the BLM planning process. Through this process, the BLM identified California Desert National Conservation Lands and other types of biological and cultural conservation areas, renewable energy development areas, and recreation management areas. The LUPA is summarized in Section II.1 below, which includes a description of the land use allocations and management actions. Section I.5 below explains how these elements achieve the BLM purpose and need.

I.4.8 Coordination of the DRECP LUPA with the West Mojave Route Network Planning Effort

The West Mojave Route Network Project (WMRNP) planning area is a subgeographic unit located totally within the DRECP LUPA Decision Area. Both the WMRNP Draft Plan Amendment and DRECP LUPA propose land-use planning changes to the CDCA Plan. The Supplemental Draft EIS for the WMRNP Draft Plan Amendment was released in March 2015 for a 90-day comment period. Based on review of the comments received during that time, and comments received on the Draft EIR/EIS for the DRECP, the BLM determined it was necessary to hold an additional public comment period on the WMRNP Supplemental Draft EIS. During the second comment period, the BLM solicited input on the overlap between the Draft DRECP and the WMRNP Supplemental Draft EIS. The BLM published a Notice of Availability on September 25, 2015, for a 122-day comment period, which closed January 25, 2016.

The WMRNP Draft Plan Amendment is narrower in scope than the DRECP LUPA. WMRNP planning decisions center around travel management and associated recreation management strategies. Specifically, the WMRNP Draft Plan Amendment proposes changes to the process for evaluating and designating the transportation network on BLM-managed lands in the West Mojave, as well as further limitations to off-route stopping, parking, and camping. In addition to the travel management and recreation decisions, the WMRNP considers elimination of grazing in designated desert tortoise critical habitat, consistent with a recent federal court order. These changes in the WMRNP Draft Plan Amendment do not affect the landscape-level proposals in the DRECP LUPA, and do not dictate particular outcomes in a specific area.

Both the WMRNP Draft Plan Amendment and the DRECP LUPA propose changes to grazing and recreation. The WMRNP Draft Plan Amendment preferred action replaces specified competitive recreation routes and the general guidance on running competitive special recreation permit events on designated routes in multiple-use class "L," with the designation of a subset of specific routes that may be used for competitive special recreation permits, further limiting the potential for conflicts in areas where DRECP LUPA is identifying one or more special designations. Reallocation of forage in specific grazing allotments is also proposed in both plans. These overlapping proposals have been reviewed and have been found to be consistent.

The WMRNP Draft Plan Amendment would be accompanied by travel management plans that include route designations, which are implementation decisions and not plan decisions. The implementation decisions in the WMRNP including the travel management plans and associated route designations, will be considered in the context of the DRECP LUPA decisions, especially disturbance caps, and are being designed to conform with the DRECP LUPA. Because the WMRNP will be completed after the DRECP LUPA ROD is signed, the WMRNP Plan Amendment and any implementation decisions developed pursuant to it will be subject to the plan decisions in the DRECP LUPA.

The BLM received protests and comments requesting that the WMRNP Plan Amendment be completed prior to identification of California Desert National Conservation Lands and allocation of ACECs. The BLM Land Use Planning Handbook (H-1601-1) states that designation of individual routes is an implementation action. Where it is not feasible to complete a travel management plan for a route network during the land use planning process, then that decision may be deferred until after the land use plan is completed. Because the travel management plan implements the goals and objectives of the land use plan, it would be inappropriate to create a route network before determining the resource-driven allocations that the network is intended to support. The DRECP LUPA does not change the existing travel management plans within the DRECP LUPA Decision Area; however, future travel management planning, including within the WMRNP, will need to consider the land use planning goals and objectives, land use allocations, and CMAs included in the DRECP LUPA.

I.4.9 Coordination of the DRECP with Newly Designated National Monuments

On February 12, 2016, President Obama signed three proclamations, creating the Mojave Trails National Monument, the Sand to Snow National Monument, and the Castle Mountain National Monument. These monuments are within the DRECP LUPA Decision Area, in whole or in part. The proclamation directs that Castle Mountain National Monument be managed by the National Park Service. The Mojave Trails National Monument is to be managed by the BLM, and the Sand to Snow National Monument is to be managed jointly by the BLM and the U.S. Forest Service.

The DRECP LUPA includes land use allocations and CMAs for the BLM lands within the Sand to Snow and Mojave Trails National Monuments (see Figures 3 and 4). The BLM has evaluated the monument proclamations and determined that many of the objects of the monuments were considered through the DRECP planning process, and the DRECP LUPA identifies protective measures or allocations for these objects. For example, the DRECP LUPA includes 5 new ACECs and 6 expanded ACECs within the Mojave Trails National Monument, and SRMA designations (such as the National Trails SRMA in Mojave Trails, and the Pacific Crest Trail SRMA in Sand to Snow) to manage recreation for visitors to the monument in a way that is consistent with protection of the monuments' objects.

The Proposed LUPA and Final EIS specifically considered the potential designation of the Mojave Trails and Sand to Snow National Monuments in Appendix X. The CMAs are generally consistent with the Proclamations, or silent on a potential use (e.g., travel management grazing). In some cases, specific ACECs are more restrictive than the Proclamations (e.g., right of way exclusion areas, closed to all mineral material sales). Where the CMAs allow a more impactful use, such as in General Public Lands or SRMA and ERMA with no conservation overlay, the BLM retains the authority to deny an application if site-specific NEPA analysis shows it is inconsistent with the Proclamations by which the monuments were designated.

The Proclamations direct the BLM to prepare monument management plans. BLM policy states that the BLM will provide land use plan direction for monuments in one of four ways: by developing a new stand-alone land use plan for the particular component, by amending an existing land use plan, by integrating the component's planning process into the planning process for a new or revised land use plan, or by an implementation-level plan. The BLM has begun public outreach for the Sand to Snow National Monument planning process through joint collaboration workshops hosted with the U.S. Forest Service. Public outreach for the Mojave Trails National Monument will likely begin in late 2016. These subsequent planning processes will incorporate and/or amend relevant decisions from the DRECP LUPA.

Additionally, the BLM has adjusted the Special Unit Management Plan for the Castle Mountain ACEC and ERMA to reflect the transfer of the Castle Mountain National Monument to the National Park Service.

I.5 Decision Rationale

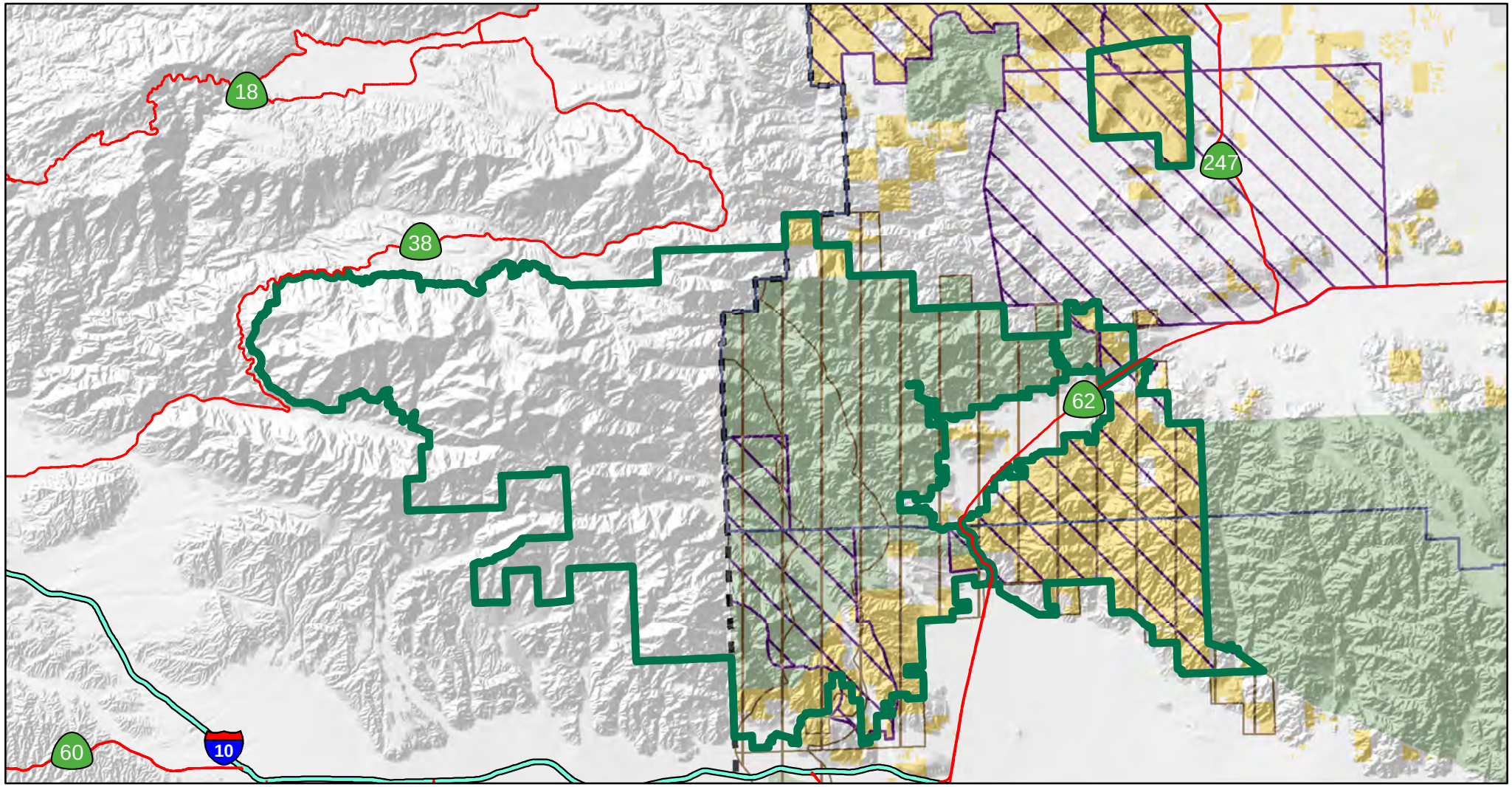
The Approved LUPA was selected based on its balancing of the DRECP's renewable energy and conservation goals, as well as FLPMA's mandate for multiple use and sustained yield, and the requirements of the Omnibus Act for California Desert National Conservation Lands. Of the alternatives considered, it best meets the BLM's purpose and needs and statutory obligations. The Approved LUPA designates approximately 388,000

acres of DFA, which will provide a streamlined and incentivized process for the development of utility-scale renewable energy generation. In addition to the DFAs, there are approximately 40,000 acres of VPLs where renewable energy development may be considered and could be approved without a plan amendment. Additionally, there are 419,000 acres of General Public Lands (referred to as "Unallocated Lands" in the Proposed LUPA and Final EIS) and 35,000 acres of ERMA (not overlaid by a conservation allocation) where renewable energy development may be considered, but a plan amendment would be necessary for project approval.

The DFAs will provide enough land for the production of approximately 8,100 MWs of mixed technology renewable energy, using the DRECP's 20,000 MW planning assumption by the year 2040 for both public and private lands. The DFAs could support up to approximately 27,000 MWs with 2016 technology. The renewable energy production in the DFAs will help the BLM meet the nationwide goal set by the President's Climate Action Plan and will contribute to the State of California's Renewables Portfolio Standard (RPS) standards (see Proposed LUPA and Final EIS, Appendix F). The MW capability in the DFAs does not account for renewable energy development potential on VPL, General Public Lands, or ERMAs. As discussed above, these DFAs will encourage development in already-disturbed areas and in areas that are transmission-aligned.

In addition, the Approved LUPA identifies approximately 3,956,000 acres of California Desert National Conservation Lands, and allocates 6,527,000 acres of total conservation designations (i.e., California Desert National Conservation Lands; existing, modified, and new ACECs; and Wildlife Allocations) for biological, cultural, and other natural resource protection. These conservation lands connect existing protected areas to the larger landscape, facilitating ecological function, and enabling wildlife to move across the desert and adapt to a changing climate. Management actions are also identified for these areas to protect these resources. The conservation lands also protect more localized, but important, resources, such as cultural sites or unique vegetative communities and plant assemblages, with site-specific management identified in the Special Unit Management Plans.

Finally, the Approved LUPA allocates approximately 2,691,000 acres of SRMAs and 903,000 acres of ERMAs, which recognizes the importance of recreation in the California Desert, providing for protection and management of this use.



National Mounument Boundary
SRMA Boundaries
ACEC Boundaries
CDNCL Boundaries
DRECP Boundary
CDCA Boundary
LLPA

Land Status

Bureau of Land Management
Department of Defense

Figure 3
Sand to Snow National Monument with DRECP Allocations

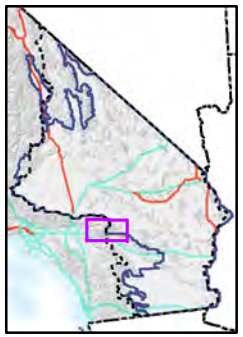
8/1/2016

BLM California State Office

0 2 4
Kilometers

N

Miles
0 2 4



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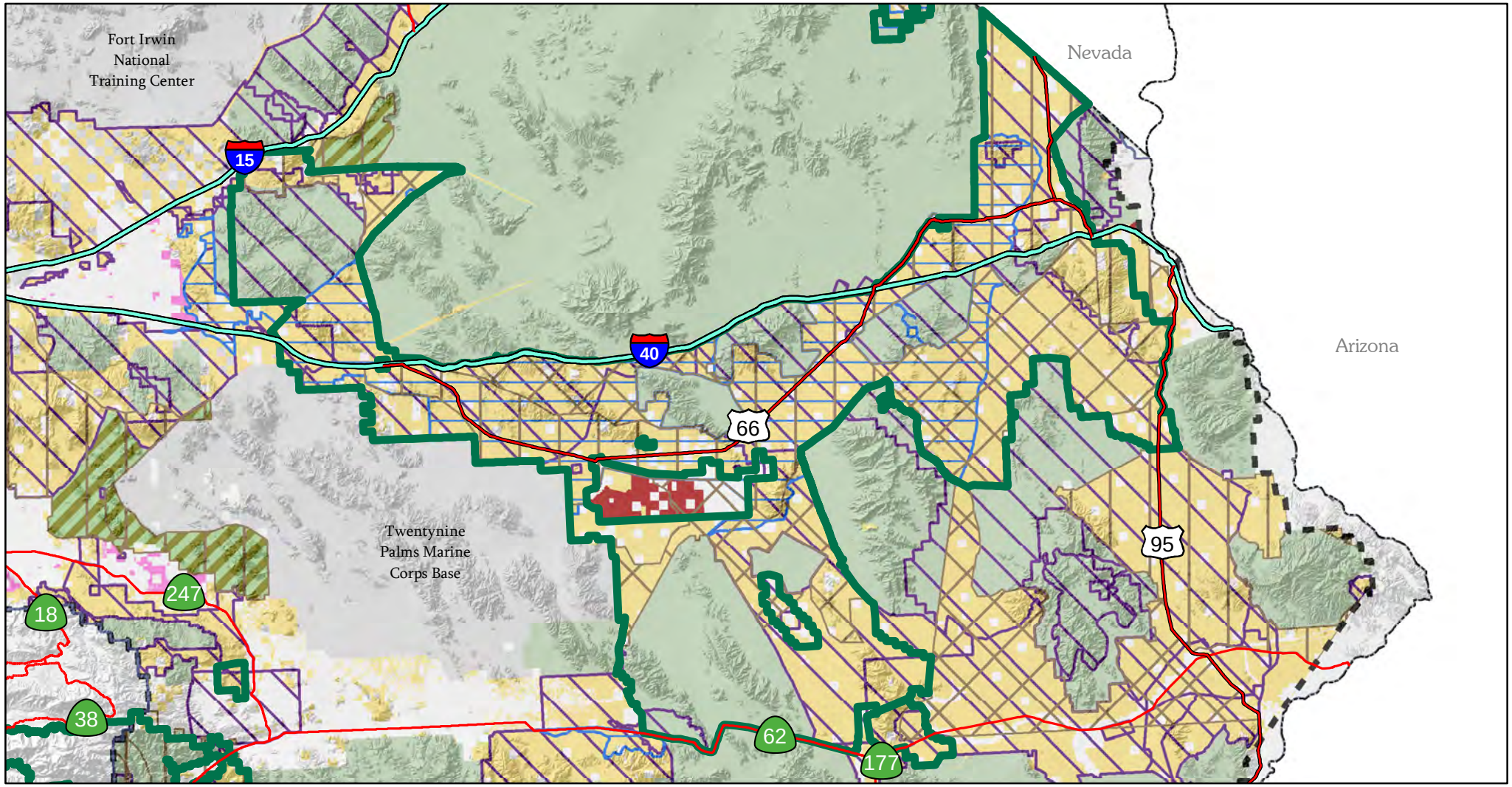

National Mounument Boundary
ERMA Boundaries
SRMA Boundaries
ACEC Boundaries
CDNCL Boundaries

Renewable Footprint
DFA
VPL

DRECP Boundary
CDCA Boundary
LLPA
Open OHV Areas

Land Status
Bureau of Land Management
Department of Defense

Figure 4
Mojave Trails National Monument with DRECP Allocations

8/1/2016

BLM California State Office

0 8 16
Kilometers

N

Miles
0 8 16

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The Approved LUPA was modified in response to input received during the protest period and the ACEC comment period. Those changes include, among other things, modifications and/or clarifications to various CMAs and minor modifications to ACEC boundaries. Those changes are with the range of alternatives and environmental impacts analyzed in the Final EIS, and do not constitute a significant change from the proposed LUPA. (See Section II.3 below for a summary of modifications.) The basis for the BLM's decision to approve the LUPA is the analysis of environmental impacts in Volume IV of the Final EIS, renewable energy planning assumptions developed in partnership with the CEC, and on the cooperating agency, stakeholder, and public input gathered throughout the planning process.

I.6 Implementation

Future decisions made in conformance with CDCA Plan and Bishop and Bakersfield RMPs, as amended by the Approved LUPA, will serve to continuously and actively implement its provisions.

Immediate Decisions. These decisions are land use planning decisions that go into effect when the ROD is signed. These include goals, objectives, land allocations, and CMAs. These decisions require no additional analysis and will guide future land management actions and subsequent site-specific implementation decisions in the LUPA Decision Area. Proposals for future actions, such as a right-of-way (ROW) application for a solar energy project, will be reviewed against these plan decisions to determine if the proposal is in conformance with the plan.

One-Time Future Decisions. These are the types of decisions that are not implemented until additional decision-making and site-specific analysis is completed. Examples are implementation of the recommendations to withdraw lands from locatable mineral entry, decisions to approve and implement habitat restoration projects, approval of a renewable energy ROW application, or further incentivizing renewable energy development in DFAs through designated leasing areas under BLM's proposed rule and mitigation strategies. Future one-time decisions require additional analysis and decision-making and are prioritized consistent with BLM priorities and funding, or developed as mitigation for other activities within the LUPA Decision Area.

Within 60 to 90 days after signing of the DRECP LUPA ROD, the BLM will issue a Notice of Proposed Withdrawal for a subset of the California Desert National Conservation Lands. This subset is considered Phase 1 of 2 for proposed withdrawals from mineral entry for the California Desert National Conservation Lands. A notice of proposed withdrawal would be published in the Federal Register, opening a 90-day public comment period. Upon publication of that notice, and subject to valid existing rights and to the extent specified in the notice, the lands identified would be segregated from location and new entry for up to two years while the Secretary decides whether to approve the withdrawal.

After issuing the ROD, the BLM will prepare implementation strategies that establish tentative time frames and prioritization for completing one-time decisions, other than the Phase 1 proposed withdrawal noted above, identified in the Approved LUPA. The BLM may develop zoned implementation strategies based on resource and management considerations. These strategies will assist BLM managers and staff in preparing budget requests and in scheduling work. However, any proposed strategy must be considered tentative and will be affected by future funding, nondiscretionary workloads, and cooperation by partners and the public. Regular review of the strategy(s) will provide consistent tracking of accomplishments and will provide information that can be used to develop annual budget requests to continue successful implementation. The BLM will continue working with DRECP partner agencies, other agencies with jurisdiction by law or special expertise in the DRECP LUPA Decision Area, stakeholders and other members of the public as it implements the Approved LUPA.

The Approved LUPA includes a more detailed discussion of Implementation.

II DECISION

II.1 Summary of the Approved LUPA

The following provides an overview of the Approved LUPA, which is based, with minor modifications, on the Proposed LUPA analyzed in the Final EIS. Those modifications are listed in Section II.3 below. The Approved LUPA integrates renewable energy and resource conservation with other existing uses on BLM-managed land within the DRECP Plan Area (LUPA Decision Area).

II.1.1 Land Use Plan Decisions

At the broadest level, the Approved LUPA includes the following components, each of which is explained below: DFAs, VPLs, General Public Lands (referred to as "Unallocated lands" in the Proposed LUPA), BLM Conservation Areas, and Recreation Management Areas.

Development Focus Areas (DFAs). Represent the areas within which solar, wind and geothermal renewable energy development and associated activities are allowable uses, incentivized, and could be streamlined for approval. The Approved LUPA streamlines and provides incentives for renewable energy projects sited in DFAs. Transmission projects are linear projects traversing DFAs and areas outside DFAs, and would occur in previously designated corridors and other identified areas, on public land.

Variance Process Lands (VPLs). These lands are available for solar, wind and geothermal renewable energy development. Renewable energy projects on VPLs are not streamlined, nor incentivized, and have a specific set of CMAs. Project applicants must demonstrate that a proposed activity on VPLs will avoid, minimize, and/or compensate for impacts to sensitive resources as per the CMAs, will be compatible with any underlying BLM land allocation, and per the CMAs be compatible with and not have an adverse effect on the LUPA design and DRECP strategies. Renewable energy applications in VPLs will follow the variance process described in the Western Solar Plan (i.e., Solar Programmatic EIS) ROD, Section B.5.

General Public Lands ("Unallocated Lands" in the Proposed LUPA). BLM-administered lands that do not have a specific land allocation or designation. These areas are available to renewable energy applications, but are not subject to permit review streamlining or other incentives. The Approved LUPA includes CMAs that apply to activities in General Public Lands. General Public Lands were referred to as "Undesignated or Unallocated areas" and covered by the plan-wide CMAs in the Draft DRECP and EIR/EIS. Based on public comment, the BLM provided a map of these areas in the Proposed LUPA and Final EIS and clarified how these areas would be managed. These clarifications are carried into the Approved LUPA and summarized in Section II.3 below.

BLM Conservation Areas. Under the Approved LUPA, the following conservation designations are approved: ACECs and Wildlife Allocations. The Approved LUPA also identifies California Desert National Conservation Lands under the Omnibus Act.

Recreation Management Areas. The Approved LUPA includes two types of recreation management areas: SRMAs and ERMAs.

Because the DRECP was developed as an interagency plan, the Draft DRECP and EIR/EIS included areas that are not managed by the BLM and identified those areas for renewable energy development and conservation. These areas are not covered under the Approved LUPA. Also, most of the Approved LUPA land designations include some nonfederal land within their boundaries; however, the Approved LUPA decisions only apply to BLM-managed public lands. LUPA decisions will not change management on lands outside of the BLM's jurisdiction, even if the land is within the boundary of a BLM land designation. Inclusion of nonfederal land within the boundary of a BLM designation is solely for BLM administrative purposes, if and when any portion of the land is acquired by BLM.

As shown in Table 1, approximately 10,818,000 acres of BLM-administered lands occur within the LUPA Decision Area.

Table 1
DRECP LUPA Summary

Land Allocations	Acreage[1,2]
DFAs	388,000
VPLs	40,000
Total BLM LUPA Conservation Designations[3]	6,527,000
Recreation Management Areas (SRMAs and ERMAs)[4]	3,595,000
General Public Lands	419,000
DRECP LUPA Area Total[5]	**10,818,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

2 Acres are BLM administered lands only.

3 Includes California Desert National Conservation Lands, ACECs, and Wildlife Allocations. A portion of this acreage overlaps Existing Conservation Areas and Recreation Designations.

4 Includes SRMAs and ERMAs. A portion of this acreage overlaps Existing Conservation Areas and LUPA Conservation Designations

5 Reflects the total acreage of BLM administered lands in the DRECP LUPA Decision Area; total is not a sum of the LUPA components due to overlapping designations.

Table 2a summarizes the DRECP LUPA land allocations including the allocations in the Mojave Trails and Sand to Snow National Monuments, and Table 2b summarizes the DRECP LUPA land

allocations excluding the allocations in the Mojave Trails and Sand to Snow National Monuments. Table 3 and Table 4 summarize the DRECP LUPA land allocations in the Mojave Trails National Monument and in the Sand to Snow National Monument, respectively.

Table 2a
DRECP LUPA Allocations
Including Allocations in the Mojave Trails and Sand to Snow National Monuments

LUPA Allocations	Total Acreage[1, 2]
DFAs	388,000
Variance Process Lands	40,000
California Desert National Conservation Lands	3,956,000
ACEC	6,063,000[3]
Wildlife Allocation	18,000
SRMA	2,691,000[4]
ERMA	903,000[5]
General Public Lands	419,000
Total[6]	**10,818,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

2 Acres are BLM administered lands only.

3 ACEC acreage includes that which also overlaps with other land allocations, including the Mojave Trails National Monument, Sand to Snow National Monument, California Desert National Conservation Lands, Wilderness, Wilderness Study Areas, SRMAs and ERMAs.

4 SRMA acreage includes that which overlaps with other land allocations, including the Mojave Trails National Monument, Sand to Snow National Monument, California Desert National Conservation Lands, and ACECs.

5 ERMA acreage includes that which overlaps with other land allocations, including the Mojave Trails National Monument, California Desert National Conservation Lands, and ACECs.

6 Reflects the total acreage of BLM administered lands in the DRECP LUPA Decision Area; total is not a sum of the LUPA components due to overlapping designations.

Table 2b
DRECP LUPA Allocations
Excluding Acreage in the Mojave Trails and Sand to Snow National Monuments

LUPA Allocations	Total Acreage[1, 2]
DFAs	388,000
Variance Process Lands	40,000
California Desert National Conservation Lands	2,886,000
ACEC	4,863,000[3]
Wildlife Allocation	18,000
SRMA	2,133,000[4]

Table 2b
DRECP LUPA Allocations
Excluding Acreage in the Mojave Trails and Sand to Snow National Monuments

LUPA Allocations	Total Acreage[1, 2]
ERMA	450,000[5]
General Public Lands	419,000
Total[6]	**9,118,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

2 Acres are BLM administered lands only.

3 ACEC acreage includes that which also overlaps with other land allocations, including California Desert National Conservation Lands, Wilderness, Wilderness Study Areas, SRMAs and ERMAs.

4 SRMA acreage includes that which overlaps with other land allocations, including, California Desert National Conservation Lands and ACECs.

5 ERMA acreage includes that which overlaps with other land allocations, including California Desert National Conservation Lands and ACECs. 35,000 acres do not overlap with any other LUPA allocation, these are the ERMA lands that are open for renewable energy development.

6 Reflects the total acreage of BLM administered lands in the DRECP LUPA Decision Area minus the Mojave Trails and Sand to Snow National Monuments that overlap the DRECP LUPA; total is not a sum of the LUPA components due to overlapping designations.

Table 3a
DRECP LUPA Allocations
in the Mojave Trails National Monument

LUPA Allocations inside the Mojave Trails National Monument	Total Acreage[1, 2]
DFAs	—
Variance Process Lands	—
California Desert National Conservation Lands	1,027,000
ACEC	1,148,000
Wildlife Allocation	—
SRMA	466,000
ERMA	453,000
General Public Lands	—
Total[3]	**1,602,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

2 Acres are BLM administered lands only.

3 Reflects the total acreage of BLM administered lands in both DRECP LUPA Decision Area and the Mojave Trails National Monument; total is not a sum of the LUPA components due to overlapping designations.

Table 3b
DRECP LUPA Allocations
in the Sand to Snow National Monument

LUPA Allocations inside the Sand to Snow National Monument	Total Acreage[1, 2]
DFAs	—
Variance Process Lands	—
California Desert National Conservation Lands	43,000
ACEC	51,000
Wildlife Allocation	—
SRMA	92,000
ERMA	—
General Public Lands	—
Total[3]	**99,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

2 Acres are BLM administered lands only.

3 Reflects the total acreage of BLM administered lands in both DRECP LUPA Decision Area and the Sand to Snow National Monument; total is not a sum of the LUPA components due to overlapping designations.

The following tables (Tables 4a, 4b, 5, and 6) break out the LUPA land allocations by land use plan. The CDCA Plan information is displayed in two different tables: (1) all LUPA allocation acres, including those within the Mojave Trails and Sand to Snow National Monuments; and (2) LUPA allocation acres, minus the 1.3 million acres of overlap between the Mojave Trails and Sand to Snow National Monuments and the DRECP LUPA.

Table 4a
DRECP LUPA – CDCA Plan
Including Allocations in the Mojave Trails and Sand to Snow National Monuments

CDCA LUPA Allocations	Total Acreage[1, 2]
DFAs	388,000
Variance Process Lands	40,000
California Desert National Conservation Lands	3,956,000
ACEC	6,032,000[3]
Wildlife Allocation	—
SRMA	2,663,000[4]
ERMA	903,000[5]
General Public Lands	358,000
CDCA Total[6]	**10,664,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to

the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

[2] Acres are BLM administered lands only.

[3] ACEC acreage includes that which also overlaps with other land allocations, including the Mojave Trails National Monument, Sand to Snow National Monument, California Desert National Conservation Lands, Wilderness, Wilderness Study Areas, SRMAs and ERMAs.

[4] SRMA acreage includes that which overlaps with other land allocations, including the Mojave Trails National Monument, Sand to Snow National Monument, California Desert National Conservation Lands, and ACECs.

[5] ERMA acreage includes that which overlaps with other land allocations, including the Mojave Trails National Monument, California Desert National Conservation Lands, and ACECs.

[6] Reflects the total acreage of BLM administered lands in the CDCA portion of the DRECP LUPA Decision Area; total is not a sum of the LUPA components due to overlapping designations.

Table 4b
DRECP LUPA – CDCA Plan
Excluding Acreage in the Mojave Trails and Sand to Snow National Monuments

CDCA LUPA Allocations	Total Acreage[1, 2]
DFAs	388,000
Variance Process Lands	40,000
California Desert National Conservation Lands	2,886,000
ACEC	4,833,000[3]
Wildlife Allocation	—
SRMA	2,104,000[4]
ERMA	450,000[5]
General Public Lands	358,000
CDCA Total[6]	**8,963,000**

[1] The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

[2] Acres are BLM administered lands only.

[3] ACEC acreage includes that which also overlaps with other land allocations, including California Desert National Conservation Lands, Wilderness, Wilderness Study Areas, SRMAs and ERMAs.

[4] SRMA acreage includes that which overlaps with other land allocations, including, California Desert National Conservation Lands and ACECs.

[5] ERMA acreage includes that which overlaps with other land allocations, including California Desert National Conservation Lands and ACECs.

[6] Reflects the total acreage of BLM administered lands in the CDCA portion of the DRECP LUPA Decision Area minus the 1.3 million acres of the Mojave Trails and Sand to Snow National Monuments that overlap the DRECP LUPA allocations; total is not a sum of the LUPA components due to overlapping designations.

Table 5
DRECP LUPA – Bishop RMP

Bishop RMP LUPA Allocations	Total Acreage[1, 2]
DFAs	—
Variance Process Lands	—
California Desert National Conservation Lands	—
ACEC	29,000[3]
Wildlife Allocation	—
SRMA	29,000
ERMA	—
General Public Lands	61,000
Bishop RMP Total[4]	**135,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

2 Acres are BLM administered lands only.

3 ACEC acreage includes that which also overlaps with other land allocations, including Wilderness Study Areas and SRMAs.

4 Reflects the total acreage of BLM administered lands in the Bishop RMP portion of the DRECP LUPA Decision Area; total is not a sum of the LUPA components due to overlapping designations and acreage within existing conservation areas.

Table 6
DRECP LUPA – Bakersfield RMP

Bakersfield RMP LUPA Allocations	Total Acreage[1, 2]
DFAs	—
Variance Process Lands	—
California Desert National Conservation Lands	—
ACEC	1,500
Wildlife Allocation	18,000
SRMA	—
ERMA	—
General Public Lands	—
Bakersfield RMP Total[3]	**20,000**

1 The following general rounding rules were applied to acreage values: values greater than 1,000 were rounded to nearest 1,000; values less than 1,000 and greater than 100 were rounded to the nearest 100; values of 100 or less were rounded to the nearest 10, and therefore totals may not sum due to rounding. In cases where subtotals are provided, the subtotals and the totals are individually rounded. The totals are not a sum of the rounded subtotals; therefore the subtotals may not sum to the total within the table.

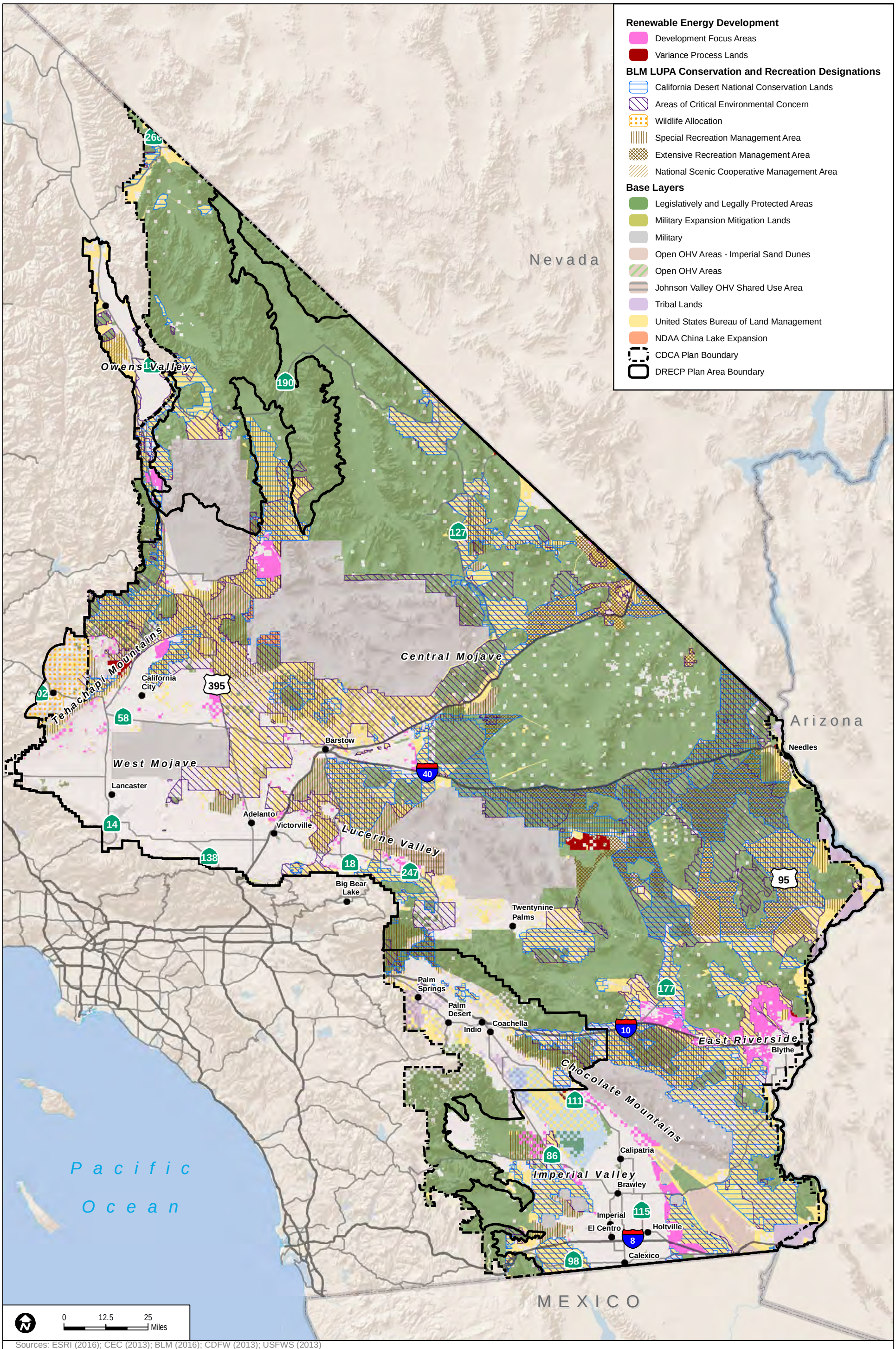
2 Acres are BLM administered lands only.

3 Reflects the total acreage of BLM administered lands in the Bakersfield RMP portion of the DRECP LUPA Decision Area

Figure 5 provides the map of the major land allocations for the Approved LUPA. Figures 6–8 provide maps of the Approved LUPA ecological and cultural conservation and recreation designations combined, ecological and cultural conservation designations alone, and recreation designations alone. Figure 9 provides the map of the lands managed to protect wilderness characteristics. Figure 10 provides the map of the renewable energy designations (i.e., DFAs and Variance Process Lands). Figure 11 provides the map of Visual Resource Management (VRM) classes. Figure 12 provides the map of the General Public Lands (GPLs).

In addition to the land use allocations listed above, land use plan decisions for public lands fall into two categories: desired outcomes (goals and objectives) and allowable uses (including restricted or prohibited) and actions anticipated to achieve desired outcomes. In the Approved LUPA, CMAs represent those management actions and allowable uses. The Approved LUPA includes goals and objectives and CMAs governing activities in the Decision Area for the following resources:

- Biological Resources
- Air Resources
- Climate Change and Adaption
- Comprehensive Trails and Travel Management
- Cultural Resources and Tribal Interest
- Lands and Realty
- Livestock Grazing
- Minerals
- Paleontology
- Recreation and Visitor
- Services
- Soil, Water, and Water
- Dependent Resources
- Special Vegetation Features
- Vegetation
- Visual Resources
- Management
- Wild Horses and Burros
- Wilderness Characteristics



Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 5

DRECP LUPA Major Land Allocations

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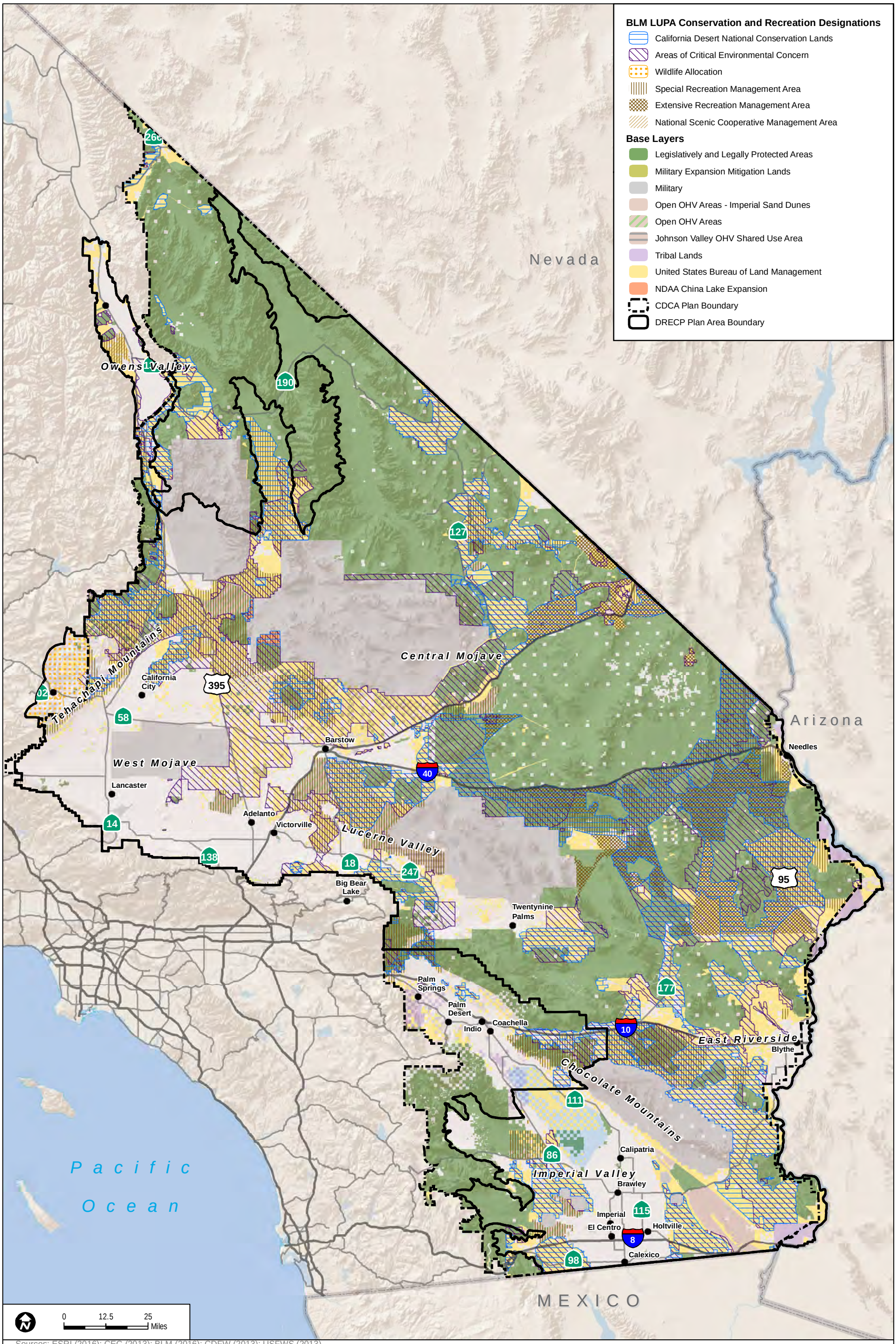

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 6

DRECP LUPA Conservation and Recreation Designations

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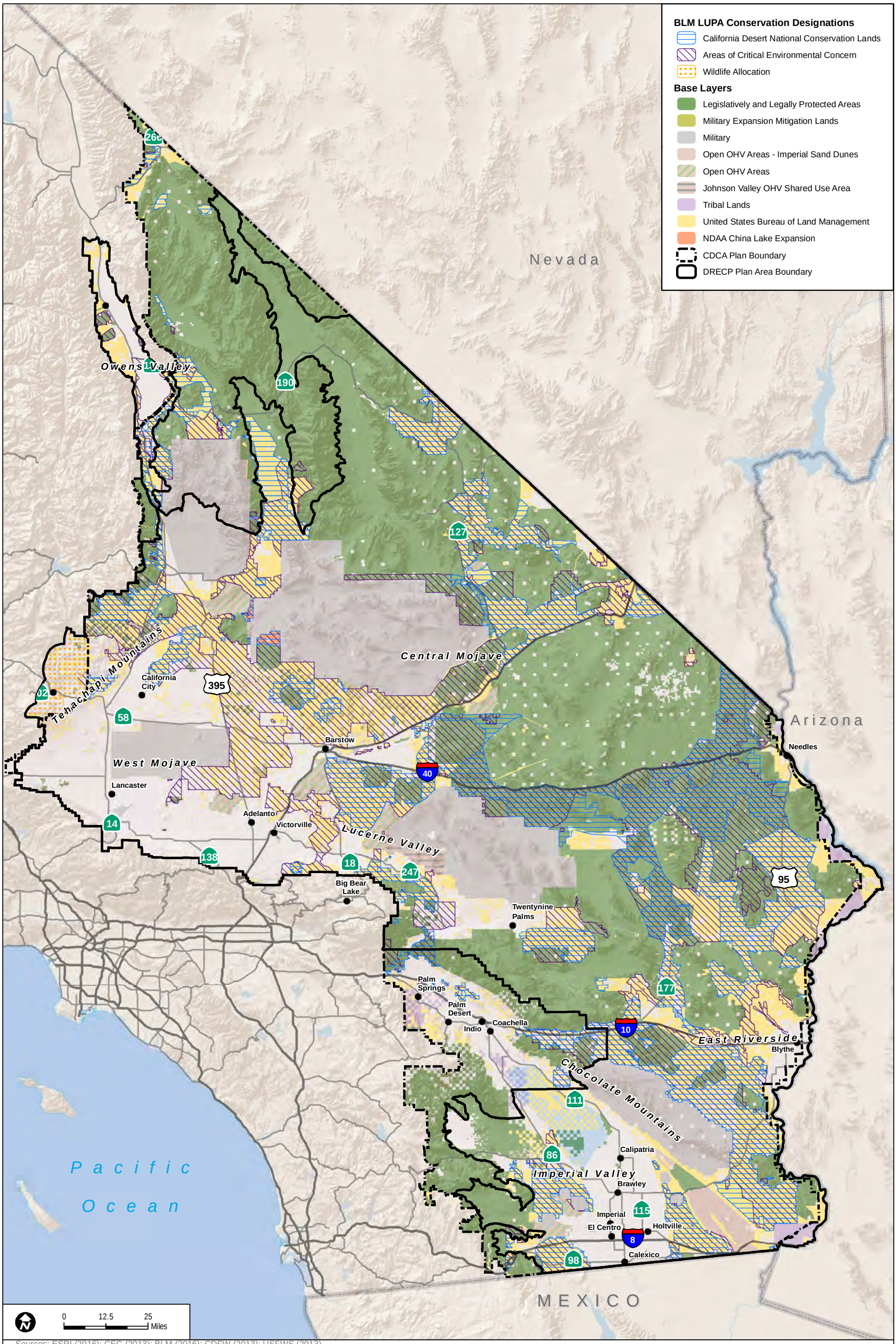

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 7

DRECP LUPA Conservation Designations

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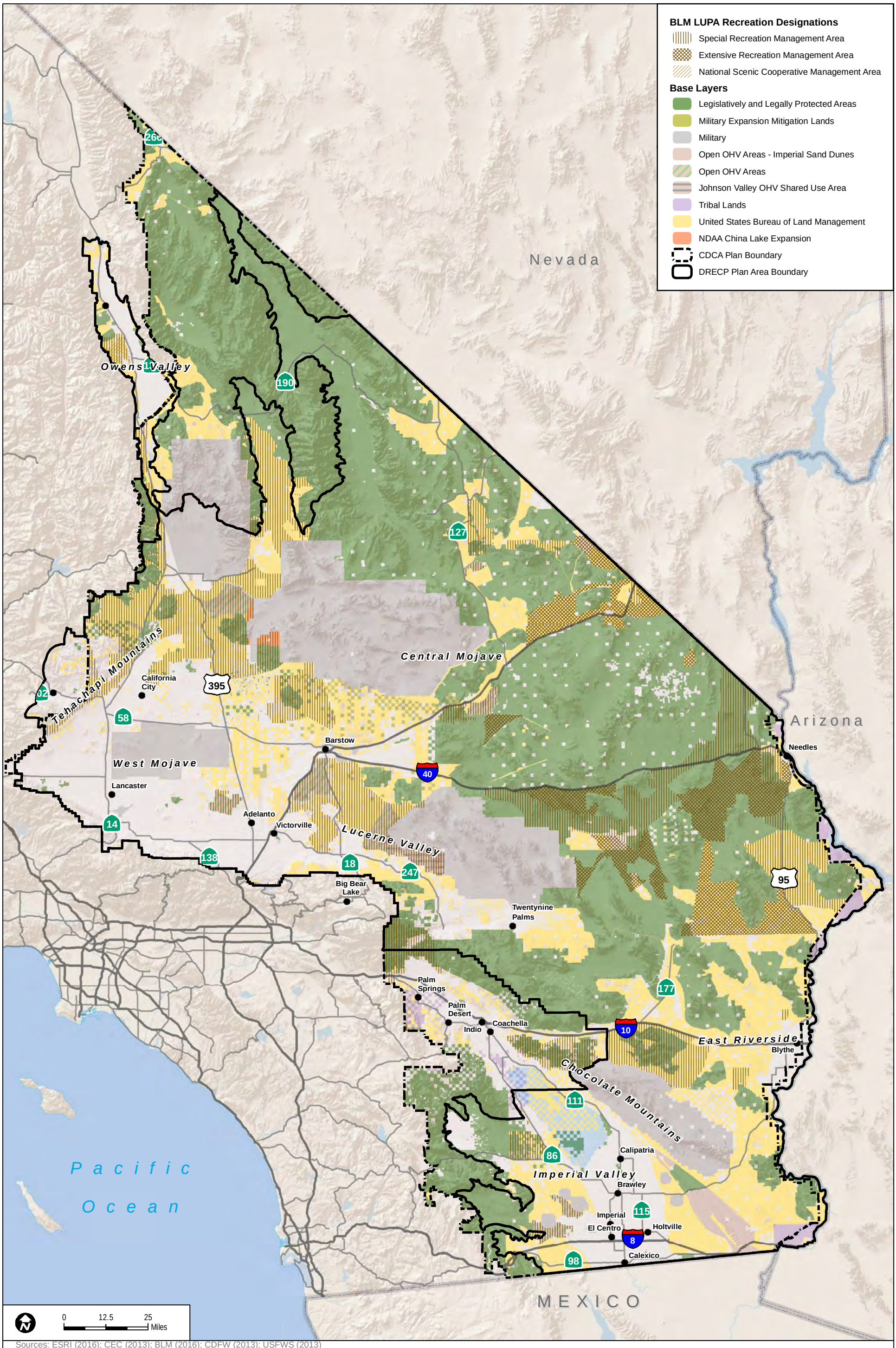

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 8

DRECP LUPA Recreation Designations

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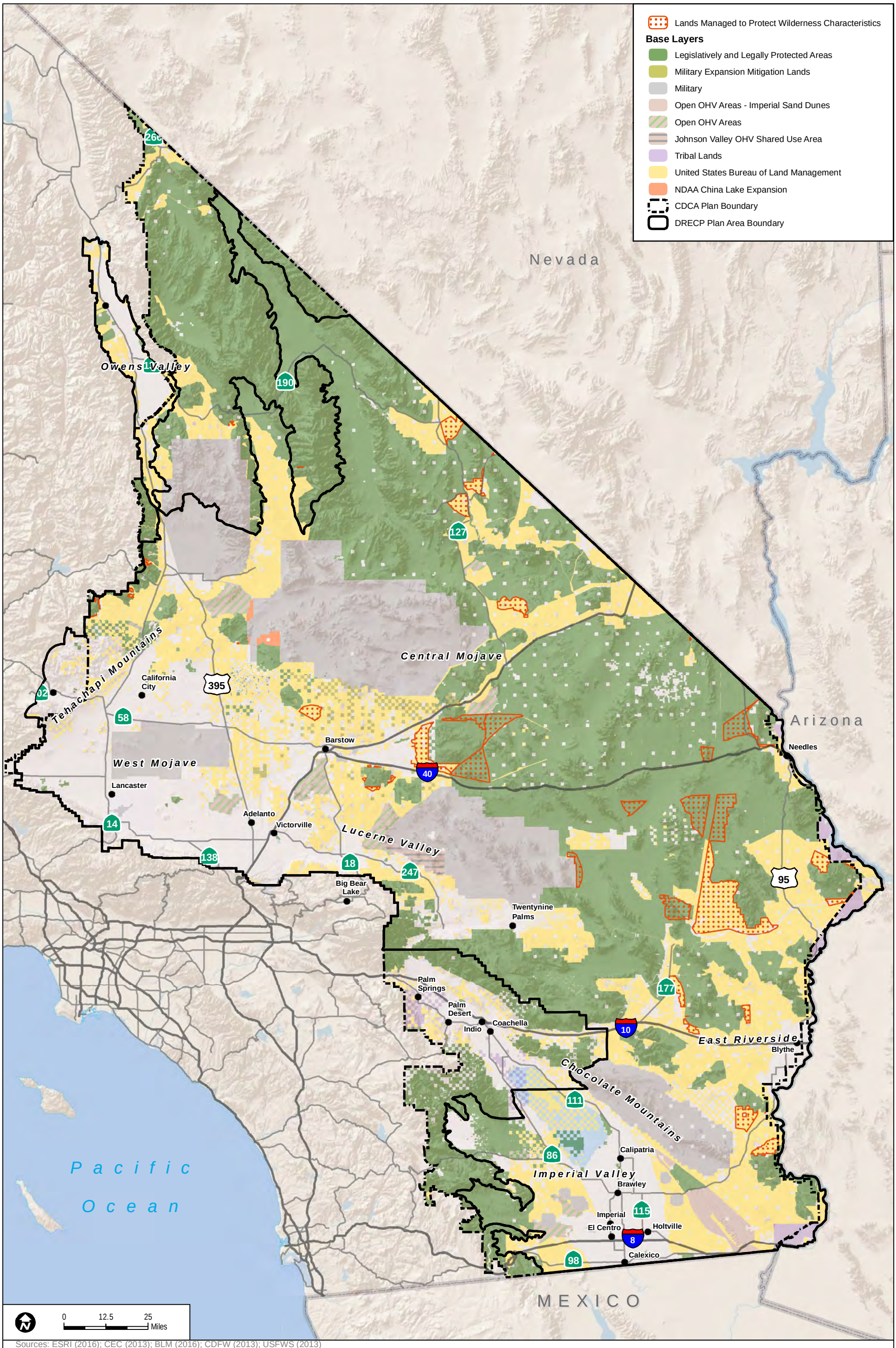

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 9

DRECP LUPA Lands Managed to Protect Wilderness Characteristics

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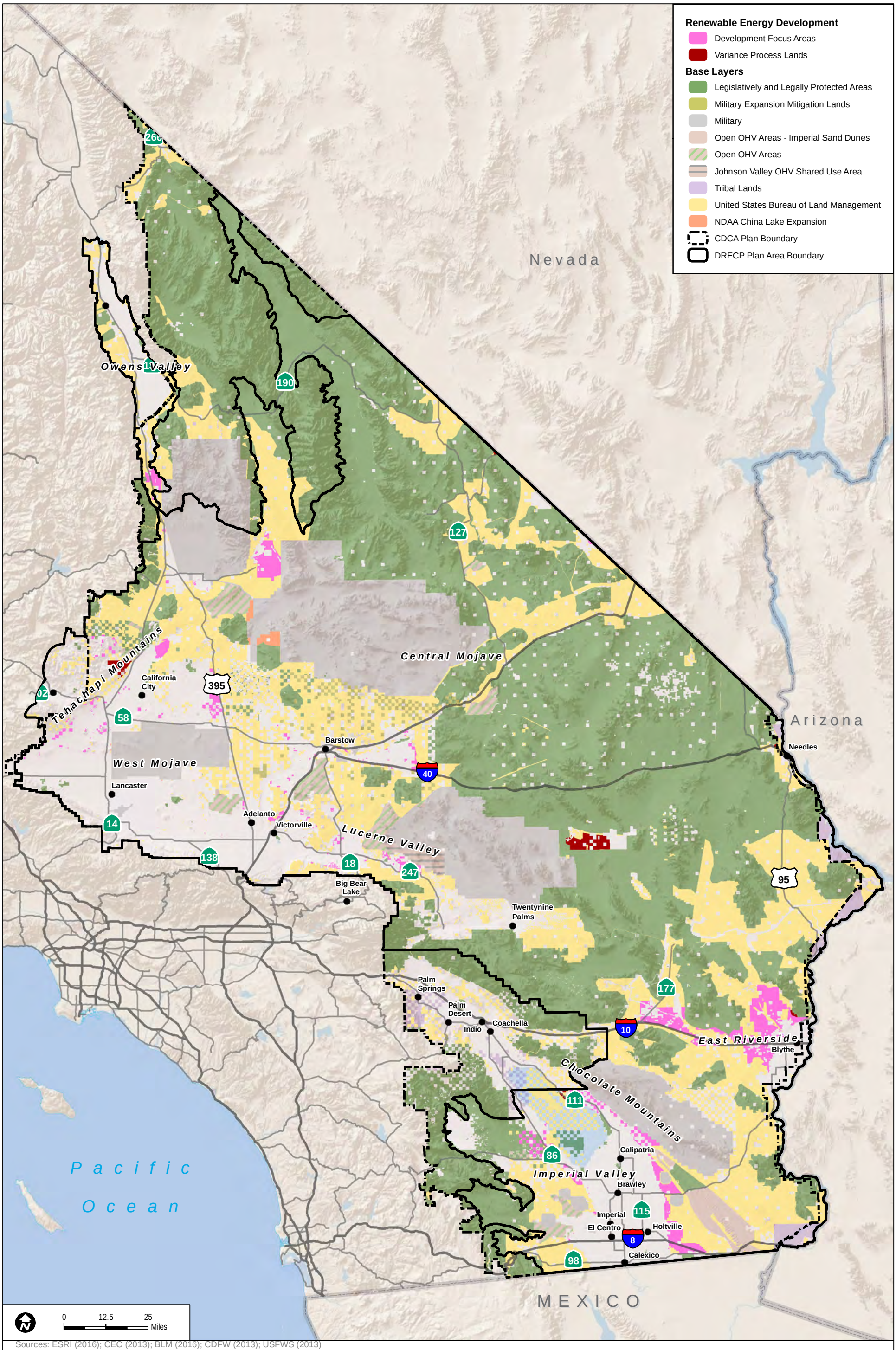

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 10

DRECP LUPA Renewable Energy Designations

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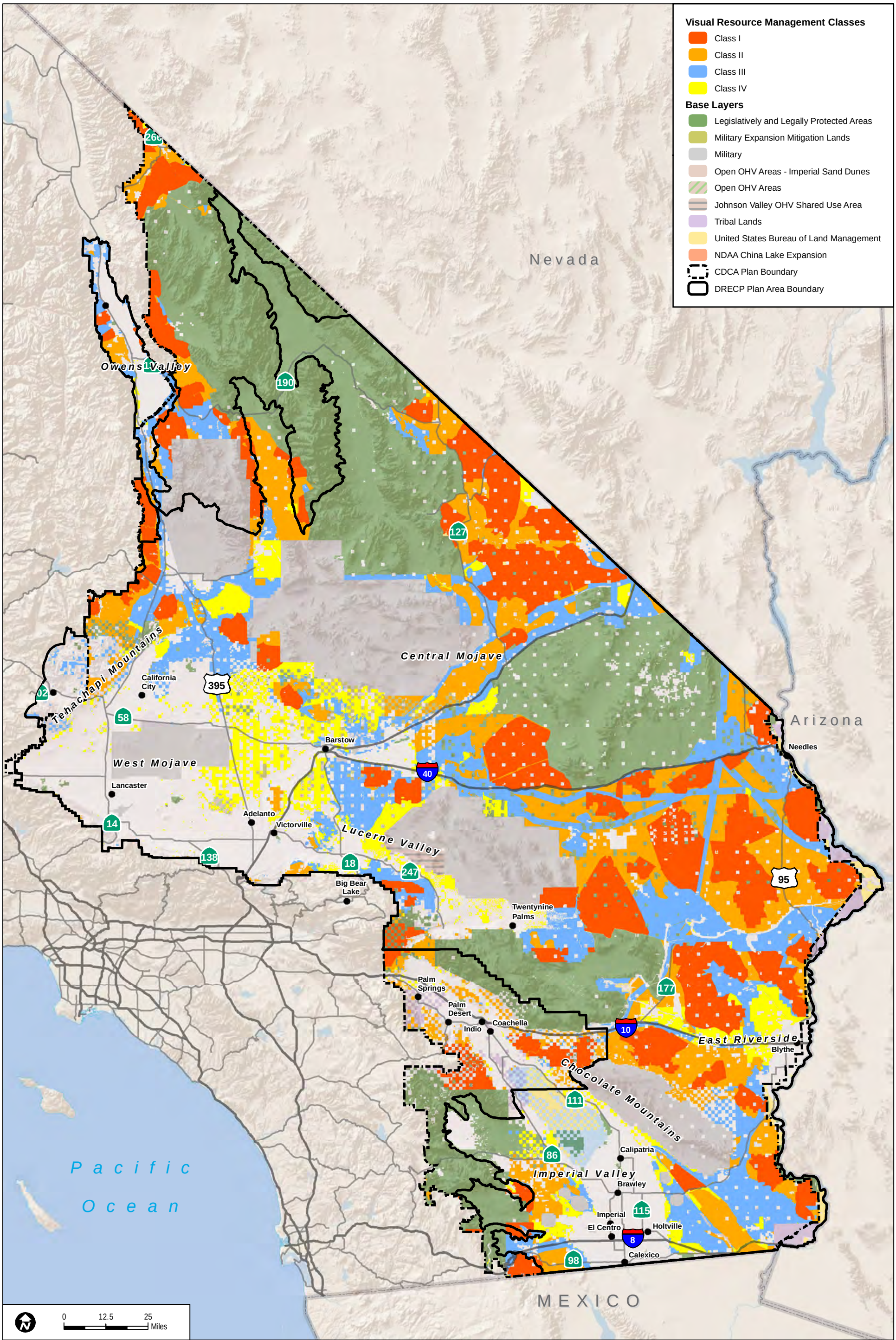

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 11

DRECP LUPA Visual Resource Management Classes

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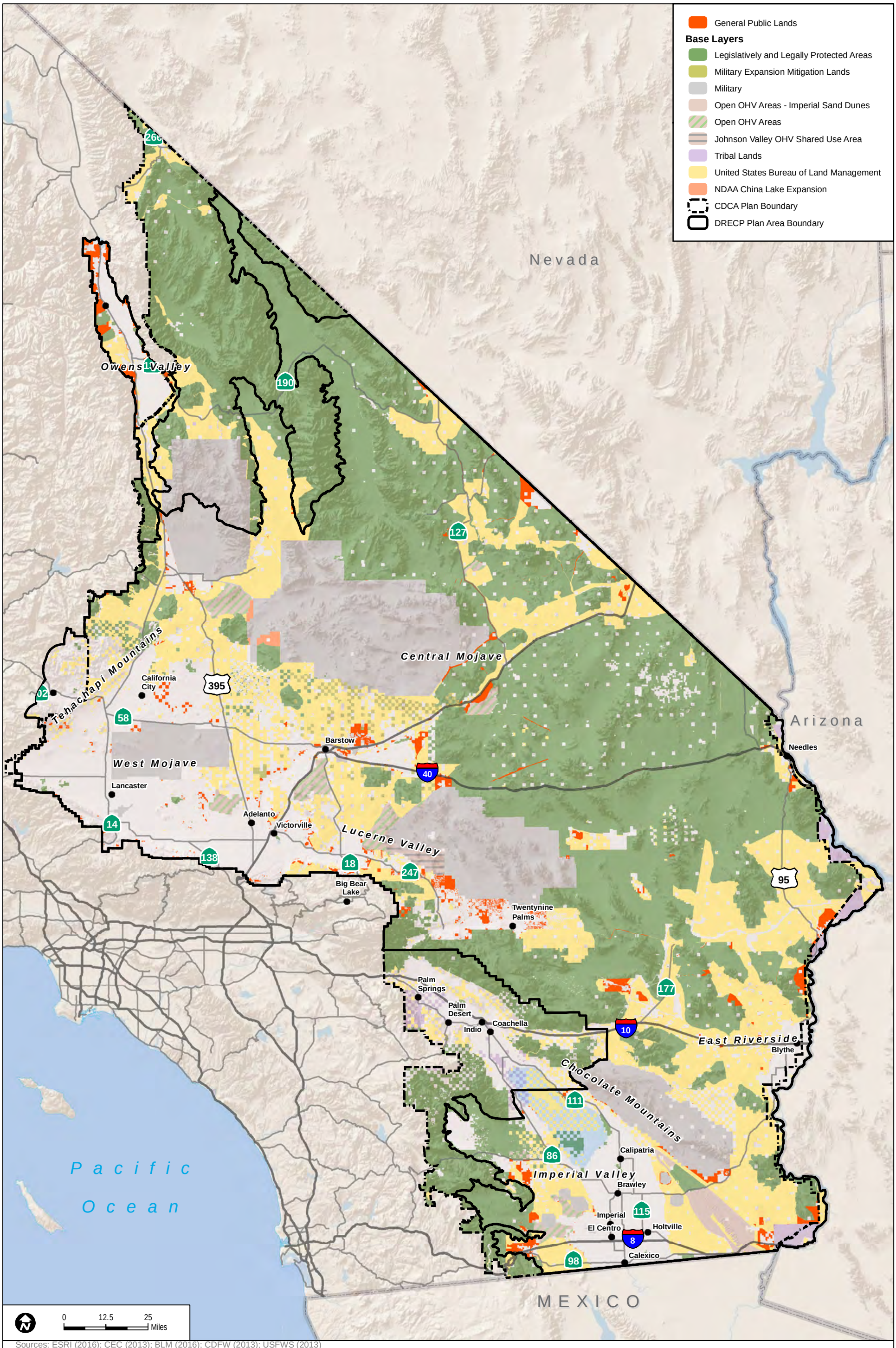

Sources: ESRI (2016); CEC (2013); BLM (2016); CDFW (2013); USFWS (2013)

FIGURE 12

DRECP LUPA General Public Lands

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The CMAs were designed to achieve the goals and objectives for activities within the LUPA's various land use allocations. These measures identify a specific set of avoidance, minimization, and compensation measures, and allowable and non-allowable actions for siting, design, pre-construction, construction, maintenance, implementation, operation, and decommissioning activities on BLM-managed lands. The intent of these is to provide certainty on what avoidance and minimization measures, design features, and compensation/mitigation measures would be required for a particular action within any one of the LUPA's land use allocation types. Some CMAs apply planning-area wide, whereas others apply only within specific land use allocations.

In connection with the review of a particular activity, the BLM will determine, on a case-by-case basis, which CMAs apply to any given activity based on its location and the resources present there. At the outset, it should be noted that each CMA applies to actions that may impact the resource for which the CMA was developed. However, the BLM recognizes that with changing science and technology, there may be alternative methods to meet the purpose and objectives of the CMAs. As part of subsequent project-specific NEPA analyses, a project proponent may be able to propose alternative methods for compliance with a particular CMA. The BLM California State Director will review such requests, in collaboration with USFWS, CEC, and CDFW, and may analyze, as appropriate, whether any proposed alternative approach or design feature to avoid, minimize, or mitigate impacts: (1) meets the goals and objectives for which the CMA was established, (2) and provides for a similar or lesser environmental impacts. Such alternate methods would be addressed as part of any subsequent project-specific approvals.

In total, the Proposed LUPA identified CMAs for 14 different resources. As a result of additional internal reviews, protests, and public comments, the BLM has clarified or modified a number of these CMAs, and added 4 additional CMAs. These changes have been incorporated into the CMAs in Approved LUPA. The modifications, clarifications, and additions do not constitute any individual or cumulative change to the LUPA that would warrant a new or supplemented EIS. They are consistent with the ESA section 7 Biological Opinion, and do not require an amendment to the National Historic Preservation Act (NHPA) section 106 Programmatic Agreement. They do not represent a significant change to the Proposed LUPA.

The Approved LUPA also includes amendments to the CDCA both within and outside of the DRECP Plan Area. This includes land use allocations to replace the CDCA plan multiple-use classes, establishment of Visual Resource Management Classes, and identification of California Desert National Conservation Lands.

The Approved LUPA includes Special Unit Management Plans for ACECs (Approved LUPA Appendix B), SRMAs, and ERMAs (Approved LUPA Appendix C). For ACECs, the Special Unit

Management Plans provide the Objectives, Allowable Uses, and Management Actions for those ACECs that do not have an existing management plan. For those existing ACECs that have an existing management plan, the Special Unit Management Plans provide an augmentation of the existing management plans. As such, in the absence of a more-detailed plan, the Special Unit Management Plans are the plan for the unit, until/if BLM approves a more-in-depth plan.

The BLM LUPA does not modify existing utility corridors, including those identified as "corridors of concern" in the Section 368 Energy Corridors settlement agreement described in Volume I, Section I.2.1.8.7, in the Proposed LUPA and Final EIS.

II.1.2 California Desert National Conservation Lands

The Approved LUPA identifies California Desert National Conservation Lands, which are nationally significant landscapes within the CDCA with outstanding cultural, ecological, and scientific values, and establishes CMAs to conserve, protect, and restore these landscapes. Once identified through the Approved LUPA, the Omnibus Act directs the BLM to permanently include these lands in the National Landscape Conservation System.

II.2 What the ROD and Approved LUPA Does Not Provide

The Approved LUPA does not include decisions for public lands outside of the LUPA Decision Area. The LUPA recognizes valid existing rights. A valid existing right is a documented, legal right or interest in the land that allows a person or entity to use said land for a specific purpose. Such rights may have been reserved, acquired, leased, granted, permitted, or otherwise authorized over time. Valid existing rights may not be denied or extinguished through a plan amendment. The BLM will evaluate the applicability of valid existing rights on a case-by-case basis, and in situations where the BLM retains authority to require design features or mitigation, the BLM will apply DRECP LUPA decisions to the extent authorized by the relevant statutes and regulations.

The LUPA only applies to BLM-administered lands within the LUPA Decision Areas, and does not include decisions for lands not administered by the BLM.

In addition, many decisions are not appropriate at this level of planning and are not included in or otherwise affected by the ROD. Examples of these types of decisions are the following:

- **Statutory Requirements.** The decision will not change the BLM's responsibility to comply with applicable laws, rules, and regulations.
- **National Policy.** The decision will not change the BLM's obligation to conform to current or future national policy.

- **Funding Levels and Budget Allocations.** These are determined annually at the national level based on Congressional appropriations and are beyond the control of the BLM State, District, or Field Offices.

Implementation decisions (or activity-level decisions) are management actions tied to a specific location. They generally constitute the BLM's final approval allowing on-the-ground actions to proceed and require appropriate site-specific planning and NEPA analysis. Such decisions may be incorporated into implementation plans (activity or project plans) or may be stand-alone decisions. The Approved LUPA does not contain implementation decisions. Implementation decisions and management actions that require additional site-specific project planning, as funding becomes available, will require further environmental analysis.

The Approved LUPA does not propose or recommend withdrawal of any lands from location and entry under the United States mining laws. As outlined in Appendix Z of the Proposed LUPA and Final EIS, the BLM intends to publish a Notice of Proposed Withdrawal after this ROD is issued. Through that separate withdrawal process, DOI will consider withdrawal of priority California Desert National Conservation Lands. Any proposed withdrawals or withdrawal recommendations discussed in the ACEC Special Unit Management Plans in the Approved LUPA (Appendix B) have been carried forward from previous planning decisions.

II.3 Modifications and Clarifications

The Approved LUPA includes minor modifications, clarifications, and boundary adjustments from the Proposed LUPA. These minor modifications, clarifications, and boundary adjustments were made as a result of internal reviews, response to protests, and response to ACEC comment responses and other public feedback. These minor modifications, clarifications, and boundary adjustments are within the range of alternatives analyzed in the Final EIS and are consistent with the Biological Opinion and the Programmatic Agreement, and do not constitute a significant change from the Proposed LUPA.

This list is a summary of changes and clarifications.

Terminology Changes

- **Unallocated/General Public Lands.** The Approved LUPA adopts the term "General Public Lands" for the areas identified as "Unallocated" in the Proposed LUPA and Final EIS. These lands are lands that are not specified as DFA, VPL, California Desert National Conservation Lands, ACEC, SRMA, or ERMA. The term "General Public Lands" better reflects the BLM's management of these areas. The name change does not impact the environmental analysis in the Proposed LUPA and Final EIS.

- **California Desert National Conservation Lands.** Through the Proposed LUPA and Final EIS, the BLM refers to the National Conservation Lands identified under the Omnibus Act as "National Conservation Lands." The Approved LUPA refers to these areas as "California Desert National Conservation Lands." This change reflects a sense of place for the California Desert National Conservation Lands, and identifies these lands as a distinct component of National Conservation Lands identified in Omnibus Act.
- **Glossary.** The BLM has updated and clarified various terms in the Approved LUPA glossary.

Allocation and Boundary Changes

- **2016 National Defense Authorization Act (NDAA).** The 2016 NDAA withdrew all or portions of the Superior-Cronese ACEC, Mojave Ground Squirrel ACEC, Christmas Canyon ACEC, Spangler Hills Open OHV Area, and Red Mountain SRMA. The maps have been updated to reflect this change. The maps still reflect these allocations, and the BLM will manage these areas for these values, consistent with the withdrawal, or if the withdrawal expires or is removed.
- **Development Focus Area.** Several small DFAs (totaling approximately 5 acres) along State Route 395 east and north of Owens Lake that were included in the Final EIS were removed. These areas were originally included in larger DFAs on public and private land in the Draft DRECP, but are not manageable as DFAs without the private component.
- **California Desert National Conservation Lands.** Several boundary adjustments were made in order to provide for more appropriate management of the California Desert National Conservation Lands, and to add or remove areas based on whether or not they contain the required Nationally Significant Values. Specific notable changes by ecoregion include:
    - **Basin and Range.** Portions of the General Public Lands (Unallocated in the Final EIS) in the vicinity of Lower Centennial Flat were included in the California Desert National Conservation Lands, while a small area that predominantly encompassed private lands south of Owens Lake was removed.
    - **Colorado Desert.** Some California Desert National Conservation Lands boundaries were adjusted to provide for more appropriate management (i.e., aligning boundary with designated routes and excluding existing facilities).
    - **Coachella Valley.** The boundary of the allocation was adjusted to exclude the existing Wind Mesa Wind Farm.
- **Areas of Critical Environmental Concern.** Throughout the planning area there were numerous changes to the ACEC boundaries based on information received

during the ACEC comment period. Some changes also simplify management decisions and land allocations (i.e., removal of dual designations of ACECs). Specific notable changes include:

- Removal of overlapping ACECs. This does not result in the removal of the ACEC allocation for a particular area. It simply ensures that a specific area is not included in more than one ACEC. Of the geographic areas that were included within two ACECs, the following changes were made:
  - Turtle Mountains ACEC was removed from the Chemehuevi ACEC;
  - Pinot Mountains ACEC was removed from the Mojave Fringe-toed Lizard ACEC;
  - Calico Early Man, Rainbow Basin/Owl Canyon, Black Mountain, Parish's Phacelia, Coolgardie Mesa, and West Paradise ACECs were removed from the Superior-Cronese ACEC;
  - Dagget Ridge (Mojave) Monkeyflower ACEC was removed from the Ord Rodman ACEC;
  - Barstow Wooly Sunflower, Red Mountain Spring, and Western Rand ACECs were removed from the Fremont-Kramer ACEC;
  - Elimination of the Clark Mountain ACEC as a separate ACEC. The Clark Mountain ACEC was incorporated into the Ivanpah ACEC; and
  - Elimination of the Kelso Creek Monkeyflower ACEC as a separate ACEC. The Kelso Creek Monkeyflower ACEC was incorporated into the Jawbone/Butterbredt ACEC.
- Removal of ACEC allocation from the proposed Table Mountain WSA ACEC, San Filipe Hills WSA ACEC, Sawtooth Mountains A and C WSA ACECs, Crater Mountain WSA ACEC. These areas will still be managed as WSAs.
- Adjustment of the boundaries of the Southern Inyo WSA ACEC to align with designated wilderness and remove portions from the proposed ACEC that are not contiguous, or in close proximity to the existing wilderness.
- Removal of ACEC allocation from the Dove Springs and Jawbone Canyon Open OHV areas.
- Removal of the active mine from the Ayers Rock ACEC.
- Removal of the existing private golf course and port of entry from the Ivanpah ACEC.
- The boundary of the Castle Mountain ACEC was adjusted to reflect the newly designated Castle Mountain National Monument and the transfer of management of the monument to the Mojave National Preserve.

- Within the vicinity of Pisgah, the General Public Land (Unallocated in the Final EIS) north of Interstate 40 was included as part of the Pisgah ACEC in order to provide additional protections for desert tortoise.
- Removal of a small portion of the Olancha Greasewood ACEC from nonfederal land.

- **Special Recreation Management Area/Extensive Recreation Management Area.** Several boundary adjustments were made in order to provide for more appropriate management or clarity of land use/management. Specific notable changes include:
  - The boundary of the Middle Knob SRMA was adjusted to remove the SRMA from the Horse Canyon ACEC.
  - The boundary of the Sand to Snow SRMA was adjusted to exclude the existing Wind Mesa Wind Farm.
  - The boundary of the Castle Mountain ERMA was adjusted to reflect the newly designated Castle Mountain National Monument and the transfer of management of the monument to the Mojave National Preserve.
- **General Public Lands.** BLM lands outside the DRECP Plan Area, but inside the CDCA Plan area, indicated as "Unallocated" in the Proposed LUPA and Final EIS have been removed from the General Public Lands list because these areas were not analyzed for renewable energy development. Management in these areas will follow the LUPA-wide CMAs and any other applicable management requirements from the CDCA Plan.

Conservation Management Action Changes

- **Renewable Energy Development in General Public Lands.** There are approximately 419,600[4] acres of lands that are not designated or proposed as DFA, VPL, California Desert National Conservation Lands, ACEC, SRMA, or ERMA. In the Proposed LUPA, these lands were identified as available for renewable energy development; however, development on those lands would not have the streamlining or incentives available in the DFAs. The Approved LUPA leaves these areas open to renewable energy development if applicants can show that the project

[4] Table II.3-1 in the Final EIS identified this as being 802,000 acres. However, the 802,000 acres included SRMAs and ERMAs that did not overlap another allocation. Since SRMAs and ERMAs are considered an allocation for the purposes of the LUPA, the correct depiction of General Public Lands ("Unallocated" in the Final EIS) was 536,000 acres. Of the 536,000 acres in the Final EIS, approximately 1900 acres have been identified as ACECs between the publication of the Final EIS and this ROD. In addition, those lands outside of the DRECP Plan Area and in the Imperial Sand Dune RAMP are no longer included in the General Public Lands calculation for purposes of the LUPA. As a result, there are 419,000 acres of General Public Lands in the Approved LUPA.

can be developed consistent with the CMAs, and does not negatively impact the overall biological conservation strategy, renewable energy or recreation design of the DRECP. The CMAs applicable to this area have been clarified in General Public Lands CMAs section of the Approved LUPA.

- **Ground Disturbance Cap in California Desert National Conservation Lands and ACECs.** The Proposed LUPA and Final EIS included disturbance caps ranging from 0.1% to 1% for California Desert National Conservation Lands and ACECs. The methodology and disturbance mitigation requirements for these caps were included in Section II.3.2.1 and CMAs NLCS-DIST-1,2,3 for California Desert National Conservation Lands, and repeated for ACECs in Section II.3.2.2 and CMAs ACEC-DIST-1,2,3 in the Proposed LUPA and Final EIS. The BLM has provided clarification in the LUPA on ground disturbance cap implementation in Section II.3.2.1 for California Desert National Conservation Lands, and repeated in Section II.3.2.2 for ACECs, and in the CMAs NLCS-DIST-2 and ACEC-DIST-2, including:
    - Clarification on the documentation of the methodology needed for site-specific projects, including the calculations, mitigation location and type, assessment and determination of restoration, and decision to remove a restored area from the disturbance calculation;
    - Clarification of the appropriate unit or sub-unit boundaries when conducting the calculations;
    - Clarification of the required location of disturbance cap mitigation;
    - Clarification of the disturbance cap's application of areas where sand and gravel is needed for the maintenance of Historic Route 66;
    - Clarification and additional examples of what constitutes ground disturbance mitigation, and the timing of when an area is considered mitigation, and when that area can be considered restored;
    - Clarification on the timing requirements for initiation and mitigation completion, both for 3rd party applicants and BLM-proposed projects.
- **Special Unit Management Plans (Approved LUPA Appendices B and C).** The BLM has modified language within the Special Unit Management Plans regarding objectives, allowable uses, and management actions for consistency and clarity. In some instances the management actions were refined for consistency with the CMAs in the Approved LUPA, or language in existing management plans.
- **Clarification of CMAs.** As explained above, the BLM has revised, clarified, and/or modified CMAs. These changes were made in response to additional internal reviews and public comments, and included changes, modifications, and clarifications to CMAs that BLM determined were potentially vague. These changes

also clarify intent, reflect current policy, provide additional examples, and minimize the potential for inconsistent interpretations, but do not change the overall renewable energy or conservation strategies. The BLM is also clarifying mitigation timing requirements for initiation and completion, both for 3rd party applicants and BLM-proposed projects, which will be the same for all resources.

- **Clarification of ERMA CMAs.** The BLM has clarified that ERMAs are open to renewable energy application, subject to the plan-wide CMAs, unless the ERMA overlaps with a conservation designation that would close the area to renewable energy development. This acreage is approximately 35,000.
- **Clarification of Transmission.** The BLM has clarified that the existing CDCA Plan requirement that transmission of 161 kV or above, pipelines larger than 12 inches, coaxial cables for interstate communications, and major aqueducts and canals for interbasin transfers of water must be in a utility corridor is still in effect for all allocations except DFAs. Within DFAs, transmission of 161 kV or above is authorized, but all other listed uses must be within a utility corridor. If the BLM proposes one of these projects outside of a utility corridor, or transmission 161 kV or above outside of a DFA, it must be considered through a plan amendment, consistent with the No Action alternative.
- **Applicability of the 2002 Coachella Valley Amendment to the CDCA Plan.** The BLM has clarified that the DRECP LUPA retains the 2002 Coachella Valley Amendment to the CDCA Plan, with the exception of the new ACECs, and will only apply CMAs where they provide for more resource protection.
- **Imperial Sand Dunes Special Recreation Management Area.** The BLM has clarified that the lands covered by the 2013 Imperial Sand Dunes Recreation Area Management Plan are not included in the DRECP LUPA Decision Area. The maps no longer show General Public Lands within this area, although renewable energy and ACEC decisions made in the 2013 Management Plan area reflected on the maps and included in the plan-wide acreage figures.

II.4 Protest Resolution

The BLM's planning regulations at 43 CFR 1610.5-2 allow any person who participated in the planning process and has an interest that may be adversely affected by the BLM's planning decisions to protest proposed planning decisions within 30 days of when the notice of availability of the Proposed LUPA and Final EIS was published in the Federal Register by the Environmental Protection Agency (November 13, 2015).

The BLM Director received 43 timely protest submissions. All but one of the protesting parties had standing and two submissions were dismissed as they did not contain any valid

protest points, pursuant to 43 CFR 1610.5-2. Valid protest issues addressed in the Director's Protest Report (Appendix 1 to this ROD) are as follows:

- Compliance with NEPA
  - Purpose and Need
  - Range of Alternatives
  - Best Available Information
  - Impacts Analysis
  - Mitigation
  - Supplementation
  - Response to Comments
  - Public Participation
  - Environmental Review and Consultation
- Secretarial Order 3330
- Government-to-Government Consultation
- Compliance with the National Historic Preservation Act
- Compliance with FLPMA
  - CDCA Plan
  - Consistency with other plans
  - Cooperation and Coordination
  - Protest Process
  - ACECs
- General Mining Law
- Endangered Species Act
- National Conservation Lands
  - National Trails System
  - Omnibus Act
- BLM Visual Resource Management Policy
- BLM Special Status Species Policy

- Lands with Wilderness Characteristics
- Travel Management

The BLM Director granted one protest point – that the Notices of Availability of the DRECP Draft LUPA (published September 26, 2014) and the DRECP Proposed LUPA (published November 13, 2015) did not meet the regulatory requirements of 43 CFR 1610.7-2(b) with respect to the requirements for proper noticing and providing for opportunities for public comment on the proposed ACECs. The BLM resolved this issue and complied with 43 CFR 1610.7-2(b) by publishing a subsequent Federal Register Notice on March 11, 2016 and allowing a 60-day public comment period on the proposed ACECs and proposed management prescriptions.

On all other valid protest points, the BLM Director concluded that the BLM had followed all applicable laws, regulations, and policies and had considered all relevant resource information and public input in developing the Proposed LUPA and Final EIS. Each protesting party has been notified in writing of the Director's findings and the disposition of their protests. The Director resolved the protests without making significant changes to the Proposed RMPAs/Final EISs, though minor clarifications were made and are summarized in Section II.3. The Director's decisions on the protests are summarized in each of the Proposed LUPA and Final EIS Director's Protest Resolution Reports, which is available on the following BLM website: http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution/protestreports.html.

II.5 Governor's Consistency Review

43 CFR 1610.3-2(e) requires the BLM to submit proposed plans and plan amendments to the Governor for a Governor's Consistency Review, where the Governor is given an opportunity to identify any inconsistencies with State or local plans, policies or programs. The BLM submitted the Proposed LUPA to the Governor's Office of Planning and Research. In a letter dated January 7, 2016, the Governor's Office did not identify any inconsistencies between the Proposed LUPA and any state or local plans, policies, or programs.

The Governor's Office did provide the following recommendations:

- Continue to work with the CEC and the California Department of Fish and Wildlife to implement the DRECP.
- Continue to work with local jurisdictions that may be impacted by any BLM plan amendments and future phases of DRECP implementation.
- Continue to work with the Branches of the Armed Services to balance BLM's planning regulation responsibilities for resource management plans with the Military's need for training and testing in the southwestern states.

III ALTERNATIVES

III.1 Alternatives Considered in Detail

In addition to the Proposed LUPA, the Final EIS included five alternatives: four action alternatives and a No Action Alternative.

Four additional action alternatives are identified for the BLM LUPA that originate from the integrated planning process used to develop the DRECP alternatives. Alternatives 1–4 in the Proposed LUPA and Final EIS are the BLM-land portions of the alternatives that appeared in the Draft DRECP. Each action alternative's configuration of DFAs reflects a different approach to balancing the goals of minimizing resource conflicts and maximizing opportunities to site renewable energy projects in areas of high-value renewable energy resources.

Each action alternative also reflects a different balance of conservation and recreation land use allocations. Like the Preferred Alternative, Alternatives 1–4 are responsive to tribal, public, and agency input. Alternative 1 emphasizes low biological resource conflict as requested by environmental nongovernmental organizations and communities. Alternative 2 emphasizes renewable energy siting and design flexibility as requested by industry stakeholders. Alternatives 3 and 4 are variations on the themes of Alternatives 1 and 2 with additional consideration of ways to consider variance lands from the Western Solar Plan.

The alternatives also present different configurations of California Desert National Conservation Lands by assigning different weights to the criteria used identify California Desert National Conservation Lands, and propose alternative CMAs for the management of California Desert National Conservation Lands.

III.1.1 Alternative 1

Alternative 1 emphasized low biological resource conflict areas as requested by environmental non-governmental organizations and local communities. This alternative included 81,000 acres of DFA and 40,000 acres of VPLs. It included 5,072,000 acres of Conservation Lands within the LUPA Decision Area, of which 1,626,000 acres would be identified as California Desert National Conservation Lands. This alternative would have designated 2,730,000 acres of SRMAs.

California Desert National Conservation Lands in this alternative emphasized intact landscapes and high scenic values. The ecological values included only the most scenic, intact desert landscapes and habitat, including wildlife linkages, but at a smaller scale than other alternatives, and then only where lands met the scenic criteria and were not in a transmission corridor. The cultural values of this alternative reflected the cultural importance of highly scenic, intact landscapes, including large cultural landscapes and

smaller sites that met this criteria. This alternative included the highly scenic portions of historic trails and roads, where visitors could experience the landscape much like historical figures did. Finally, the scientific values emphasized the opportunities for research in areas largely undisturbed by modern human activity on ecological response to climate change, cultural resources, biological resources, hydrology, paleontology, and geology. Management of California Desert National Conservation Lands allowed a variety of uses of these lands if there was no net loss of the nationally significant values and impacts were able to be mitigated.

III.1.2 Alternative 2

Alternative 2 emphasized siting and design flexibility as requested by industry representatives. This alternative included 718,000 acres of DFA and 29,000 of VPLs. It included 5,619,000 acres of Conservation Lands within the LUPA Decision Area, of which 5,538,000 acres would be identified as California Desert National Conservation Lands. This alternative would have designated 2,656,000 acres of SRMAs.

This alternative represented the maximum California Desert National Conservation Lands footprint. Ecological values included threatened and endangered species designated critical habitat and BLM Sensitive Status Species habitat, and additional wildlife linkages, beyond what was included in other alternatives. It included numerous cultural sites, and large cultural landscapes. In addition to the scientific values of the preferred alternative, inclusion of larger landscapes, including some with existing disturbance provided opportunities for habitat restoration research, as well as opportunities for landscape level studies of prehistoric and historic lifeways. Management of California Desert National Conservation Lands in this alternative had an exclusive focus on conservation, with very little development allowed inside of the California Desert National Conservation Lands. This was the most use-restrictive alternative, in response to the larger renewable energy footprint.

III.1.3 Alternative 3

Alternative 3 was a variation on Alternative 1, emphasizing scientific uncertainty, both in energy and conservation design. This alternative included 211,000 acres of DFA and 2,000 acres of VPLs. It included 5,281,000 acres of Conservation Lands within the LUPA Decision Area, of which 3,551,000 acres would be identified as California Desert National Conservation Lands. This alternative would have designated 2,724,000 acres of SRMAs.

California Desert National Conservation Lands in this alternative focused on habitat connectivity and scientific uncertainty. The ecological values focused on larger landscape and included most of the wildlife linkages and threatened and endangered species' designated critical habitat, and BLM Special Status Species habitat that was included in the Proposed LUPA, however, smaller more isolated units, including some unique and rare plant habitats,

were not included. Cultural values within the larger landscapes included cultural landscapes important to Native Americans, local communities, and that assist in understanding human habitation of the CDCA. This alternative included segments of historic roads and trails, but did not include smaller sites isolated from larger landscapes. These landscapes offer opportunities for large-scale research on ecological response to climate change, cultural resources, biological resources, hydrology, paleontology, and geology.

III.1.4 Alternative 4

Alternative 4 was a variation on Alternative 2, with more of an emphasis on carrying forward the Western Solar Plan, and maintaining the variance lands designated through the Western Solar Plan. This alternative included 258,000 acres of DFA and 579,000 acres of VPLs. It included 4,696,000 acres of Conservation lands within the LUPA Decision Area, of which 2,804,000 acres would be identified as California Desert National Conservation Lands. This alternative would have designated 2,682,000 acres of SRMAs.

This alternative integrated California Desert National Conservation Lands with DFAs and Western Solar Plan variance lands. California Desert National Conservation Lands under this alternative were similar to, but smaller than, the Proposed LUPA, especially where there was overlap with DFAs, Transmission Corridors and variance lands. The ecological values included threatened and endangered species designated critical habitat, and BLM special status species habitat, and important wildlife linkages. Some connectivity in this alternative was interrupted by scattered variance lands and transmission corridors. Similarly, the cultural values were similar to that in the Proposed LUPA, except where landscapes were interrupted by transmission corridors or variance lands; and opportunities for landscape research would have been interrupted as well. Management of California Desert National Conservation Lands allowed a variety of uses of these lands if there was no net loss of the nationally significant values and impacts were able to be mitigated.

III.1.5 No Action Alternative

Under the No Action Alternative the BLM would not amend its land use plans, and the BLM conservation strategy for the California desert region would continue to apply as reflected in the current and existing land use plan/resource management plans (RMPs). The CDCA Plan recognizes compatibility of renewable energy in Limited, Moderate, and Intensive Multiple Use Class, although the project must be identified through a plan amendment, with the exception of a utility-scale solar project within a Solar Energy Zone. Utility-scale solar projects in Bishop and Bakersfield RMPs would also be controlled by the BLM Western Solar Energy Plan. For wind energy, the Bishop RMP is silent on wind energy, meaning that a ROW for wind energy would be considered on a case-by-case basis, and the Bakersfield RMP identifies exclusion and avoidance areas for wind energy.

Under the No Action Alternative, 2,804,000 acres were available for renewable energy development. 2,474,000 acres were identified as existing BLM Land Use Plan Conservation Designations. The No Action contained approximately 287,000 acres of existing SRMAs, and 1,465,000 acres managed for recreation emphasis. Under this alternative, the BLM did not analyze identification of the California Desert National Conservation Lands.

III.2 Alternatives Considered But Not Carried Forward in Detail

Throughout the planning phase of the DRECP and BLM LUPA, agencies, stakeholders, and members of the public suggested and refined a number of reserve design and renewable energy development alternatives. Alternatives were also suggested during the public scoping process and in the comment period on the Draft EIR/EIS.

Some of the alternatives suggested by the REAT Agencies, cooperating agencies, and during public involvement process were generally incorporated into the Approved LUPA or Alternatives 1 through 4, or were considered as part of the No Action Alternative. For example, an overlay of DFAs on agency-identified low-resource conflict areas has been incorporated in all the alternatives. Existing, approved projects were considered in setting the megawatt and acreage targets, but were not used to create a separate alternative. Another scoping recommendation was to site development within one mile of both existing or planned high-voltage lines and substations; all alternatives include DFAs near existing transmission lines.

Other alternatives suggested in public comments were either not described in sufficient detail to be considered or were outside of the scope of the DRECP, which is to provide for the long-term conservation and management of special-status species in the DRECP area and to provide a streamlined approval process for renewable energy projects within the DRECP area. Examples include an energy efficiency-only alternative, an alternative that would incorporate more of San Diego County in the DRECP boundary, an alternative that would include renewable energy development on military lands, and an alternative that would avoid development at the BLM-administered Ord Mountain Allotment for livestock grazing near Barstow.

In addition to the aforementioned, the following alternatives were also considered but were not included in the alternatives analyzed in detail:

1. Distributed Generation Alternative
2. Center for Energy Efficiency and Renewable Technologies (CEERT) Proposed Solar Areas Alternative
3. California Wind Energy Association (CalWEA) Proposed Wind Areas Alternative

4. BLM Lands Alternative
5. Private and Previously Disturbed Lands Alternative
6. Dispersed Development Alternative
7. Southeast Emphasis Alternative
8. Avian Avoidance Alternative

The reasons for not analyzing these alternatives in detail are described in Section II.8.2 of the Proposed LUPA/Final EIS, incorporated herein by reference.

III.3 Environmentally Preferable Alternative

Council on Environmental Quality (CEQ) regulations require that a ROD state which alternatives were considered to be "environmentally preferable" (40 CFR 1505.2(b)). Question 6A of CEQ's 40 Most-Asked Questions regarding CEQ's NEPA regulations (46 FR 18026) defines that term to ordinarily mean the alternative that best protects, preserves, and enhances historic, cultural, and natural resources. Under this definition, Alternative 3 of the Final EIS and Proposed LUPA is the most environmentally preferable. However, Section 101 of NEPA expresses a continuing policy of the federal government to "use all practicable means and measures…to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans." FLPMA Section 302 requires the BLM to manage public lands for multiple use and sustained yield. The BLM determined that the DFA footprint within the Proposed LUPA better met the purpose and need by providing additional flexibility and opportunities for streamlined and incentivized renewable energy development. Also the CMAs and conservation allocations and designations provided adequate protection for the long term conservation of biological and cultural resources, and maintain multiple uses throughout the DRECP Decision Area.

As part of the Draft DRECP and EIR/EIS, CDFW and CEC developed a number of mitigation measures under CEQA to fulfill their requirements under state law. The BLM reviewed these measures and incorporated applicable measures into the CMAs for the Proposed LUPA, and carried forward into the Approved LUPA. Other measures were either outside of the BLM's authority; determined to be too project specific and therefore outside the scope of a LUPA; or unnecessary to meet the BLM's purpose and need based on the potential development impacts under the Approved LUPA.

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IV PUBLIC INVOLVEMENT, CONSULTATION, AND COORDINATION

IV.1 Public Involvement

IV.1.1 Public Scoping and Public Outreach

Under NEPA, "scoping" is a term used for the process of public involvement in determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.

IV.1.1.1 Scoping Process

NEPA Notices of Intent. Three Notices of Intent were issued for the preparation of the EIS supporting this decision. The BLM published a Notice of Intent to prepare an EIS for a possible amendment to the CDCA Plan in the Federal Register on November 20, 2009 (74 FR 60291). The Notice of Intent invited interested members of the public to provide comments on the CDCA issues and planning criteria related to the DRECP. Scoping ran from November 20, 2009 through December 21, 2009. No specific scoping comments were received during this 30-day period.

Subsequently, the BLM and USFWS as co-lead agencies jointly published a Notice of Intent on July 29, 2011, (76 FR 45606) announcing their intent to prepare an EIS for the proposed DRECP. The USFWS expected the DRECP would be prepared to meet the requirements of the Section 10 Habitat Conservation Plan (HCP) permitting process under the federal ESA. In this same Notice of Intent, the BLM announced the joining of its EIS for the possible CDCA Plan amendment with the USFWS's EIS for the DRECP HCP. The 2011 Notice of Intent provided dates and contact information for written comments on the scope of the EIS and published the dates, locations, and times for the public scoping meetings. Scoping meetings, receipt of comments, and the scoping report were merged with the CEQA Notice of Preparation process lead by the CEC.

The BLM published a third Notice of Intent on April 4, 2012 (77 FR 20409), amending the November 20, 2009, and July 29, 2011, notices to include proposed amendments to the Bishop, Caliente/Bakersfield, and Eastern San Diego County RMPs in preparation of the DRECP and EIS. Comments received during this scoping period, April 4 through May 4, 2012, are not included in the scoping report for the July 29, 2011, scoping period, but are part of the entire scoping administrative record and were considered during preparation of the DRECP and EIS.

CEQA Notice of Preparation. Pursuant to CEQA, a Notice of Preparation for the joint EIR/EIS was submitted to the State Clearinghouse (Governor's Office of Planning and

Research) and distributed to state agencies on July 29, 2011. The Notice of Preparation was distributed to elected officials, local and regional agencies, utility companies, Native American tribal representatives, the Department of Defense clearinghouse, selected Department of Defense representatives, and representatives of interest groups and associations. The Notice of Preparation announced the intent of the CEC and the NEPA co-lead agencies (BLM and USFWS) to prepare the EIR/EIS for the DRECP. It provided dates and contact information for written comments on the scope of the EIR/EIS and the dates, locations, and times for the public scoping meetings.

The REAT Agencies distributed a news release, dated July 28, 2011, to announce the beginning of the scoping process and the date, time, and location of three public scoping meetings. The news release was posted on the DRECP website (www.drecp.org) and distributed to numerous news outlets.

Scoping Meetings. Three public scoping meetings were conducted for the EIR/EIS: one on August 16, 2011, in Ontario, California, and two on August 24, 2011, in Sacramento, California. In addition to attending the meeting in person, people could attend via the Internet or by telephone.

Each meeting began with a presentation followed by an open house during which attendees could discuss the plan and EIR/EIS with agency representatives. The presentation included an explanation of the DRECP process, the CDCA and other BLM planning actions, and CEQA/NEPA and the scoping process. The open house included information stations with agency and consultant staff available to answer questions.

Comment forms were made available at each scoping meeting and on the DRECP website. Written comments were accepted at each scoping meeting, as well as by mail and email. In total, 59 people attended the public scoping meetings: 46 in Ontario, 12 in Sacramento (afternoon), and one in Sacramento (evening).

Scoping Report. A Scoping Report was prepared for the DRECP (see Appendix J of the Final EIS). It documents the process and issues raised during the public scoping period, as required by the Council on Environmental Quality's NEPA regulations (40 CFR 1501.7); the BLM Handbook, H-1790-1, Chapters 6.3, 9.1.3, and 10.2.10; the USFWS Manual, Part 550, Chapter 2.3 (550 FW 2.3); and Section 15082 of the CEQA Guidelines. The DRECP Scoping Report is the primary source for the summary of the scoping process presented herein.

IV.1.1.2 Scoping Issues Raised by Commenters

Forty letters were received during the 2011 scoping period: eight letters from agencies, 23 from organizations, and nine from individuals. These letters included 325 discrete

comments. Table 7 identifies the number of comments by CEQA/NEPA process or environmental issue category.

Table 7
DRECP EIR/EIS Public Scoping Comments by Category

Comment Category	Number Received	Percentage
Biological Resources	60	18.5
Alternatives and Distributed Generation	44	13.5
Outdoor Recreation	44	13.5
Project Description	42	12.9
Planned Land Uses and Policies	30	9.2
Environmental Impacts and Mitigation	21	6.5
Cumulative	14	4.3
CEQA/NEPA Process	12	3.7
Cultural Resources[1]	12	3.7
Groundwater, Water Supply, and Water Quality	12	3.7
Climate Change and Greenhouse Gases	11	3.4
Socioeconomics and Environmental Justice	7	2.2
Flood Hazard, Hydrology, and Drainage	4	1.2
Hazards and Hazardous Materials	4	1.2
Public Services, Safety Services, and Utilities	3	0.9
Air Quality and Attainment Status	2	0.6
Geology, Soils, and Minerals	2	0.6
EIR/EIS Format	1	0.3
Total	**325**	**100**

[1] Cultural Resources comments included comments on tribal interests and tribal consultation.

IV.1.1.3 Consideration of Scoping Comments and Other Input Received

The lead agencies considered the scoping comments in developing the alternatives and analytical issues contained in the EIR/EIS; all comments received equal consideration.

Throughout the planning phase of the DRECP, agencies and stakeholders have suggested and refined a number of conservation and renewable energy development alternatives. Additionally, alternatives were identified during the public scoping process that occurred between July 29 and September 12, 2011. The purpose of the public scoping period was to accept written comments providing suggestions and information on the scope of issues and alternatives to be addressed in the EIR/EIS. The REAT Agencies received 40 scoping letters, and 41 specific comments addressed alternatives. Several comments also addressed the

geographic boundary of the DRECP area. The scoping comments are summarized in the DRECP Scoping Report (Appendix J of the Final EIS).

Some of the suggested alternatives in the DRECP Scoping Report and from other agency and stakeholder comments were generally incorporated into the alternatives considered in Volume II of the Proposed LUPA and Final EIS. Additionally, recommendations for plan development and EIR/EIS review were for the most part incorporated into the process. Some alternatives suggested by public comments were not described in sufficient detail to be considered or were outside the scope of the DRECP. Examples include:

- An energy-efficiency-only alternative
- An alternative that would incorporate more of San Diego County in the DRECP area
- An alternative that would include renewable energy development on military lands
- Recommendations that the DRECP area exclude the region that overlaps the California condor range and critical habitat were considered but not carried forward (see Volume II, Chapter 8, of the Proposed LUPA and Final EIS for more detail)

IV.1.2 Additional Opportunities for Public Comment before Publication of Draft EIR/EIS

After the close of the scoping periods, additional comments were received and made available on the DRECP website, http://www.drecp.org/documents/docs/comments-general. These comments were also reviewed and considered in developing the Draft DRECP and EIR/EIS.

Since the close of the scoping periods, the agencies offered many other opportunities for public involvement throughout the process of preparing the DRECP. The DRECP project website (http://www.drecp.org/) was made available to the public to provide access to relevant project information and the opportunity to subscribe to the DRECP's email list for the project updates. Several key elements of the DRECP were also made available through the project website. These include background materials and presentations from the stakeholder meetings, comments received on the stakeholder meetings, science reviews, the baseline biological report, preliminary conservation strategy, independent science advisors documents, and general background information about the DRECP.

The comments submitted prior to the publication of the Draft DRECP and EIR/EIS were shared with all agency staff and the consultants preparing the Draft DRECP and EIR/EIS.

In December 2012, the REAT Agencies published the *Description and Comparative Evaluation of Draft DRECP Alternatives* to inform the public about the status of the DRECP alternatives. Members of the public were invited to provide input regarding the

development scenarios, conservation designations, BLM LUPA alternatives, as well as other specific elements presented. Specific to the LUPA, this document included maps showing existing and proposed "Desert Conservation Lands" (existing and proposed ACECs, proposed California Desert National Conservation Lands, and proposed Wildlife Allocations), and well as areas managed for recreation and existing and proposed SRMAs. The BLM also disclosed that the land use plan amendments would identify (1) desired outcomes expressed as specific goals and objectives and (2) allowable uses and management actions designed to achieve those specific goals and objectives. The public was especially encouraged to provide input about the differences among the alternatives.

Forty agencies, organizations, and individuals provided comments on this document, some providing multiple comments. In addition, three form letters were received, one regarding the Lucerne Valley and Apple Valley areas (more than 60 comments received), one regarding the Morongo Basin communities, (almost 200 comments received) and one regarding the Silurian Valley (20 comments received).

Example concerns raised include:

- Specific concerns regarding the alternatives described in the document, including the need for additional wind areas,
- Concerns regarding locations that were designated for conservation,
- Requests for clear conservation designations based on Biological Goals and Objectives,
- Concerns regarding availability of water for the development of renewable energy in the desert and concerns regarding cumulative groundwater pumping,
- Need for additional streamlining including meaningful permitting reduction timeframes,
- Concerns regarding conservation costs, and
- Need for a transmission plan to serve DFAs, among others.

This input was used to help select the alternatives included in the Draft DRECP and EIR/EIS.

IV.1.3 Public Meetings on the Draft EIR/EIS

The original comment period for the Draft DRECP and EIR/EIS was from September 26, 2014 to January 9, 2015. The comment period was extended to February 23, 2015, for a total of 152 days.

On October 9, 2014, an informational webinar was held on the Draft DRECP and EIR/EIS. Additional webinars were held on December 15 and 17, 2014. Public meetings to hear

comments on the Draft DRECP and EIR/EIS and to answer questions from the public were held as follows:

- Monday, October 20: El Centro, CA
- Tuesday, October 21: San Diego, CA
- Monday, October 27: Lone Pine, CA
- Tuesday, October 28: Ridgecrest, CA
- Wednesday, October 29: Victorville, CA
- Monday, November 3: Lancaster, CA
- Wednesday, November 5: Blythe, CA
- Thursday, November 6: Ontario, CA
- Friday, November 7: Palm Desert, CA
- Thursday, November 13: Sacramento, CA
- Wednesday, November 19: Joshua Tree, CA

The public was also encouraged to submit written comments in addition to their recorded oral comments. Written comments were accepted until the close of the formal comment period.

IV.1.4 Notices Regarding Draft EIR/EIS and Proposed LUPA and Final EIS

The NEPA process began with publication of a Notice of Availability in the Federal Register on March 26, 2010, announcing a 90-day public comment period (scoping) for the Draft DRECP and EIR/EIS. The Federal Register notice of the availability of the Draft DRECP and EIR/EIS was published on September 23, 2014. In addition to the Federal Register Notices, information on the availability of the Draft DRECP and EIR/EIS and the public meetings was published in several newspapers in the DRECP area. Notices were also posted on the interagency DRECP website and on the BLM's DRECP website at http://www.blm.gov/ca/st/en/prog/energy/DRECP.html.

On March 10, 2015, the BLM and its partner agencies announced the phased approach for completion of the DRECP, which began with publication of the Proposed LUPA and Final EIS. On November 13, 2015, the 30-day BLM protest period and 60-day Governor's Consistency Review began with the publication of a Notice of Availability in the Federal Register. On March 11, 2016, the BLM published a notice announcing a 60-day period on the ACEC's in the Proposed LUPA, which closed on May 9, 2016. Once executed, the BLM will publish a Notice of Availability for the ROD and Approved LUPA Amendment.

IV.1.5 Comments on Draft EIR/EIS

The BLM received 420 unique comment letters (including public comment forms from public meetings, postal letters, e-mails, and faxes) from individuals, agencies, organizations and groups during the public comment period on the Draft DRECP and EIR/EIS. Comments were received from the following categories of commenters; the number following each commenter category indicates how many letters were received.

- Federal agencies (4)
- State agencies (7)
- Local agencies (27)
- Tribes (9)
- Organizations (135)
- Individuals (238)

In addition, transcripts of the 11 public meetings are included in the comments; hundreds of individual spoke at these meetings. Comment letters and meeting transcripts are presented in Appendix AA to the Proposed LUPA and Final EIS, and responses to all comments are also presented in the same appendix.

IV.1.6 Comments on the Proposed ACECs

As discussed in Section II.4 above, the Proposed LUPA was subject to a 30-day protest period, which began with the Environmental Protection Agency's publication of the Notice of Availability of the Final EIS and Proposed LUPA on November 13, 2015. During the initial review of the protest letters received, the BLM determined that it had missed a regulatory requirement, stated in 43 CFR 1610.7-2(b), to specifically list in a Federal Register Notice the proposed ACECs being considered. In order to fulfill this requirement, the BLM released a Notice of ACECs on March 11, 2016. This noticed announced a 60-day public comment period on the proposed ACECs and their resource use limitations. This comment period was limited to the proposed ACECs. Comments concerning the DRECP generally were outside the scope of the comment period, and were not responded to individually; however, they were considered to the extent feasible.

The BLM received 36 individual comment letters during the ACEC comment period. Those comments addressed the following topics:

- Process and timing
- Adequacy of NEPA analysis

- Adequacy of public involvement, coordination, and consultation
- Size of the ACEC network
- Adequacy of the Management Plans
- Relationship of the ACECs to recreation and travel management
- Relationship of the ACECs to the WMRNP
- Implementation of the ACEC Management Plans
- Management actions within the ACECs, including disturbance caps, minerals, and route networks, valid existing rights
- Comments on specific ACEC boundaries and management actions

The BLM's response to these comments is included in this ROD as Appendix 2. Any changes in the LUPA resulting from the comments are included in Section II.3 above. In addition to comments received during the ACEC comment period and protests received during the protest period, the BLM received other comments after the publication of the Final EIS and Proposed LUPA, outside of any formal comment period. These comments were reviewed, and incorporated into the Approved LUPA to the extent feasible. The BLM determined that the comments did not raise significant new circumstances or information that would require the BLM to supplement its analysis. Changes to the Approved LUPA are summarized in Section II.3 above.

IV.2 Stakeholder Involvement

In March 2009, the REAT Agencies held scoping meetings on renewable energy and the implementation of Renewable Energy Executive Order S-14-08. These meetings were open to the public to provide input to the agencies on review and regulatory processes related to the siting of renewable energy infrastructure.

From June 2009 through 2013, the REAT Agencies held a series of public meetings to discuss the development of the DRECP. The meetings highlighted topics of special interest on which the REAT Agencies requested feedback. Comments on these topics were provided either in writing or verbally at the meetings. The meetings introduced some DRECP products in draft form with opportunities for written input.

As part of the meetings, the DRECP Stakeholder Committee was established by the State of California. The Stakeholder Committee was composed of individuals from local governments, environmental organizations, electric utilities, renewable energy industry associations, renewable energy project developers, a coalition of Native American tribes, and off-highway vehicle associations. Federal and state agencies also participated in Stakeholder Committee meetings. Several topic-specific working groups within the

Stakeholder Committee were formed to focus on the following areas: Focus Species, Resource Mapping, Covered Activities, and Transmission. Stakeholder Committee meetings were open to the general public. Additionally, the general public was offered opportunities to comment, make verbal comments during the meetings, and submit written comments on these meetings. The Stakeholder Committee met approximately monthly from March 2010 until July 2012.

REAT Agency work products and documents, Stakeholder Committee meetings notes, audio recordings and presentations, webinar presentations, and letters from the public were all made available to the public on a website hosted by the CEC, www.drecp.org. This website went operational in summer 2010 and is still operational as of the signing of this ROD.

IV.3 Additional Outreach During EIR/EIS Preparation

IV.3.1 Agency and Public Workshops

Since the initiation of the DRECP, the REAT Agencies have been invited to a number of public workshops to provide information and status updates regarding the DRECP process to the interested public and agencies. Examples of the workshops include county meetings in Independence, Inyo County; Lucerne Valley and Yucca Valley, San Bernardino County; the BLM California Desert District Advisory Council, and the California Off Highway Motor Vehicle Recreation Commission.

IV.3.2 DRECP Gateway – DataBasin Geographic Information System Tool

The DRECP Gateway – DataBasin (http://drecp.databasin.org/) is a map-based, user-friendly conservation data sharing system, designed and maintained by the Conservation Biology Institute (CBI), to support conservation decision making. Prior to the public workshops described above, in order to facilitate public coordination on the DRECP, the REAT Agencies established a customized data viewing gateway for the DRECP on the DataBasin website (http://drecp.databasin.org/). The DRECP Gateway on allowed individuals and organizations—including the DRECP stakeholders, local agencies, tribes, and the public—to explore and download the library of spatially explicit DRECP datasets for the DRECP area, and to view, analyze, and print selected data maps related to DRECP planning. The DRECP Gateway was operational in fall 2014, and remains up to date and operational as of the signing of this ROD.

IV.4 Cooperating Agencies

Under NEPA, a "cooperating agency" includes any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact

involved in a proposed project or project alternative (40 CFR 1508.5). NEPA Cooperating agencies for the DRECP include:

- National Park Service
- U.S. Fish and Wildlife Service (co-lead on Draft EIS)
- Department of Defense
- California Department of Fish and Wildlife (co-lead on Draft EIR)
- California Energy Commission (co-lead on Draft EIR)
- California Independent System Operator

In addition to these formal cooperating and responsible agencies, BLM has consulted with the following local agencies throughout the DRECP area: the City of Lancaster, the Town of Apple Valley; and Imperial, Riverside, San Bernardino, Kern, Inyo, Los Angeles, and San Diego counties.

IV.5 USFWS and Endangered Species Act Section 7 Consultation

The USFWS, as a REAT Agency, Endangered Species Act Section 10 permitting agency, Draft DRECP EIS NEPA co-lead agency, and Final EIS cooperating agency, participated in interdisciplinary and leadership team meetings throughout the entire DRECP planning process. As an ESA Section 10 permitting agency and NEPA co-lead, the USFWS helped develop the alternatives and related analyses. It also approved the release of the Draft DRECP and EIR/EIS. For the Proposed LUPA and Final EIS, the USFWS participated in refinement of the alternatives based on public comment and new information.

In accordance with Section 7(a)(2) of the ESA federal agencies must consult with the USFWS when an action the agency carries out, funds, or authorizes *may affect* a listed endangered or threatened species or its designated critical habitat. The DRECP Final EIS defined potential impacts on threatened and endangered species as a result of management actions proposed in the alternatives analyzed in the Final EIS.

The BLM informally initiated Section 7 consultation with a letter to the USFWS, before the release of the Draft LUPA/EIS, and requested concurrence on which species would require consideration during consultation. Over the ensuing months, regular meetings were held to identify the species that would be analyzed in the Biological Assessment, to address which actions could affect those species, and to determine whether the implementation of the Proposed LUPA "may affect" the species for which this consultation would occur. In February, 2015, the BLM requested concurrence on the species list.

On July 13, 2015, the BLM submitted a Biological Assessment and initiated formal consultation with the USFWS on BLM's DRECP Proposed LUPA. The USFWS determined the BLM Biological Assessment was sufficient to initiate formal consultation in early August 2015. After reviewing the current status, the environmental baseline for the action area, and direct, indirect, and cumulative effects of the DRECP Proposed LUPA on the California condor, southwestern willow flycatcher, least Bell's vireo, western yellow-billed cuckoo, Yuma Ridgway's rail, desert tortoise and designated critical habitat of the desert tortoise, the USFWS provided the BLM with a draft Biological Opinion for review and comment in December 2015; BLM provided comments in January 2016.

On August 16, 2016, the USFWS issued its biological opinion that the DRECP Proposed LUPA is not likely to jeopardize the continued existence of the aforementioned species or result in the adverse destruction or modification of desert tortoise critical habitat. The biological opinion includes an incidental take statement for each species exempting the BLM from the prohibitions of Section 9 of the ESA for incidental take. Included in the incidental take statement is the USFWS conclusion that the avoidance and minimization measures proposed by BLM in the DRECP LUPA are sufficient to minimize the incidental take of the species, and consequently, no reasonable and prudent measures or terms and conditions were are identified or determined necessary or appropriate to minimize incidental take of said species. The biological opinion from the USFWS is included as Appendix 3 to this ROD.

IV.6 Native American Government-to-Government Consultation

The BLM consulted with federally recognized Indian tribes on a government-to-government basis in accordance with several authorities, including the NHPA, NEPA, FLPMA, the American Indian Religious Freedom Act, and Executive Order 13175. Native American tribal consultations are conducted in accordance with policy and all tribal concerns were given due consideration. The BLM invited federally recognized Indian tribes in the planning area to meet numerous times during the planning process and met face-to-face with almost all of the federally recognized Indian tribes one or more times.

BLM and the DOI conducted numerous government-to-government meetings and technical sessions with Native American tribes. BLM initiated the Tribal Federal Leadership Conferences to create a forum for the federally recognized tribes in the California desert area to engage with federal executives on the DRECP process. The Conferences were used to identify issues, concerns, and interests and to share information regarding any and all resources in the California desert area pertinent to renewable energy, natural and cultural resource conservation, and land use planning as part of the development of the DRECP.

These discussions included a review of all alternatives. The areas discussed were the CDCA, Bishop RMP, Bakersfield RMP, and Eastern San Diego County RMP.

Through the Conferences, the DOI and the BLM, along with the Bureau of Indian Affairs, specifically solicited tribal input into renewable energy, conservation, and land use planning. Conferences were held:

- September 21, 2011
- November 11, 2011
- November 16, 2011
- February 16, 2012
- April 4, 2012
- July 18, 2012
- December 12, 2012
- February 4, 2014
- December 11, 2014
- September 23, 2015

At the Conferences the REAT Agencies provided information, maps, technical assistance, presentations, access to Authorized Officers, and other specialized services relevant to the planning process. All of the tribal concerns received were incorporated into planning for the DRECP area.

In addition to the Conferences, other outreach included pre-meetings, numerous technical meetings, and individual government-to-government meetings with the federally recognized Indian tribes. Invitations by the BLM to federally recognized Indian tribes in the plan area to consult on the DRECP on a government-to-government basis was accomplished through formal letters, emails, phone calls, and face-to-face meetings. Letters from the BLM were sent in December 2013 requesting assistance in identifying sacred sites and places of traditional religious and cultural significance that may be within the BLM's Area of Potential Effects (APE) and seeking input regarding knowledge of or concerns with historic properties that may be affected by BLM's LUPAs.

Meetings between BLM Field Managers and tribes were extensive and typically covered a range of topics about the development of the DRECP. Significant tribal outreach for the DRECP has also occurred at the staff level. The contact at the staff level is not formal consultation, but was critical to foster a detailed dialogue regarding the BLM's proposal to amend the land use plans identified above. This sharing of technical information provided

much of the basis for conducting meaningful consultation between decision makers. The BLM's effort to engage in meaningful consultation with Indian tribes was continuous throughout all phases of development of the DRECP and will continue through implementation of the DRECP.

IV.7 Section 106 Consultation

The BLM complied with Section 106 of the NHPA by developing a Programmatic Agreement (PA) pursuant to 36 C.F.R. 800.14 (included as Appendix 4 to this ROD). The PA was executed on February 5, 2016 when it was signed by the BLM, the California State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP). With respect to planning for public involvement in the Section 106 process, the November 20, 2009, Notice of Intent published in the Federal Register for the DRECP stated that the BLM would use and coordinate the NEPA commenting process to satisfy the public involvement process for Section 106 of the NHPA as provided for in 36 CFR 800.2(d)(3). The BLM also used the NEPA commenting process to supplement public involvement efforts required for Section 106.

The BLM executed the PA to address potential effects associated with adopting a LUPA governing the possible siting of future utility scale renewable energy projects on BLM-managed lands in southern California. The PA was developed in consultation with the SHPO, the ACHP, 40 federally recognized Indian tribes within the planning area, and over 300 other invited consulting parties. Consulting Parties included neighboring federal, state, and local agencies, tribal organizations, county and city government representatives, renewable energy industry groups, archaeological and historical societies, local museums, and other groups that may have an interest in historic preservation as it relates to the DRECP.

The resulting PA refines the approach of the Western Solar Plan and replaces the Solar PA on lands administered by the BLM within the boundaries of the LUPA Decision Area with the DRECP PA that accommodates all renewable energy production and transmission right of way authorizations and portions of connected actions in the planning area and the Western Solar Plan PA no longer applies to those actions.

The BLM initiated consultation with the SHPO on Nov. 16, 2012, regarding the BLM's Section 106 responsibilities triggered by the proposal to adopt a LUPA as an aspect of the multiagency DRECP. The BLM notified the ACHP on June 18, 2012, regarding its involvement in the DRECP. The ACHP confirmed to the BLM on June 29, 2012, it was interested in participating. The BLM notified the ACHP on August 9, 2013, that the BLM planned to develop a PA pursuant to 36 CFR 800.14(b) to fulfill its Section 106 obligations associated with the proposed LUPA. The ACHP confirmed on October 22, 2013, that it would participate in the process.

To develop the PA, the BLM invited the SHPO, ACHP, federally recognized Indian tribes and all other potential consulting parties to kick-off meetings in Ridgecrest on February 17, 2015 and in Palm Springs on February 19, 2015. At these meetings, the BLM described the DRECP, the Section 106 process, the role of consulting parties, the development of the PA, and solicited working group members to participate in writing the text of the PA.

Four Working Group meetings were held at BLM Field Offices on May 7, 2015 (Barstow), May 28, 2015 (Needles), June 25, 2015 (Bishop), and July 16, 2015 (El Centro). Between 30 and 40 people attended each meeting either in person or by telephone and WebEx. The federally recognized Indian tribes were invited to each Working Group Meeting. Active Working Group Participants included staff from the ACHP, staff from the SHPO, several federally recognized Indian tribes, tribal organizations, federal, state, and local agencies, energy industry representatives, archaeological organizations, and other groups and individuals with a demonstrated interest or specific knowledge of or concerns about historic properties.

After developing and discussing four versions of the working draft with the working group, the full draft PA was completed and sent to all consulting parties, including federally recognized Indian tribes for review and comment on August 7, 2015. A Section 106 Consulting Party Meeting regarding the draft PA was held at two locations in Ridgecrest on August 25, 2015, and in Palm Springs on August 27, 2015, to accommodate the number of consulting parties and the large size of the Plan Area.

The BLM took into account all comments received on the draft PA in revising the document, and distributed a revised draft PA on September 29, 2015 to all consulting parties, including the federally recognized Indian tribes. The BLM then held a final Section 106 Consulting Party Meeting on the revised draft PA on October 14, 2015 in Palm Springs to solicit further input. BLM took into account all comments at that meeting and all comments submitted in writing while revising the document. The proposed final PA was circulated for a final fatal flaw review to all consulting parties, including the federally recognized Indian tribes, on November 20, 2015. The BLM circulated the final PA to all consulting parties, including the federally Indian tribes, on January 15, 2016, seeking signatures of the Concurring Parties.

Key aspects of the PA include:

- A set of principles governing consultation for all future renewable energy project applications within the LUPA Area;
- A pre-application process for all renewable energy project applications within the LUPA Area;

- A clearly defined process for reviewing all renewable energy project applications within the LUPA Area under Section 106;
- Section 106 review timelines for renewable energy project applications located within DFAs;
- Cultural resource sensitivity analyses to inform siting decisions and to start project specific discussions early between consulting parties ;
- Third party scientific review process for technical studies;
- Section 106 training for project participants; and
- Establishes a regional compensatory mitigation program to address cumulative impacts

To date, several federally recognized Indian tribes, industry representatives, local, state, and federal agencies, and other interested individuals and groups have signed as Concurring Parties. The BLM completed the required Section 106 consultation process on February 5, 2016, when the BLM, the SHPO, and the ACHP executed the document prior to the BLM issuing the ROD.

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VI APPROVAL

Land Use Plan Decisions

It is the decision of the Bureau of Land Management to approve the Desert Renewable Energy Conservation Plan Land Use Plan Amendment to the California Desert Conservation Area Plan, the Bakersfield Resource Management Plan, the Bishop Resource Management Plan, as described in this Record of Decision. The Proposed Plan Amendments and related Final Environmental Impact Statements were published on November 13, 2015, in the Federal Register. The BLM Director has resolved all protests and, in accordance with BLM regulations 43 CFR 1610.5-2, the Director's decision on the protests is the final decision of the Department of the Interior. The approval is effective on the date of this Record of Decision is signed.

Approved by:

_____ _____

Jerome E. Perez
Bureau of Land Management
State Director for California

Date

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