



California Wind Energy Association

May 18, 2010

The Honorable Jeff Bingaman, Chairman
Energy and Natural Resources Committee
304 Dirksen Senate Building
Washington, DC 20510
via Rosemarie_Calabro@energy.senate.gov

RE: S. 2921 - California Desert Protection Act of 2010

Dear Chairman Bingaman,

The California Wind Energy Association (CalWEA) offers the following comments on S. 2921, the California Desert Protection Act of 2010 (CDPA), for the Committee's consideration at the upcoming hearing on May 20th. In brief, we have significant concerns about the negative impact that the bill, in its present form, would have on wind energy development in California and the West. We have discussed these concerns with Senator Feinstein's staff and have provided staff with a relatively modest set of proposed changes that, if accepted or otherwise addressed, would enable CalWEA to support the bill.

CalWEA is a trade association comprised of 25 companies engaged in wind energy development in California and other Western states. The CDPA, which would significantly affect the siting and permitting of wind energy projects, is therefore of significant interest to CalWEA and its members.

CalWEA appreciates Senator Feinstein's desire to protect the California desert region from development that would reduce its essential character and unduly compromise its ecological values. This goal must be carefully balanced against equally important national energy interests and achievement of California's greenhouse gas reduction and renewable energy goals. In the case of wind energy, we believe this balance can be achieved with modifications to the bill as follows.

Title I: Wind energy resources lost to land preservation

Only a small fraction of California's valuable wind energy resources remain available for development. In wind-rich San Bernardino County, for example, of almost 13 million total acres of land, nearly 5 million acres host commercial-grade winds but only 1.3 million of those acres remain available for project development, due to military and environmental federal land designations. Under the CDPA, this amount would be reduced to just 800,000 acres (with some of this area undevelopable due to military, aviation, or other conflicts), eliminating some of California's most concentrated remaining wind energy resource areas.

With its small ground disturbance “footprint” and careful siting, wind projects can be compatible with land preservation efforts while reducing reliance on traditional energy sources which are causing serious impacts on our climate, air quality, water resources, and human health. CalWEA has therefore proposed to Senator Feinstein limited and reasonable adjustments to the boundaries of the proposed conservation areas which, along with providing access to the existing transmission grid, would enable several commercially active project development areas to remain viable. Most of these developments are located on previously disturbed lands and/or are proximate to existing roads, pipelines, and other infrastructure. Our proposed boundary adjustments would:

- Enable the development of four projects totaling over 1,300 MW of wind energy capacity – preserving about 45% of the commercial wind resource potential that otherwise will be lost to the monument.
- Reduce the monument area by approximately 3%, while disturbing less than 1,000 acres.
- Provide an additional \$18 million annually in property tax revenues to San Bernardino County (\$26 million in total from the projects if built as proposed).
- Create an additional 50 permanent direct jobs (with the projects creating over 70 direct permanent jobs in total), and an additional 200-400 construction jobs lasting 3 to 5 years as these projects are constructed.
- All told, these projects would create an estimated 6,000 job-years, including both direct and indirect jobs.

Altogether, these projects would satisfy over 1% of California’s total electricity supply, or 10% of the additional electricity needed to meet California’s 33% RPS requirement.

Title II: Facilitating permitting on private lands

CalWEA supports the primary objective of Title II of the CDPA – to facilitate permitting on private lands, thereby possibly reducing permitting pressures on public lands. We also appreciate proposed Section 207(b), which would facilitate the permitting of temporary resource measurement activities on public lands, which now requires an inordinate amount of time and resources.

We have, however, identified many areas in which these objectives require clarification so as not to inadvertently complicate permitting on public or private lands. We have provided Senator Feinstein’s office with specific suggestions for achieving much of the needed clarification.

CalWEA looks forward to further discussions with Senator Feinstein to enable the achievement of both desert protection and wind energy development goals. We would be glad to share our detailed proposals with the Committee.

Sincerely,



Nancy Rader
Executive Director

cc: Senator Dianne Feinstein