

**CALENDAR ITEM
119**

A	Statewide	09/20/13
S	Statewide	J. DeLeon

CONSIDER AUTHORIZING THE EXECUTIVE OFFICER TO SUBMIT AN APPLICATION TO THE U.S. FISH AND WILDLIFE SERVICE TO OBTAIN A PERMIT FOR THE INCIDENTAL TAKE OF ENDANGERED AND THREATENED SPECIES PURSUANT TO SECTION 10 THE FEDERAL ENDANGERED SPECIES ACT, RELATING TO IMPLEMENTATION OF THE DESERT RENEWABLE ENERGY CONSERVATION PLAN

PARTY:

California State Lands Commission

BACKGROUND:

In September 2011, the Executive Officer, with authority from the Commission (June 23, 2011, C 134), executed a memorandum of understanding (MOU) with the four agencies comprising the Renewable Energy Action Team (REAT)¹ expressing the parties' intent to coordinate and cooperate on development of the Desert Renewable Energy Conservation Plan (DRECP). The commitments and goals set forth in the MOU are important to the Commission's effective stewardship of school lands because the DRECP Planning Area contains extensive school lands under the jurisdiction of the Commission and administered under the State Lands Act (Pub. Resources Code § 6001 et seq.). The development and implementation of the DRECP will affect these lands and potential revenues generated to benefit the State Teachers' Retirement System. The goal of the DRECP is to provide for the long-term protection and conservation of desert ecosystems while allowing for the appropriate development of renewable energy projects. In addition to the REAT agencies and the Commission, the planning process involves several other state and federal agencies, including the California Public Utilities Commission, California Department of Parks and Recreation, National Parks Service, and the Department of Defense, as well as interested stakeholders including cities, counties, tribal interests, industry and utilities, and non-governmental environmental organizations.

¹ The REAT was established pursuant to a MOU among the California Energy Commission, the California Department of Fish and Wildlife, the U.S. Department of Interior Bureau of Land Management, and the U.S. Fish and Wildlife Service, dated November 17, 2008.

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Throughout 2012 and continuing into the present, the Commission's Alternative Energy Program staff has been actively participating in the planning process to ensure the Commission's interests and school land development responsibilities are represented in both the DRECP and the Draft Environmental Impact Report/Statement (EIR/EIS), which is scheduled to be released in October 2013. The Commission's participation is particularly important insofar as it has certain statutory fiduciary duties related to protecting revenue generation opportunity on school lands. Development authorized by the Commission on school lands, however, may result in the "incidental take" of species protected by the federal Endangered Species Act (ESA) (16 U.S.C. 1531-1544). Because it is a "Habitat Conservation Plan," as defined under the ESA, the DRECP will meet the federal Five Point Policy (65 FR 35242, June 1, 2000) and the criteria set forth in section 10 of the ESA for issuance of incidental take permits.² As a landowner in the DRECP Area and an active participant in the planning process, the Commission is eligible to apply to the U.S. Fish and Wildlife Service for an incidental take permit, using the DRECP as the required Habitat Conservation Plan component of the application.

Importantly, a permit issued to the Commission by the U.S. Fish and Wildlife Service would authorize the "incidental taking" of species covered under the DRECP by project applicants on school lands without a separate permitting process, provided the Commission demonstrates that the applicants' activities are covered by and consistent with the conservation strategy in the DRECP. Establishing a framework by which plan participants can provide such "delegated" take authorization to individual project applicants is one of the primary features of the DRECP and is intended to reduce the time and costs associated with renewable energy project permitting, consistent with Governor Schwarzenegger's Executive Order S-14-08 (which, among other things, established the REAT and called for preparation of the DRECP). The streamlining of the leasing process for qualifying school lands is a benefit that would improve the Commission's ability to market its lands and resources more effectively and increase the revenue generating potential of school lands in the DRECP area.

PROPOSED ACTIVITY:

Consistent with the Commission's stated intent in the 2011 memorandum of understanding to be an Implementing Agency of the DRECP, Commission staff has prepared a draft incidental take permit application in coordination with staff from the

² The criteria are as follows: (i) taking will be incidental; (ii) the applicant will, to the maximum extent practicable, minimize and mitigate the impacts of the taking; (iii) the applicant will ensure that adequate funding for the plan will be provided; (iv) taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and (v) other measures, as required by the Secretary, will be met.

CALENDAR ITEM NO. 119 (CONT'D)

U.S. Fish and Wildlife Service. The application contains the Commission's proposed activities, coverage area, covered species, and measures to minimize and mitigate the impacts of development that may be authorized by the Commission under the DRECP; however, certain figures and data are under development by the preparers of the DRECP and will be inserted into the application upon completion of those components and prior to submittal by the Commission. See Exhibit A.

Commission staff is seeking support from the Commission at this time to submit the application to the U.S. Fish and Wildlife Service. If, upon completion of the DRECP, the Commission determines participating is in the best interest of the State's management of school lands, as noted above, it would formalize its participation by signing the DRECP's Implementation Agreement and accepting the conditions of approval of the incidental take permit, including conservation actions. This action would require Commission approval prior to its execution.

STATUTORY AND OTHER REGULATIONS:

- A. Public Resources Code section 6106 (Delegation to execute written instruments)
- B. Public Resources Code section 8700 et seq. (School Land Bank Act)

OTHER PERTINENT INFORMATION:

The staff recommends that the Commission find that the subject authorization to execute an application for an incidental take permit from the U.S. Fish and Wildlife Service pursuant to the federal Endangered Species Act does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

RECOMMENDED ACTION:

1. Find that the subject authorization to execute and submit an application for an incidental take permit from the U.S. Fish and Wildlife Service pursuant to the federal Endangered Species Act is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

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2. Authorize the Executive Officer or her designee to execute an application to the U.S. Fish and Wildlife Service for an incidental take permit, in substantially the form attached as Exhibit A, to support the continued development and finalization of the DRECP and associated Implementation Agreement and facilitate the Commission's participation as an Implementing Agency upon Plan completion.

EXHIBIT A



Department of the Interior
U.S. Fish and Wildlife Service

OMB Control No. 1018-0094
Expires 12/31/2013

Federal Fish and Wildlife Permit Application Form

[click here for return addresses](#)

Return to: U.S. Fish and Wildlife Service (USFWS)

Type of Activity: Native Endangered and Threatened Species –

Endangered Species Permits - USFWS
2800 Cottage Way, Suite W-2606
Sacramento, CA 95825-1846

Incidental Take Permits Associated with a Habitat Conservation Plan (HCP)

Complete Sections A or B, and C, D, and E of this application. U.S. address may be required in Section C, see instructions for details. See attached instruction pages for information on how to make your application complete and help avoid unnecessary delays.

A. Complete if applying as an individual			
1.a. Last name	1.b. First name	1.c. Middle name or initial	1.d. Suffix
2. Date of birth (mm/dd/yyyy)	3. Social Security No.	4. Occupation	5. Affiliation/ Doing business as (see instructions)
6.a. Telephone number	6.b. Alternate telephone number	6.c. Fax number	6.d. E-mail address

B. Complete if applying on behalf of a business, corporation, public agency, tribe, or institution			
1.a. Name of business, agency, tribe, or institution California State Lands Commission		1.b. Doing business as (dba) N/A	
2. Tax identification no. 68-0291104		3. Description of business, agency, tribe, or institution California state agency	
4.a. Principal officer Last name Lucchesi	4.b. Principal officer First name Jennifer	4.c. Principal officer Middle name/ initial	4.d. Suffix Ms.
5. Principal officer title Executive Officer		6. Primary contact Jennifer DeLeon	
7.a. Business telephone number (916) 574-0748	7.b. Alternate telephone number	7.c. Business fax number (916) 574-1885	7.d. Business e-mail address Jennifer.DeLeon@slc.ca.gov

C. All applicants complete address information					
1.a. Physical address (Street address; Apartment #, Suite #, or Room #; no P.O. Boxes) 100 Howe Avenue, Suite 100-South					
1.b. City Sacramento	1.c. State CA	1.d. Zip code/Postal code: 95825	1.e. County/Province Sacramento	1.f. Country USA	
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)					
2.b. City	2.c. State	2.d. Zip code/Postal code:	2.e. County/Province	2.f. Country	

D. All applicants MUST complete	
1.	Attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE in the amount indicated on pages 2-3. Federal, tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – <i>attach documentation of fee exempt status as outlined in instructions.</i> (50 CFR 13.11(d))
2.	Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes <input type="checkbox"/> If yes, list the number of the most current permit you have held or that you are applying to renew/re-issue: _____ No <input checked="" type="checkbox"/>
3.	Certification: I hereby certify that I have read and am familiar with the regulations contained in <i>Title 50, Part 13 of the Code of Federal Regulations</i> and the other applicable parts in subchapter B of Chapter I of Title 50, and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.
Signature (in blue ink) of applicant/person responsible for permit (No photocopied or stamped signatures) _____ Date of signature (mm/dd/yyyy) _____	

Please continue to next page

** See page 15 for additional instructions on completing the above form. See page 16 for information on the Paperwork Reduction Act, Privacy Act, and Freedom of Information Act aspects of this application form.

Section E. ALL APPLICANTS COMPLETE SECTION E. Provide the information outlined in Section E. on the following pages. Be as complete and descriptive as possible. Please do not send pages that are over 8.5" x 11", videotapes, or DVDs.

INCIDENTAL TAKE PERMITS ASSOCIATED WITH A
HABITAT CONSERVATION PLAN (HCP)

Have you obtained all required Federal, tribal, State, county, municipal or foreign government approval to conduct the activity you propose? Please be aware that there may be other requirements necessary to conduct this activity such as an import permit, collection permit, permission to work on Federal or tribal lands, Federal bird banding permit, Corps of Engineers permits, Environmental Protection Agency NPDES permits, tribal, State, county or municipal permits, etc.

Yes. Provide a copy of the approval(s). List the Federal agency, tribe, State, county, municipality or foreign countries involved and type of document required. Include a copy of these documents with the application.

I have applied. List the Federal agency, tribe, State, county, municipality or foreign countries involved and type of documents required. Provide the reasons why the permits have not been issued

This is a programmatic conservation plan and specific projects are not yet proposed.

Not required. The proposed activity is not regulated.

Application Processing Fees

You may update your name, address, telephone number, fax number, or e-mail address in your current application package on file at any time. These changes are considered an administrative change, and no application processing fee is required. If you wish to make an administrative change, please fill out page 1 and indicate the information that you are updating. Then check the box below, provide your permit number, and send the completed pages 1-2 to the appropriate Regional Office (see attached list).

Administrative change for permit number: _____

If you wish to make changes other than an administrative change, then an application processing fee is required as described below.

The application processing fee for a new Incidental Take permit, or to renew/substantively amend an existing valid permit (*with major changes*) is \$100. If permit amendment (*with minor changes*) is required at a time other than renewal, the processing fee is \$50. For additional information on the application processing fee and the requirements to qualify for a fee exemption, please see the instructions for section D. on page 15.

If the information in your current application package on file has changed in a manner that triggers a substantive amendment or a change not otherwise specified in the permit, then you must apply for a substantive amendment to your valid permit. For example, such major changes may include changes in location, activity, amount or type of take, or species to be covered by the permit. Please contact our Ecological Services Field Office located closest to your proposed activity for technical assistance in making this determination. The contact information for our Ecological Services Field Offices can be found on the U.S. Fish & Wildlife Service's (Service) office directory web page at <http://www.fws.gov/offices/directory/listofficemap.html>.

Check the appropriate box below and enclose check or money order payable to the *U.S. Fish and Wildlife Service* in the amount of:

\$100 [or fee exempt (attach justification if required)] for a **new** permit. Use Option I. below to provide the required information.

OR

\$100 [or fee exempt (attach justification if required)] to **renew or substantively amend** my existing valid permit (*with major changes*) using my current application package on file. Use Options I. and II. below to provide the required information. Please indicate the information that you are changing.

OR

\$100 [or fee exempt (attach justification if required)] to **renew/re-issue** my existing valid permit (*without changes*) using my current application package on file. Use Option III. below to provide the requested information.

OR

\$50 [or fee exempt (attach justification if required)] to **amend** my existing valid permit (*with minor changes*) at a time other than permit renewal. Use Options I. and II. below to provide the required information. Please indicate the information that you are changing.

Please check the **type of amendment** you are requesting –

- add species (specify) _____
- add new activity with previously permitted species (specify) _____
- add a geographic area change in personnel
- other (specify) _____

If this application includes **transfer or succession** of a valid Incidental Take permit, please check the box below:

- Transfer or succession of a valid Incidental Take permit associated with a HCP using the current application package on file. No application fee is required.

Application Processing

To expedite a final decision on your application, you are urged to coordinate with us as soon as possible for guidance in assembling a complete application package. If you are renewing or amending a valid permit, your complete application package must be received at least 30 days prior to the expiration of the valid permit. The following estimates of application processing time begin with our acceptance of a complete permit application package and do not include any time required for requesting clarification or additional information about your application.

The time required to process an application for an Incidental Take permit will vary depending on the size, complexity, and impacts of the HCP involved. Procedurally, the most variable factor in application processing is the level of analysis required for the proposed HCP under the National Environmental Policy Act (e.g., whether an application requires preparation of an Environmental Impact Statement, Environmental Assessment, or whether a categorical exclusion applies), although other factors such as public controversy can also affect application processing times. The target processing timeline from when we accept a complete application package to our final decision on a permit application is: up to 3 months for low-effect HCPs (with a 30 day public comment period), 4 to 6 months for HCPs with an Environmental Assessment (with a 60 day public comment period), and up to 12 months for HCPs with a 90-day comment period and/or an Environmental Impact Statement – assuming that the applicant is responsive to the Service's request for information and/or clarification, and the application adequately addresses permit issuance criteria. Although not mandated by law or regulation, these targets are adopted as U.S. Fish & Wildlife Service and National Marine Fisheries Service (NMFS/NOAA Fisheries) policy and all offices are expected to streamline their Incidental Take permit programs, and to meet these targets to the maximum extent practicable.

The information provided in your permit application will be used to evaluate your application for compliance with the Endangered Species Act, its implementing regulations (which may require a 30, 60, or 90 day public comment period), and with U.S. Fish and Wildlife Service policy. Receipt and possession of a permit under the Endangered Species Act should be regarded as a privilege, as we must balance permit issuance with our duties to protect and recover listed species.

Up-to-date annual reports and any other required reports under your valid permit(s) must be on file before a permit will be considered for renewal, re-issuance or amendment.

If your activities may affect species under the authority of the National Marine Fisheries Service (NMFS/NOAA Fisheries), then you may need to obtain a separate permit from that agency. In addition we share jurisdiction with NMFS/NOAA Fisheries for sea turtles (e.g., we evaluate applications for permits to conduct activities impacting sea turtles on land, and NMFS/NOAA Fisheries evaluates applications for permits to conduct activities impacting sea turtles in the marine environment). To apply for a permit to conduct activities with sea turtles in the marine environment or other species under NMFS/NOAA Fisheries jurisdiction, please contact them

via their permit web page at <http://www.nmfs.noaa.gov/pr/permits/>.

We cannot issue an Incidental Take permit under Section 10(a)(2)(A) of the Endangered Species Act unless you submit a conservation plan that specifies: (i) the impacts that are likely to result from the incidental take associated with your activity; (ii) what steps the applicant will take to minimize and mitigate such impacts, and the funding that will be available to implement such steps; (iii) what alternative actions to such taking the applicant considered and the reasons why such alternatives are not being utilized; and (iv) such other measures that the Secretary may require as being necessary or appropriate for purposes of the plan.

Our general permit regulations at 50 CFR 13.12(a)(9) allow us to collect such other information as we determine that is relevant to the processing of a permit application. Before you submit an application for an Incidental Take permit, we may require that you conduct biological surveys to determine which species and/or habitat would be impacted by the activities sought to be covered under the permit. Biological surveys provide information necessary to develop an adequate HCP, and to assess the biological impacts of the proposed activities. In addition, the information provided in a biological survey can reduce the applicant's risk of take under Section 9 of the Endangered Species Act by ensuring that affected species and/or habitat are identified and appropriately covered under the permit.

You are required to obtain a Scientific Purposes, Enhancement of Propagation or Survival permit (commonly called a Recovery permit) from us before engaging in any biological survey activities that would take listed species. Contact our Ecological Services Field Office closest to the location of your activity to obtain technical assistance in determining the need for both a biological survey and a Recovery permit for your survey activity. The contact information for our Ecological Services Field Offices can be found on the U.S. Fish & Wildlife Service's office directory web page at <http://www.fws.gov/offices/directory/listofficemap.html>.

If a biological survey is required, you will need to send us your complete Recovery permit application package and have it accepted at least 3 months prior to commencement of survey activities to facilitate processing of your Recovery permit application. The Recovery permit application is designated as U.S. Fish & Wildlife Service form # 3-200-55 and can be found on our Endangered Species permit web page at <http://www.fws.gov/forms/3-200-55.pdf>.

We maintain a list of Recovery permittees (such as biological consultants) who have authorized the release of their contact information to third parties for conducting biological surveys on a contract basis. This list is provided to the public at the discretion of each U.S. Fish and Wildlife Service Regional Office as time and workload allow. Please be aware that this list does not represent an endorsement by us of any particular permittee.

If you are not applying as an individual but as a business, corporation, tribe, institution, or non-Federal public agency (block B. on page 1 of the application), the person to whom the permit will be issued (e.g., the landowner, president, director, executive director, or executive officer) is legally responsible for implementing the permit. Although other people under the direct control of the permittee (e.g., employees, contractors, consultants) receive third party take authorization in their capacity as designees of the permittee, the individual named as the permittee ultimately is legally responsible for the permit and any activities carried out under the permit except as otherwise limited in the case of permits issued to State or local government entities under 50 CFR 13.25(e).

If you wish to coordinate the processing of this permit application through an **authorized agent**, and to have that agent represent you as the primary contact with us, check the box below. Sign (in blue ink) and date the authorization statement, and provide contact information for your authorized agent.

I hereby authorize the following person to act as an authorized agent on my behalf in the processing of this permit application and to furnish, upon request, supplemental information in support of this permit application.

signature (in blue ink)

date

please print name legibly

Your Authorized Agent's Contact Information (please print legibly)

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Fax: _____

E-Mail: _____

INCIDENTAL TAKE PERMIT APPLICATION INSTRUCTIONS

You have 4 options for providing the required information for an Incidental Take permit application.

Incidental Take Permit Application: Option I. New Incidental Take Permit & Supplementary Information for Renewal or Amendment of an Existing Valid Permit (With Changes).

General permit regulations for the U.S. Fish & Wildlife Service can be found at 50 CFR 13. Regulations for an Incidental Take permit under the Endangered Species Act can be found at 50 CFR 17.22(b)(1) for endangered wildlife species and 50 CFR 17.32(b)(1) for threatened wildlife species.

Each landowner who wishes to be covered under a new or amended Incidental Take permit associated with an HCP must sign (in blue ink) and date the Incidental Take Permit Application Certification Notice at the end of this application, unless the landowner will be covered under this U.S. Fish & Wildlife Service Incidental Take permit via another vehicle, such as a certificate of inclusion (50 CFR 13.25(d)). Any change in the language of the Certification Notice must be reviewed by the Department of the Interior, Office of the Solicitor and approved by the U.S. Fish & Wildlife Service. The same person who signs in box D. on page 1 of the application must sign the certification.

If the information in items A. - D. below is already provided in your final HCP (or Implementing Agreement, if applicable), then you do not have to provide it here. Instead, check the box below and use the spaces provided in items A. - D. to indicate the page numbers in your HCP or Implementing Agreement that provide the requested information.

I am not providing the following information for items A. - D. as part of my Incidental Take permit application, because it is already provided in my final HCP or Implementing Agreement (copy attached or already submitted).

If the requested information in items A. - D. is not provided in your final HCP or final Implementing Agreement, or you are using Option II. to renew or amend your existing valid Incidental Take permit, then attach separate pages for the missing information. In order to assist us in processing your request, please provide the item number (A. 1.a., etc.) of the required information before each of your responses. Thank you.

Please ensure that your final HCP and Implementing Agreement (if applicable) are attached if it has not been previously submitted.

If you have previously submitted a final draft HCP or Implementing Agreement, please indicate the document's date.

Date of final draft HCP September, 2014

Date of final draft Implementing Agreement September, 2014

Applications for an Incidental Take permit associated with an HCP must provide the following specific information (relevant to the activity) under items A.- D. below in addition to the general information on pages 1-5 of this application.

A. Identify species and activity:

1. For a new Incidental Take permit:
 - a. Provide the common and scientific names of the species requested for coverage in the permit and their status (endangered (E), threatened (T), proposed endangered (PE), proposed threatened (PT), candidate for listing (C), or species likely to become a candidate (LC)).
 - b. Provide the number, age, and sex of such species to the extent known.
 - c. Quantify the anticipated effects to their habitat.
 - d. Describe each activity associated with your project that would result in the incidental take of each species.

2. For an amended Incidental Take permit:

- a. Identify the activities and/or species to be added to your valid permit (provide both the scientific, to the most specific taxonomic level, and common names), as well as the species status (see 1.a. above).
- b. Provide the number, age and sex of such species to the extent known.
- c. If any activities requested in this application differ from those in your valid permit, then for each species state the current activity, the requested new activity, and how the new activity will impact each species.
- d. Describe each activity associated with your project that would result in the incidental take of each species.
- e. Quantify any anticipated effects to the habitat of each added species.
- f. Identify activities and/or species to be deleted from your valid permit and the reason(s) for the deletion.

Page(s) & source document: _____

B. Identify location of the proposed activity:

1. Provide the name of the State, county, tribal land, and the specific location of the proposed activity site(s). Include a formal legal description, section/township/range information, county tax parcel number, local address, or any other identifying property designation that will precisely place the location of the proposed activity site(s). Attach a location map and plat of the project site clearly depicting the project boundaries and the footprint and location of all portions of the property that would be affected by your proposed activities.
2. Provide the total number of acres covered by the HCP see attached
 Is this the total acreage of the parcel? (check one) yes no
3. Provide the approximate number of acres to be impacted 20,797
4. Provide the approximate number of acres to be protected see attached
5. Provide a complete description, including timeframes, for implementation of proposed voluntary management activities to enhance, restore, or maintain habitat benefiting federally listed, proposed or candidate species, or other species likely to become candidates. Include schedules for implementing these activities.

DRECP EIR/EIS Section II.3, Preferred Alternative
 Page(s) & source document: _____

C. Describe the proposed activities in the conservation plan:

You must submit a Habitat Conservation Plan. We strongly encourage you to ensure that your HCP is consistent with the Habitat Conservation Planning Handbook, subsequent Handbook addendums, and current policies in order to minimize delays in evaluating your application. The Handbook and other HCP information is available on the U.S. Fish & Wildlife Service's Endangered Species web page at <http://www.fws.gov/endangered/what-we-do/hcp-overview.html>.

Provide a complete description of activity(ies) or reference the applicable HCP or Implementing Agreement page numbers identifying the subject information.

The HCP must specify:

1. The impact that will likely result from the incidental taking. A discussion of the impact that will likely result from the incidental take must include quantification of any anticipated effects to the habitat of the species sought to be covered by the permit.
2. The steps that will be taken to minimize and mitigate such impacts, the funding that will be available to implement such steps, and the procedures to deal with unforeseen circumstances.
3. The steps that will be taken to monitor and report on such impacts, including a copy of the monitoring plan. We are

authorized to require reports of activities conducted under a permit per the U.S. Fish & Wildlife Service's general permit regulations at 50 CFR 13.45.

4. Alternative actions to such incidental taking that have been considered and the reasons why these alternatives are not proposed for use.
5. The biological goals(s) and objectives for the HCP.
6. The duration requested for the proposed permit.

Page(s) & source document : DRECP volumes III and IV

D. Implementing Agreement

An Implementing Agreement

is *is not* (FWS Regional Office to circle one)

a part of the permit application for a Habitat Conservation Plan.

This Implementing Agreement must be signed at finalization of the HCP. Are you willing to commit to an Implementing Agreement at finalization of the HCP?

Yes, I am willing to commit to an Implementing Agreement. Please submit any unsigned, draft Implementing Agreement that you have prepared with our Field Office.

No, I am not willing to commit to an Implementing Agreement.

Incidental Take Permit Application

Certification Notice

The same person who signs in box D. on page 1 of the application must sign (in blue ink) the following certification.

By submitting this application and receiving an Incidental Take permit pursuant to Section 10(a)(1)(B) of the Endangered Species Act, I

_____ (print name(s)) attest that I/we own the lands indicated in this application, or have sufficient authority or rights over these lands to implement the measures of the Habitat Conservation Plan (and Implementing Agreement if applicable) covered by the Incidental Take permit. Further, upon receipt of the Incidental Take permit, I/we agree to conduct the activities as specified in the Habitat Conservation Plan (and Implementing Agreement if applicable) according to the terms and conditions of the Incidental Take permit and its supporting documents.

signature (in blue ink)

date

please print name legibly

signature (in blue ink)

date

please print name legibly

WORKING DRAFT – NOT FOR SUBMISSION TO USFWS

INCIDENTAL TAKE PERMIT APPLICATION INSTRUCTIONS
SUPPLEMENTARY APPLICATION FORM
DESERT RENEWABLE ENERGY CONSERVATION PLAN
GENERAL CONSERVATION PLAN

Incidental Take Permit Application: Option I. New Incidental Take Permit

Project or Program Name: California State Lands Commission (CSLC) Issuance of Leases/Permits for Renewable Energy Development on School Lands

Final HCP:

- Desert Renewable Energy Conservation Plan (DRECP) and Environmental Impact Report/Environmental Impact Statement (EIR/EIS), Volumes I-IV and Appendices – (approval date pending)
 - <http://drecp.org>
- DRECP General Conservation Plan (GCP), DRECP EIR/EIS Section II.3.3 and Appendix G – (approval date pending)
 - <http://drecp.org>
- Implementing Agreement, DRECP EIR/EIS Appendix X – (signature date pending)
 - <http://drecp.org>

[Note to reviewers: The DRECP's GCP component provides a streamlined permitting process that relies on reference to the DRECP EIR/EIS for the information required on Form 3-200-56 and the GCP Supplementary Application Form. The Draft DRECP EIR/EIS is in preparation and will be released for public review in late 2013 or early 2014.]

4. Form 3-200-56, page 6 – A. Identify species and activity:

- A.1.a Species requested for coverage in the permit and their status:
DRECP EIR/EIS, Table II.3-2 (see attachment 1), Proposed Covered Species List (52 species)
- A.1.b Provide the number, age, and sex of such species to the extent known.
Unknown
- A.1.c Quantify the anticipated effects to their habitat.
Total CSLC lands in Development Focus Areas (DFAs): 20,300 acres
Minimum Requirement DFAs: 8,485 acres
Moderate Requirement DFAs: 11,815 acres
Total CSLC lands in Study Area Lands: 497 acres
DRECP Variance Lands: <1 acre
Future Assessment Areas: 497 acres

Special Analysis Areas: <1 acre

Tables showing baseline acres of modeled habitat for each Covered Species within DFAs on CSLC lands are in preparation (pending attachment 3). Baseline habitat for Covered Species is further described in DRECP EIR/EIS Section III.7.6.1, DRECP Proposed Covered Species for the GCP; and Section III.7.6.2, DRECP Proposed Covered Species Modeled Habitat. [Note to reviewers: Baseline tables are being prepared by DRECP consultants and will be provided in the Draft DRECP EIR/EIS for public review in late 2013 or early 2014.]

A.1.d Describe each activity associated with your project/program that would result in the incidental take of each Covered Species, and cite the DRECP EIR/EIS section that describes those activities.

- Type of renewable energy and/or transmission facility:
See DRECP EIR/EIS Section II.3.1.3, Overview Description of Covered Activities including utility-scale solar, wind, and geothermal energy generation with associated infrastructure and transmission; construction, operations and maintenance; and decommissioning. CSLC will lease/permit renewable energy development on CSLC school lands to qualified applicants. See <http://www.slc.ca.gov> for information on the CSLC application process.
- Expected/potential MW production and total ground disturbance acreage for each type of renewable energy generation:
See attached tables (attachments 4A through 4E) showing maximum projected MW/technology distribution on CSLC lands within DFAs. All of the CSLC acres in DFA's are included. [Note to reviewers: Disturbance acreages are being prepared by DRECP consultants and will be provided in the Draft DRECP EIR/EIS for public review in late 2013 or early 2014.]

5. Form 3-200-56, page 7 – B. Identify location of the proposed activity/program:

- B.1. Project location/address.
All CSLC lands within the DRECP Plan Area; see attached map.
Counties: Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino
- B.2. Provide total project acreage.
Total CSLC acres in DRECP Plan Area:
- 340,533 acres school lands
 - Approximately 70,400 acres (~110 square miles) of sovereign lands on Owens Dry Lakebed
- B.3. Provide total impact acreage.

Total CSLC acres within DFAs and Study Areas = approximately 20,300 acres; see A.1.c above (approximation; subject to verification/change).

- B.4. Provide total protected acreage.
Estimated conservation acreage for mitigation of impacts to Covered Species assumes the following general mitigation ratios: minimum impacts, 1:1 impact acres to conservation acres; moderate impacts, 1:3 impact acres to conservation acres; high impact, 1:7 impact acres to conservation acres. CSLC mitigation would range from a minimum of 20,300 acres (all development mitigated at 1:1 ratio) to a maximum of 142,100 acres (all development mitigated at 1:7 ratio). Total impact area assumes every CSLC acre within DFAs and Study Areas could potentially be developed. See DRECP EIR/EIS Section II.3.1.1, Conservation Strategy, for description of DRECP reserve assembly criteria.
- B.5. Provide a complete description of proposed voluntary habitat management activities on a separate attached sheet.
Tables showing the conservation acreages to be preserved in mitigation for each Covered Species, based on the type of facility and the appropriate mitigation ratio, within each ecoregion of the DRECP Plan Area are in development (pending attachment 5). DRECP EIR/EIS Section II.3.1.1 describes assembly of the DRECP reserve system, which will include mitigation lands required under CSLC's GCP permit. [Note to reviewers: Mitigation acreages are being prepared by DRECP consultants and will be provided in the Draft DRECP EIR/EIS for public review in late 2013 or early 2014.]

Provide source document.

DRECP EIR/EIS Section II.3, Preferred Alternative. See also the following subsections:

- II.3.1.1, Conservation Strategy
- II.3.1.2, Adaptive Management and Monitoring Plan
- II.3.1.3, Overview Description of Covered Activities
- II.3.1.4, Plan Implementation
- II.3.3, GCP Component of the Preferred Alternative
- Appendix G, GCP Component

6. Form 3-200-56, pages 7-8 – C. Describe the proposed activities in the conservation plan.

- C.1. The impact that will likely result from the incidental taking. A discussion of the impact that will likely result from the incidental take must include quantification of any anticipated effects to the habitat of the species to be covered by the permit. See A.1.d above. Refer to DRECP EIR/EIS Section IV.2.3.2 [Impacts of] Preferred Alternative; IV.2.3.2.4 [Impacts of] GCP; II.3.3, GCP Component of the Preferred Alternative; and Appendix G, GCP Component. Tables attached for A.1.d above show potential disturbance impacts to modeled

habitat for each Covered Species in DFAs, and the conservation lands that will be preserved in mitigation for each Covered Species. [Note to reviewers: Impact acreages are being prepared by DRECP consultants and will be provided in the Draft DRECP EIR/EIS for public review in late 2013 or early 2014.]

2. The steps that will be taken to minimize and mitigate such impacts, the funding that will be available to implement such steps, and the procedures to deal with unforeseen circumstances.

For information on minimization and mitigation measures, see B.5 above. DRECP EIR/EIS Section II.3.1.1.5, Conservation and Management Actions (CMAs), describes minimization and mitigation measures, including species survey requirements, that will be implemented for each Covered Species. CMAs include standard practices (i.e., “best management practices”) for renewable energy development siting, design, pre-construction, construction, operations, maintenance, and decommissioning. CMAs also include landscape, natural community, and species-specific measures to avoid, minimize, and mitigate impacts to Covered Species.

Mitigation options for CSLC applicants include (1) dedication of appropriate CSLC lands as long-term conservation within the DRECP reserve system; (2) applicant acquisition of appropriate conservation lands for inclusion in the DRECP reserve system prior to initiating construction; (3) applicant in-lieu fee payment to the DRECP governance entity for acquisition of appropriate conservation lands for inclusion in the DRECP reserve system; and (4) applicant commitment to implementing all other applicable DRECP/GCP requirements.

For information on funding assurances, see DRECP EIR/EIS Section II.3.1.4, Plan Implementation; II.3.3, GCP Component of the Preferred Alternative; and Appendix G, GCP Component. In general, CSLC will fund acquisition and management of mitigation lands through its lease/permit fees from applicants for renewable energy development on CSLC lands pursuant to the fee structure included in the DRECP. DRECP EIR/EIS Section II.3.1.4 describes the DRECP interagency governance and financial structure, including how conservation lands will be acquired and managed for the DRECP reserve system.

Table of projected CSLC implementation costs and revenues through 2040, showing that CSLC will acquire applicant fees sufficient to fund the required mitigation lands and CSLC administration of their incidental take permit is in development (pending attachment 6). [Note to reviewers: Funding information is being prepared by CSLC and DRECP consultants, and will be provided in the Draft DRECP EIR/EIS for public review in late 2013 or early 2014.]

For information on unforeseen circumstances, DRECP EIR/EIS Section II.3.3, GCP Component of the Preferred Alternative, and Appendix G, GCP Component, describe how GCP permittees, including CSLC, will respond to changed and unforeseen circumstances that may affect Covered Species and/or acquired mitigation lands. Changed circumstances that are reasonably foreseeable, and for which appropriate responses are detailed in Section II.3.3 and Appendix G, include increased fire frequency, prolonged drought, reduced hydrology, renewable energy technology changes, new listings of species as endangered or threatened, climate change effects, etc. Unforeseen circumstances cannot be reasonably predicted, and are addressed under the USFWS “No Surprises” assurances to permittees, as described in Section II.3.3 and Appendix G.

3. The steps that will be taken to monitor and report on such impacts. See DRECP EIR/EIS Section II.3.1.2, Adaptive Management and Monitoring Plan; II.3.1.4, Plan Implementation. Section II.3.3, GCP Component of the Preferred Alternative, and Appendix G, GCP Component, describe permittee-required compliance monitoring (i.e., adherence to the terms and conditions of the GCP and permit) and effectiveness monitoring (i.e., contribution toward achieving the biological goals and objectives of the GCP).
4. Alternative actions to such incidental taking that have been considered and the reasons why these alternatives are not proposed for use. See DRECP EIR/EIS Section II.3.3, GCP Component of the Preferred Alternative, and Appendix G, GCP Component.
5. The biological goal(s) and objectives for the proposed incidental take permit under the GCP. See DRECP EIR/EIS Section II.3.3, GCP Component of the Preferred Alternative; II.3.1.1, Conservation Strategy; and Appendix X, DRECP Biological Goals and Objectives. The GCP, including CSLC’s implementation of its permit, will contribute toward achieving the biological goals and objectives of the DRECP’s conservation strategy.
6. The duration requested for the proposed permit. Through 2040, the term of the DRECP.

WORKING DRAFT – NOT FOR SUBMISSION TO USFWS

INCIDENTAL TAKE PERMIT APPLICATION INSTRUCTIONS
SUPPLEMENTARY APPLICATION FORM
DESERT RENEWABLE ENERGY CONSERVATION PLAN
GENERAL CONSERVATION PLAN

List of Attachments:

1. Draft Covered Species List
2. Maps of CSLC Lands
 - A. Draft Map of CSLC Lands in DRECP Plan Area
 - B. Draft Map of CSLC Lands in DRECP Preferred Alternative
3. Tables of baseline habitat acres in DFAs for each Covered Species on CSLC lands
 - In preparation
4. Tables of MW/technology distribution on CSLC lands
 - A. Draft Preferred Alternative – CSLC Lands
 - B. Draft Preferred Alternative Development Focus Areas by Technology Type by Ownership Class
 - C. Draft Distribution of Permanent Disturbance and Project Area Associated with Solar and Ground Mounted Distributed Generation Across Different Subregions of the DRECP
 - D. Draft Distribution of Permanent Disturbance, Blade Swept Area, and Project Area Associated with Wind Generation Across Different Subregions of the DRECP
 - E. Draft Distribution of Permanent Disturbance and Project Area Associated with Geothermal Generation Across Different Subregions of the DRECP
5. Tables of conservation acres required to mitigate impacts on CSLC lands for each Covered Species
 - In preparation
6. Tables showing CSLC costs/revenues as funding assurances for implementing their permit under the GCP
 - In preparation

Attachment 1
DRECP Proposed Covered Species List

Taxa	Common Name	Scientific Name	Federal Status¹	State Status²
Amphibian/ Reptile	Agassiz's desert tortoise	<i>Gopherus agassizii</i>	FT	ST
	arroyo toad	<i>Anaxyrus (Bufo) californicus</i>	FE	CSC
	flat-tailed horned lizard	<i>Phrynosoma mcallii</i>	BLM/FS	CSC
	Mojave fringe-toed lizard	<i>Uma scoparia</i>	BLM	CSC
	Tehachapi slender salamander	<i>Batrachoseps stebbinsi</i>	BLM/FS	ST
Bird	Arizona Bell's vireo	<i>Vireo bellii arizonae</i>	BLM	SE
	Bendire's thrasher	<i>Toxostoma bendirei</i>	BCC/BLM	CSC
	burrowing owl	<i>Athene cunicularia</i>	BLM	CSC
	California black rail	<i>Laterallus jamaicensis coturniculus</i>	BCC/BLM	ST
	California condor	<i>Gymnogyps californianus</i>	FE	SE/FP
	elf owl	<i>Micrathene whitneyi</i>	BLM/BCC	SE
	Gila woodpecker	<i>Melanerpes uropygialis</i>	BLM/BCC	SE
	golden eagle	<i>Aquila chrysaetos</i>	BLM	FP
	greater sandhill crane	<i>Grus canadensis tabida</i>	BLM/FS	ST/FP
	least Bell's vireo	<i>Vireo bellii pusillus</i>	FE/BCC	SE
	mountain plover	<i>Charadrius montanus</i>	BCC/BLM	CSC
	Swainson's hawk	<i>Buteo swainsoni</i>	BLM/FS	ST
	tricolored blackbird	<i>Agelaius tricolor</i>	BCC/BLM	CSC
	western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	FC/FS/BCC/BLM	SE
	willow flycatcher (including southwestern)	<i>Empidonax traillii</i> (including <i>extimus</i>)	Southwestern: FE	SE
	Yuma clapper rail	<i>Rallus longirostris yumanensis</i>	FE/BCC	ST/FP
Fish	desert pupfish	<i>Cyprinodon macularius</i>	FE	SE
	Mohave tui chub	<i>Siphateles (Gila) bicolor mohavensis</i>	FE	SE/FP
	Owens pupfish	<i>Cyprinodon radiosus</i>	FE	SE/FP
	Owens tui chub	<i>Siphateles (Gila) bicolor snyderi</i>	FE	SE

Attachment 1
DRECP Proposed Covered Species List

Taxa	Common Name	Scientific Name	Federal Status¹	State Status²
Mammal	bighorn sheep (Peninsular Ranges distinct population segment (DPS) and Nelson's)	<i>Ovis canadensis nelsoni</i>	Peninsular: FE/BLM; Desert: BLM	Peninsular: ST/FP; Desert: None
	burro deer	<i>Odocoileus hemionus eremicus</i>	—	—
	California leaf-nosed bat	<i>Macrotus californicus</i>	BLM/FS	CSC
	desert kit fox	<i>Vulpes macrotis arsipus</i>	—	—
	Mohave ground squirrel	<i>Xerospermophilus mohavensis</i>	BLM	ST
	Mohave River vole	<i>Microtus californicus mohavensis</i>	—	CSC
	pallid bat	<i>Antrozous pallidus</i>	BLM/FS	CSC
	Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	BLM/FS	CSC
Plant	alkali mariposa-lily	<i>Calochortus striatus</i>	BLM	(CRPR 1B.2)
	Bakersfield cactus	<i>Opuntia basilaris</i> var. <i>treleasei</i>	FE	SE (CRPR 1B.1)
	bare-stem larkspur	<i>Delphinium scaposum</i>	—	(CRPR 2.3)
	Barstow woolly sunflower	<i>Eriophyllum mohavense</i>	BLM	(CRPR 1B.2)
	Cushenbury buckwheat	<i>Eriogonum ovalifolium</i> var. <i>vineum</i>	FE	(CRPR 1B.1)
	desert cymopterus	<i>Cymopterus deserticola</i>	BLM	(CRPR 1B.2)
	flat-seeded spurge	<i>Chamaesyce platysperma</i>	BLM	(CRPR 1B.2)
	Lane Mountain milk- vetch	<i>Astragalus jaegerianus</i>	FE	(CRPR 1B.1)
	Little San Bernardino Mountains linanthus	<i>Linanthus maculatus</i>	BLM	(CRPR 1B.2)
	Mojave monkeyflower	<i>Mimulus mohavensis</i>	BLM	(CRPR 1B.2)
	Mojave tarplant	<i>Deinandra mohavensis</i>	BLM	SE (CRPR 1B.3)
	Munz's cholla	<i>Cylindropuntia munzii</i>	BLM	(CRPR 1B.3)
	Owens Valley checkerbloom	<i>Sidalcea covillei</i>	BLM	SE (CRPR 1B.1)
	Palmer's jackass clover	<i>Wislizenia refracta</i> ssp. <i>palmeri</i>	—	(CRPR 2.2)

Attachment 1
DRECP Proposed Covered Species List

Taxa	Common Name	Scientific Name	Federal Status¹	State Status²
	Parish's alkali grass	<i>Puccinellia parishii</i>	BLM	(CRPR 1B.1)
	Parish's daisy	<i>Erigeron parishii</i>	FT	(CRPR 1B.1)
	Parish's phacelia	<i>Phacelia parishii</i>	BLM	(CRPR 1B.1)
	triple-ribbed milk-vetch	<i>Astragalus tricarinatus</i>	FE	(CRPR 1B.2)
	white-margined beardtongue	<i>Penstemon albomarginatus</i>	BLM	(CRPR 1B.1)

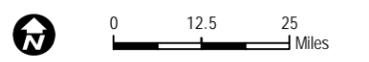
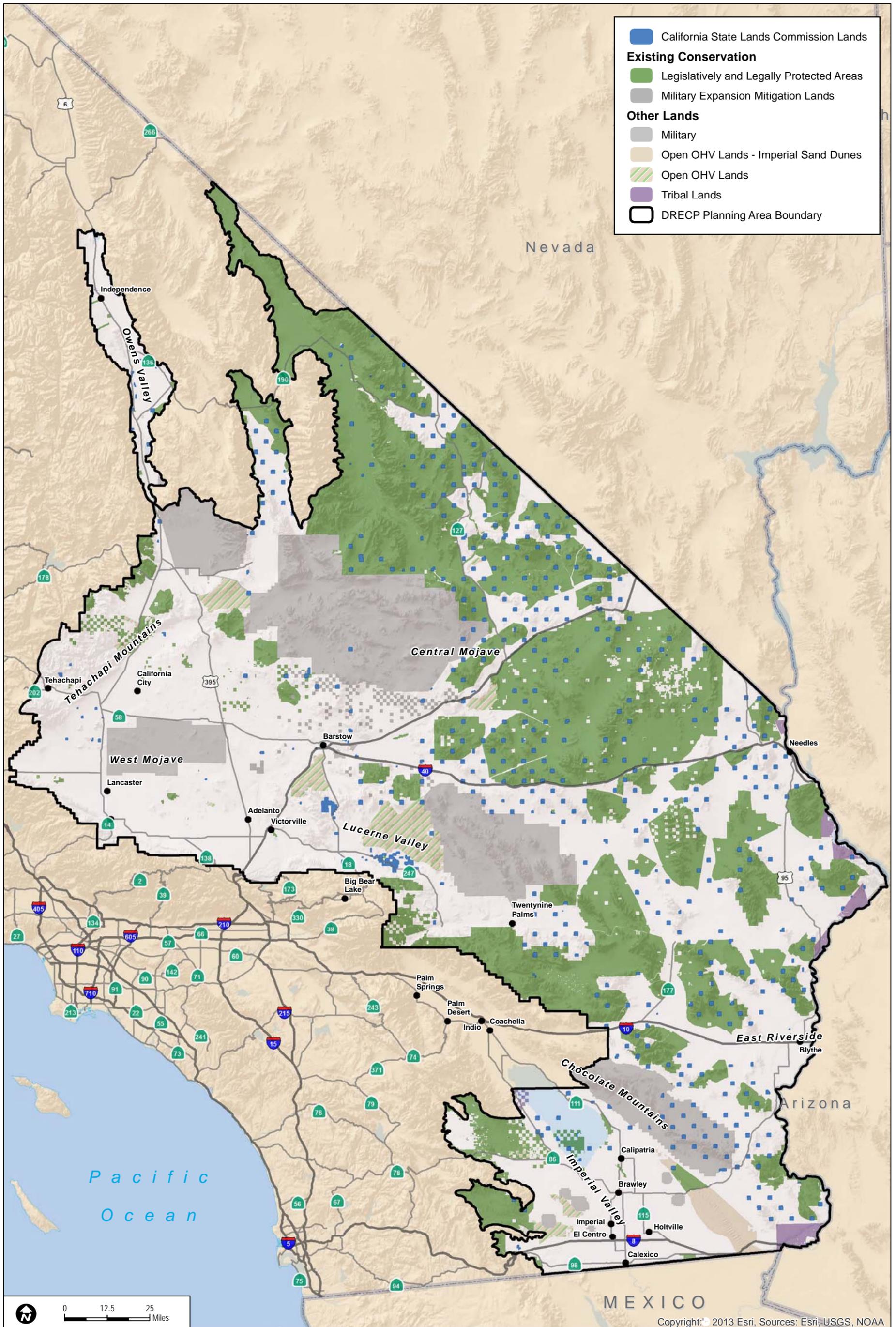
Notes:

1. Federal Status

FE: Federally Endangered; FT: Federally Threatened; FC: Federal Candidate Species; FD: Federally delisted; FPD: Federal Proposed for Delisting; FPE Federally proposed for listing as Endangered; FPT Federally proposed for listing as Threatened; FS: Forest Service sensitive; BLM: Bureau Land Management sensitive; BCC: Bird of Conservation Concern

2. State Status

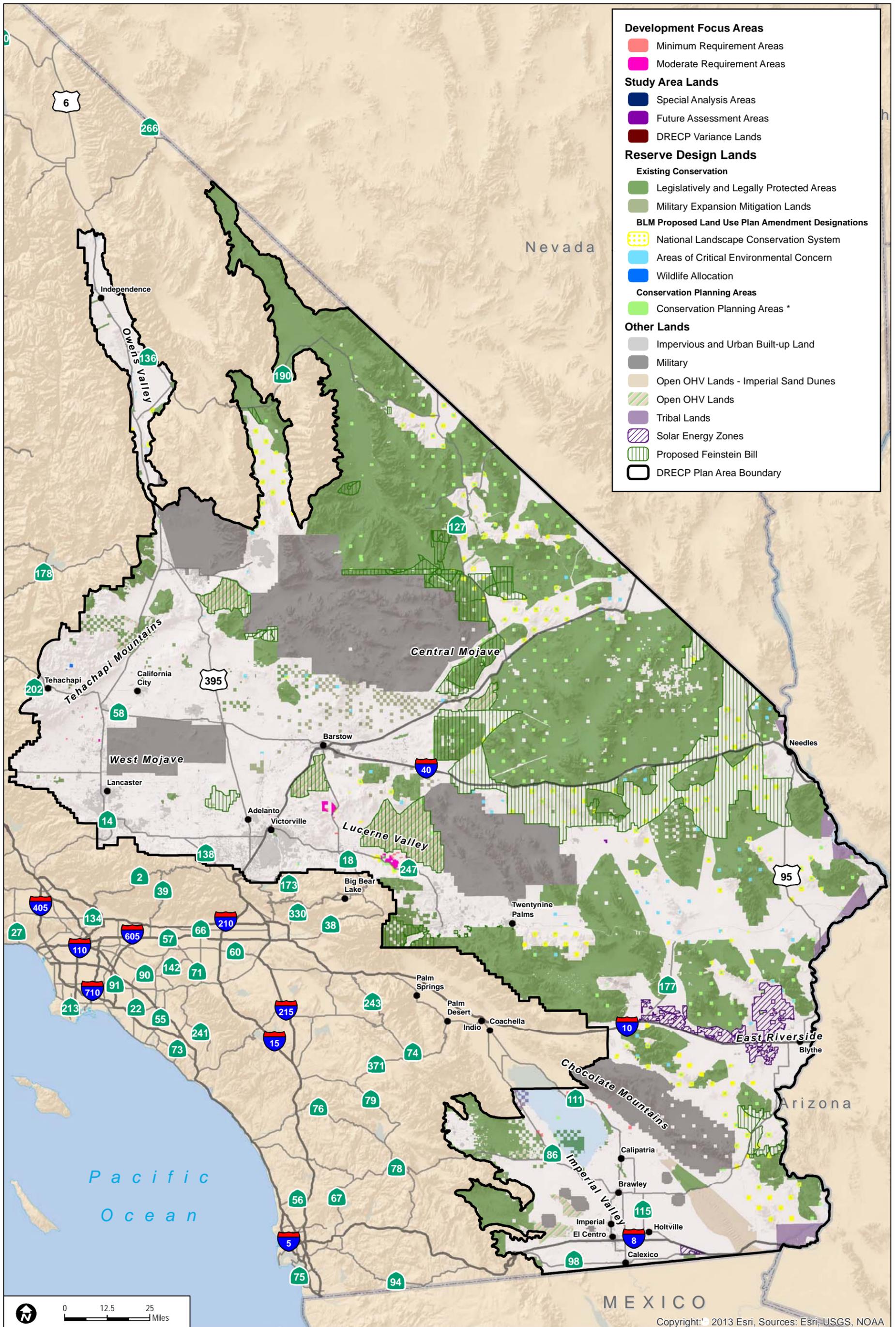
SE: State Endangered; ST: State Threatened; SCT: State candidate for listing as Threatened; SD: California delisted; SR: State Rare; CSC: California Species of Concern; CDF: California Department of Forestry and Fire Protection; FP: Fully Protected; CRPR: California Rare Plant Rank



Sources: USGS (2001,2010); ESRI (2010); BLM (2012)

Copyright: © 2013 Esri, Sources: Esri, USGS, NOAA

FIGURE I.0-5
California State Lands Commission Lands



Sources: USGS (2001,2010); ESRI (2010); BLM (2012); CDFW (2013)

*Private and other public lands (outside Existing Conservation Areas and BLM LUPA Designations) from which reserve areas will be assembled from willing sellers to meet DRECP biological goals and objectives.

Desert Renewable Energy Conservation Plan (DRECP)

FIGURE II.3-6

Preferred Alternative - CSLC HCP

Attachment 4A
Integrated Preferred Alternative within the CSLC HCP

Integrated Alternative	Acreage
DFAs	20,300
Minimum Requirement DFAs	8,485
Moderate Requirement DFAs	11,815
Study Area Lands	497
DRECP Variance Lands	<1
Future Assessment Areas	497
Special Analysis Areas	<1
Reserve Design Lands	297,044
Existing Conservation	46,844
BLM LUPA Conservation Designations	130,279
Conservation Planning Areas	119,920
Other Lands¹	20,887
Impervious and Urban Built-up Land	145
Open OHV Lands	2,038
Undesignated	18,704
Total	338,728*

Note: The integrated Alternative reports the full BLM LUPA designation regardless of land ownership; the proposed BLM LUPA applies only to BLM-administered lands.

¹Other Lands also include 77 acres of military and 66 acres of tribal lands.

*Note: acreage numbers and the total are estimates based on GIS mapping and are subject to change/verification.

Attachment 4B

Preferred Alternative Development Focus Areas by Technology Type by Ownership Class

DFA Type by Technology Type Category	Private	Federal (No BLM)	BLM	Non-Federal	CSLC	Total Acreage
Geothermal	27,429	17,663	44,066	32,748	73	121,979
Minimum Requirement DFAs	17,487	308	8,362	2,443	64	28,664
Moderate Requirement DFAs	9,942	17,355	35,704	30,305	9	93,315
Solar	869,746	2,514	120,734	3,776	771	997,540
Minimum Requirement DFAs	525,035	2,048	50,353	3,280	525	581,241
Moderate Requirement DFAs	344,711	466	70,381	496	245	416,299
Solar (Outside DNI)¹	54,909	104	6,996	845	127	62,982
Minimum Requirement DFAs	31,080	82	2,121	755	53	34,091
Moderate Requirement DFAs	23,829	22	4,876	90	74	28,892
Solar and Geothermal	183,115	2,404	41,573	1,165	3,279	231,536
Minimum Requirement DFAs	181,134	1,961	30,086	922	3,265	217,368
Moderate Requirement DFAs	1,981	444	11,487	243	14	14,168
Solar and Wind	353,207	1,853	138,023	4,906	14,525	512,515
Minimum Requirement DFAs	225,683	1,047	59,189	4,882	4,105	294,907
Moderate Requirement DFAs	127,524	806	78,834	24	10,420	217,609
Solar, Wind and Geothermal	5,222	1	78	—	—	5,301
Minimum Requirement DFAs	5,222	1	78	—	—	5,301
Moderate Requirement DFAs	—	—	<1	—	—	<1
Wind	75,209	284	18,714	68	1,525	95,800
Minimum Requirement DFAs	35,191	170	6,620	56	472	42,509
Moderate Requirement DFAs	40,018	114	12,093	12	1,053	53,290
Wind and Geothermal	39	—	—	—	—	39
Minimum Requirement DFAs	39	—	—	—	—	39
Total	1,568,876	24,822	370,185	43,509	20,300	2,027,693

¹Solar (Outside DNI) refers to DFAs identified for solar technology type with slopes greater than 5%

Attachment 4C

Distribution of Permanent Disturbance and Project Area Associated with Solar and Ground Mounted Distributed Generation Across Different Subregions of the Plan

Subregion	Permanent Disturbance				Project Area			
	Total	Private and other non-Federal	BLM	CSLC	Total	Private and other non-Federal	BLM	CSLC*
Cadiz Valley and Chocolate Mountains	25,745	7,417	18,328	-	25,745	7,417	18,328	-
Imperial Borrego Valley	40,220	33,038	6,854	329	40,220	33,038	6,854	329
Kingston and Funeral Mountains	3,064	714	2,350	-	3,064	714	2,350	-
Mojave and Silurian Valley	3,103	1,968	1,136	-	3,103	1,968	1,136	-
Owens River Valley	526	-	526	-	526	-	526	-
Panamint Death Valley	-	-	-	-	-	-	-	-
Pinto Lucerne Valley and Eastern Slopes	7,524	4,213	1,781	1,531	7,524	4,213	1,781	1,531
Piute Valley and Sacramento Mountains	-	-	-	-	-	-	-	-
Providence and Buillion Mountains	1,052	533	519	-	1,052	533	519	-
West Mojave and Eastern Slopes	36,897	31,653	5,244	-	36,897	31,653	5,244	-
Grand Total	118,133	79,535	36,739	1,859	118,133	79,535	36,739	1,859

*Note: numbers reflect estimated development based on the “proportional development scenario” described in the DRECP; because CSLC is applying to develop all available school lands in DFAs, these numbers are subject to change.

Attachment 4D
Distribution of Permanent Disturbance, Blade Swept Area and Project Area Associated with Wind Generation Across Different Subregions of the Plan

Subarea	Permanent Disturbance				Blade Swept Area				Project Area			
	<i>Total</i>	<i>Private and other non-Federal</i>	<i>BLM</i>	<i>CSLC</i>	<i>Total</i>	<i>Private and other non-Federal</i>	<i>BLM</i>	<i>CSLC</i>	<i>Total</i>	<i>Private and other non-Federal</i>	<i>BLM</i>	<i>CSLC*</i>
West Mojave and Eastern Slopes	3,325	3,080	245	-	2,559	2,379	180	-	60,221	55,985	4,236	-
Grand Total	8,968	5,070	3,500	399	6,870	3,870	2,716	284	161,639	91,054	63,912	6,674

*Note: numbers reflect estimated development based on the “proportional development scenario” described in the DRECP; because CSLC is applying to develop all available school lands in DFAs, these numbers are subject to change.

Attachment 4E
**Distribution of Permanent Disturbance and Project Area Associated with Geothermal
Generation Across Different Subregions of the Plan**

Subarea	Permanent Disturbance				Project Area			
	<i>Total</i>	<i>Private and other non-Federal</i>	<i>BLM</i>	<i>CSLC</i>	<i>Total</i>	<i>Private and other non-Federal</i>	<i>BLM</i>	<i>CSLC</i>
Cadiz Valley and Chocolate Mountains	-	-	-	-	-	-	-	-
Imperial Borrego Valley	9,581	6,028	3,347	206	16,515	10,391	5,771	352
Kingston and Funeral Mountains	-	-	-	-	-	-	-	-
Mojave and Silurian Valley	-	-	-	-	-	-	-	-
Owens River Valley	553	-	553	-	952	-	952	-
Panamint Death Valley	-	-	-	-	-	-	-	-
Pinto Lucerne Valley and Eastern Slopes	-	-	-	-	-	-	-	-
Piute Valley and Sacramento Mountains	-	-	-	-	-	-	-	-
Providence and Buillion Mountains	-	-	-	-	-	-	-	-
West Mojave and Eastern Slopes	-	-	-	-	-	-	-	-
Grand Total	10,134	6,028	3,900	206	17,467	10,391	6,723	352