GUIDELINES FOR SOLAR ENERGY DEVELOPMENT

On July 27, 2012 the Department of Energy and the Department of the Interior (through its BLM) made available their joint "Final Programmatic Environmental Impact Statement for Solar Energy Development" in six southwestern states (i.e., AZ, CA, CO, NV, N.M., and UT). This final environmental impact statement has been released after consideration of over 200,000 comments to draft and supplemental draft statements. It embodies a blueprint for utility-scale solar energy development by establishing priority, potential, and prohibited zones for solar energy development. The idea is to expedite solar energy projects by eliminating case-by-case determinations of the suitability of locations, and to direct project applicants to areas already determined to be characterized by excellent solar resources, good energy transmission potential, and relatively low conflict with biological, cultural and historic lands.

The solar development program identifies 285,000 acres in 17 priority development zones, including 2 in Riverside and Imperial Counties in southern California. It also identifies 19 million acres in "variance" or potential development areas, and 78 million acres that are excluded from solar energy development. The excluded areas include National Conservation Areas, National Monuments, Wilderness Areas, Wilderness Study Areas, Wild and Scenic Rivers and lands BLM has previously identified as environmentally sensitive.

After a 30 day period for protests, Interior Secretary Ken Salazar is expected to promulgate the new guidelines. Like all federal regulations adopted after rulemaking procedures, they will have the force and effect of law. It remains to be seen how effective they will be in protecting California's fragile desert ecosystems, which are prime candidates for solar energy projects, but at least good guidelines are in place.