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Statement of Defenders of Wildlife

To: John Kessler [jkessler@energy.state.ca.us]

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On behalf of Defenders of Wildlife (“Defenders”) and our more than half a million members and supporters in the U.S., 100,000 of which are in California, I am writing to provide comments on the Energy Commission’s Final Staff Assessment (FSA) for the Victorville 2 Hybrid Power Project. Defenders is dedicated to protecting all wild animals and plants in their natural communities.

Before commenting on the impact of this proposed project to wildlife and biological resources, Defenders would like to stress that we strongly support the emission reduction goals found in AB 32, including the development of renewable energy in California. However, we urge that in the quest for renewable power that project proponents design their projects in the most sustainable manner possible. This includes everything down to project site selection. This is essential to ensure that project approval moves forward expeditiously and in a manner that does not sacrifice our fragile desert landscape and wildlife in the rush to meet our renewable energy goals. Indeed, we do have concerns about the potential impacts of Victorville 2 Hybrid Power Project to listed species and other associated desert habitat and water quality

Our chief concern is the impact that the project will have on wildlife, namely the federally and state listed desert tortoise and the state listed Mohave ground squirrel. The proposed project area is a large (388 acres) and has good quality habitat that will be lost permanently if the project is built. It possesses desert scrub, desert saltbush scrub, Mojavean juniper woodland and scrub. The project represents a loss of habitat for desert tortoise, in that Victorville 2 would permanently disturb by grading a total of approximately 338 acres of Mojave creosote bush scrub, including creosote rings. Both desert tortoise and Mohave ground squirrel are dependent on creosote bush and relocation is unlikely to be an option for creosote rings due to their size and root structure.

Mitigation

It is crucial to note that the Fremont-Kramer Desert Wildlife Management Area (DWMA) is located just three miles north of the project and is co-located with desert tortoise critical habitat. Since this project lies so close to this DWMA and has the potential to interrupt wildlife migration pathways, **the project applicant must provide a 5:1 mitigation ratio** for these lands with an established presence of special-status wildlife such as the burrowing owl, desert tortoise, and Mohave ground squirrel.

Mohave Ground Squirrel

Creosote bush scrub is the most wide-spread of the broad community types within the range of the Mohave ground squirrel (MGS Conservation Strategy, 2005). According to Dr. Phil Leitner, (pers. Comm., 2007) round-tailed ground squirrels thrive best in disturbed habitat. This project could therefore open up a niche the round-tailed ground squirrels are more likely to exploit, in that they favor disturbed habitat. Defenders of Wildlife therefore sees the habitat destruction threat as one that may be indirectly linked to future genetic problems for the Mohave ground squirrel. With regards to the issue of trapping and MGS: we would

like to reiterate that not finding MGS within the project footprint is not evidence that they are absent. Indeed, winter rainfall variation affects range contraction and expansion, and this in turn affects MGS presence and absence data. Often MGS are not found one year but are found in subsequent surveys.

Furthermore, we note:

- Critical habitat for the southwestern willow flycatcher is located within approximately 150 feet of portions of the Segment 1 transmission line route.
- Critical habitat for the desert tortoise is located approximately 3 miles north of the power plant site.
- Critical habitat for the arroyo toad is located approximately 3.5 miles southeast of the end of Segment 3 of the transmission line route

We have more species-specific concerns related to the desert tortoise and MGS, which can be found in our more detailed comments on the preliminary staff assessment.

Sincerely,

Mike Skuja, MSc
California Representative
Defenders of Wildlife