



**California Office**

1303 J Street, Suite 270 | Sacramento, CA 95814 | tel 916.313.5800 | fax 916.313.5812  
[www.defenders.org](http://www.defenders.org)

**DOCKET**

**09-AFC-6**

DATE MAY 04 2010

RECD. MAY 04 2010

May 4, 2010

Alan Solomon  
Project Manager, Siting, Transmission and Environmental Protection Division  
California Energy Commission  
1516 Ninth Street, MS-15  
Sacramento, California 95814

Via email to: [asolomon@energy.state.ca.us](mailto:asolomon@energy.state.ca.us)

Re: Comments on Staff Assessment/Draft Environmental Impact Statement for the proposed Blythe Solar Power Project (09-AFC-6)

Dear Mr. Solomon:

Thank you for the opportunity to review and comment on the Staff Assessment/Draft Environmental Impact Statement (SA/DEIS) for the proposed Blythe Solar Power Project. These comments are submitted on behalf of Defenders of Wildlife (Defenders), a non-profit public interest conservation organization with more than 1,000,000 members and supporters nationally, 200,000 of which reside in California. Our comments are specifically directed at the Staff Assessment component of the subject document. We intend to submit comments to the Bureau of Land Management (BLM) on the Draft Environmental Impact Statement by the due date established by BLM. Defenders submitted scoping comments on the proposed project on December 23, 2009.

Defenders is dedicated to protecting all wild animals and plants in their natural communities. To this end, we employ science, public education and participation, media, legislative advocacy, litigation, and proactive on-the-ground solutions in order to impede the accelerating rate of extinction of species, associated loss of biological diversity, and habitat alteration and destruction.

As we transition toward a clean energy future, it is imperative for our future and the future of our wild places and wildlife that we strike a balance between addressing the near term impact of large scale solar development with the long-term impacts of climate change on our biological diversity, fish and wildlife habitat, and natural landscapes. To ensure that the proper balance is achieved, we need smart planning for renewable power that avoids and minimizes adverse impacts on wildlife and wild lands. These projects should be placed in the least harmful locations, near existing transmission lines and already disturbed lands.

Our comments are presented below by subject:

**Project Alternatives:** We are pleased the California Energy Commission (CEC) staff has considered a number of alternatives that would potentially avoid or significantly reduce the

**National Headquarters**

1130 17th Street, N.W.

Washington, D.C. 20036-4604

tel 202.682.9400 | fax 202.682.3311

impacts to biological resources and the natural environment. In our scoping comment letter we suggested one alternative include a reduced project scale and specifically one that excluded the western one-half of the proposed project due to biological resources and habitat concerns. We continue to believe this recommended alternative, which would result in a project one-half as large and generating approximately 500 MW, is very important, and far superior to both the proposed project by the applicant, and the 750 MW alternative identified by CEC staff and analyzed in the SA.

We strongly support any private land alternative that would involve the use of previously disturbed surface where the natural vegetation community no longer exists. The Blythe Mesa alternative is one that appears to be worthy of strong consideration because it is comprised of degraded private lands.

The issue of site control is raised frequently by applicants and is used as a justification for limiting project location consideration to public land under the jurisdiction of the BLM. We are please the CEC staff are actively seeking and evaluating private land alternatives whereas BLM considers them to be categorically unreasonable because it does not have jurisdiction over private lands. With regard to site control, we believe applicants should be required to demonstrate to what extent they have sought to gain site control of private lands, including consolidation of multiple parcels. CEC staff should refrain from simply accepting the applicant's opinion that site control was deemed uncertain or too costly without independent verification and concurrence by CEC staff.

Technology: We recommend strong consideration be given to photovoltaic technology as an alternative because it can be deployed on smaller tracts of land, thus making it ideal for use on smaller parcels of private land that have been previously disturbed, or on a combination of disturbed private and public lands that lack the high biological values associated with intact natural plant and animal communities typically found on more remotely located, undisturbed public lands.

**Water Use and Availability:** The availability and sustainability of groundwater to support the proposed project needs to be very carefully analyzed and considered with regard to project feasibility. We raise this issue because of the recent letter dated 3/22/10, from Gerald Zimmerman, Executive Director of the Colorado River Board of California, to you regarding the issue of water availability for this project due to the hydrological continuity with the Colorado River. Mr. Zimmerman indicated that water in support of the proposed project would have to be sought from an existing contract water holder, namely the Metropolitan Water District of California.

**Biological Resources Impacts:** The western one-half of the proposed project clearly contains the greatest diversity and density of biological resources. Defenders staff recently examined the proposed project site and hiked through the western half of the project area to the base of the McCoy Mountains. This entire area contains numerous braided washes of varying size and complexity, most of which support vegetation dependent on intermittent water flow from precipitation events. The Desert Woodland Wash vegetation, comprised largely of Palo Verde, Smoke Tree and Desert Ironwood, is very prominent in many of the washes. I have included a

photo of this type of wash habitat located in the northwestern quarter of the proposed project area. Another important vegetation community associated with these braded washes is the Brittlebush – Galleta Grass complex.

The need to avoid and minimize, to a reasonable degree, these ephemeral desert wash habitats, stems from their ecological and habitat values in this harsh desert environment. The diversity and physical structure of the ephemeral wash-dependent vegetation serves as the primary sheltering, feeding, nesting and movement habitat for nearly all wildlife species, both resident and migratory. This is the primary reason for our strong support for the project alternatives identified above. The ideal alternative would avoid all significant impacts, but reasonable alternatives would also include the reduced size and power output option we identified in our scoping comments and in this letter. We strongly believe that a 250 MW or 500 MW alternatives that is located within the eastern one-half of the proposed project area is biologically justified and reasonable under the goals and objectives of the CEC in their analysis and permitting requirements.

Surface Hydrology: The extensive modification of the natural surface drainage system proposed to protect the developed facilities from the effects of uncontrolled surface water flow following precipitation events would be very detrimental to the biological resources on the site. All naturally occurring braded washes would be leveled and filled and surface waters captured and diverted around the developed site through five engineered drainage channels. All biological and resources and their values would be lost.

We consider alternatives to the proposed project the only viable means of eliminating or reducing this impact to acceptable levels.

Bighorn Sheep: The McCoy Mountains are considered suitable habitat for Desert Bighorn Sheep but are reported as currently unoccupied by the species.<sup>1</sup> The McCoy Mountains is identified as an area supporting one of the numerous demes or bighorn subpopulations that comprise the larger Southern Mojave Metapopulation.

We are unaware of any recent systematic surveys for Bighorn Sheep in the McCoy Mountains. In the absence of such surveys we believe it is probable that the range is occupied seasonally by Bighorn and that winter and spring seasonal foraging habitat for Bighorn Sheep may occur on the lower slopes and washes draining from the McCoy Mountains. This scenario is supported by statements in the SA/DEIS on page C.2-69.

The SA/DEIS assumes there would be no direct impact to Bighorn from the proposed project, but identifies a future indirect impact of “impairment” of habitat connectivity. (SA/DEIS at C.2-52). An analysis of the impact to future habitat connectivity should be performed so that connectivity habitat can be identified in relationship to the proposed project and other planned solar projects to the north and northeast. It is our understanding that the California Department of Fish and Game is developing a management plan based, in part, on subpopulations that are

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<sup>1</sup> Bureau of Land Management. 2002. Northern and eastern Colorado Desert Coordinated Management Plan. Moreno Valley, Ca.

interconnected and supported by movements of individual animals between mountain ranges. Such movements and interconnected subpopulations are being identified through DNA analysis.

Construction of a rainwater catchment or guzzler as mitigation for possible impact to future bighorn connectivity habitat is speculative and questionable. Staff considers a guzzler providing a reliable source of water would attract Bighorn and “expand foraging opportunities in the lower elevations of the mountains to replace spring foraging habitat lost to Project facilities.”

A guzzler installation as mitigation would seem more appropriate to consider if the habitat feature being impacted was a permanent water source utilized by Bighorn during the summer and fall seasons when moisture derived from vegetation (forage) is lacking. Such is not the case, and we question whether the proposed guzzler would potentially provide any mitigation for loss of connectivity or seasonal habitat in the lower elevations of the McCoy Mountains. In the absence of more systematic surveys, we think Bighorn Sheep may occur in the McCoy Mountains and that the western reaches of the proposed project area would probably provide seasonal foraging habitat. We are therefore puzzled as to how a guzzler would compensate for loss of such seasonal foraging habitat by expanding foraging opportunities in lower elevations. We believe the project will remove suitable seasonal foraging habitat, and installation of a guzzler will not mitigate or compensate for that loss.

Climate Change: Although the SA/DEIS addressed climate change, we encourage a more in-depth analysis of the importance of the Desert Woodland Wash habitat in sustaining species diversity and landscape level movements as temperatures in the Southwestern U.S. rise significantly over the next several decades, as predicted in numerous studies.

This concludes our comments on the SA/DEIS. Thank you for considering our comments. If you have any questions, please contact me at (916) 313-5800 x110 or via email at [jaardahl@defenders.org](mailto:jaardahl@defenders.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Aardahl". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jeff Aardahl  
California Representative