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Subject: Comments on Draft Desert Tortoise Translocation Plan for the Ivanpah Solar Electric Generating System

Dear Mr. Kessler,

Basin and Range Watch would like the following comments to be considered concerning the Draft Desert Tortoise Translocation Plan for the Ivanpah Solar Electric Generating System.

We are concerned that the schedule Solar Partners LLC et al. (Bright Source) is attempting to follow is too rapid to insure that the translocation plan can be successful.. The number of only 25 individual desert tortoises (*Gopherus agassizii*) that need to be translocated is based on presence/absence surveys and could be inaccurate. We request that at least four more surveys of the entire area including the translocation sites be conducted during both the spring and fall months in both 2010 and 2011. These surveys should include line distance surveys. Given the quality of the habitat, we do not feel that Bright Source has adequately determined an accurate population number.

We do not believe that the translocation area is an acceptable location to move the tortoises to. The relocation site is located at a lower elevation which will receive less rainfall and be subjected to higher summer temperatures. Former research has indicated that the project area supports 50 to 100 individuals per square mile and the lower lying habitat near Interstate 15 only supports only 20 to 50 per square mile (Berry 1984).

The translocation sites are also a poor choice due to the close proximity to Highway 15 and the golf course. The highway attracts subsidized predators looking for food and the golf course has an abundance of water and perches that increases the local populations of both ravens (*Corvus corax*), and coyotes (*Canis latrans*). The failures of the recent attempts to translocate desert tortoises from the Ft Irwin National Training Center are well known and have resulted in the loss of many tortoises. The extreme predator control measures of numerous coyotes and ravens have not helped the situation. Translocating the tortoises to the sites near the highway could result in the loss of both adult and juvenile tortoises.

Basin and Range Watch is curious as to how the sites by the highway were selected and would like to suggest that a different translocation site be selected. Suitable areas in the Mojave National Preserve have been identified.

Recent genetic studies by Murphy et al.,2007 have concluded that tortoise populations from different recovery units including the Northeastern Mojave Recovery Unit are unique. It makes little sense from a recovery perspective to even disturb this site. The Ivanpah Solar Generating System

Preliminary Staff Assessment has also stated that over 90 carcasses were found during the surveys. It would be good to know the cause of the deaths of these animals. Because the proposed project site is located within the Northeastern Mojave Recovery Unit, this kind of die off could indicate a significant problem with this population. A large energy facility destroying close to 5,000 acres of tortoise habitat is probably the worst kind of development that could be considered in regards to preserving this population. We would like to know how many, if any of the live tortoises found on the site were tested for upper respiratory tract disease (URTD).

In conclusion, we feel that the project is being rushed through so quickly, that the attempts to mitigate the environmental damage are going to fall short of actually being successful, thus undermining the goals of the 1994 Desert Tortoise Recovery Plan (Mojave Population). The very last thing the California Energy Commission (CEC) should be doing is trying to accommodate the requests of Bright Source to start construction by 2010. There is clearly much more data that needs to be gathered before the project is awarded the green light. We fear that the staggering amount of renewable energy project permits filed on Bureau of Land Management lands in the California Desert District have the potential to expedite the extinction of the desert tortoise. We also feel that industrial energy development of our desert ecosystems is a very inappropriate use of our biologically rich public lands. CEC should be considering a smarter use of renewable energy that utilizes roof tops and degraded agricultural lands.

Thank you,

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