



CALIFORNIA  
NATIVE PLANT SOCIETY

California Energy Commission

**DOCKETED**  
**11-AFC-02**

TN # 69390

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February 4, 2013

To: Mr. Mike Monasmith, Project Manager  
California Energy Commission – Docket Unit  
Attn: Docket No. 11-AFC-02  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
docket@energy.ca.gov

Re: Public Comment from California Native Plant Society regarding inadequacy of mitigation requirements for *Astragalus sabulonum* in the CEC Final Staff Assessment for Hidden Hills SEGS (Docket #: 11-AFC-02)

Dear Mr. Monasmith:

The California Native Plant Society (CNPS) has recently reviewed the Final Staff Assessment (FSA) for the Hidden Hills Solar Energy Generation System project (HHSEGS, Docket #: 11-AFC-02).

We register herein our strong objection to the current mitigation requirement for gravel milkvetch (*Astragalus sabulonum*, or ASSA) as described in the FSA (Biological Resources p. 4.2-154) and in Condition of Certification BIO-20.1, and recommend additional measures needed to reduce the threat of extirpation of this species from California due to impacts from the HHSEGS project.

We have reviewed how a 3:1 compensation ration for a species with a CNDDDB element ranking of S1, or 2:1 for a ranking of S2 would be required in this specific project instance, however when this rationale is applied in the case of ASSA, one can conclude the priority for protection of this species has been disregarded.

As described in the FSA and listed in Biological Resources Table 17 (pp. 4.2-158-160), there are eight reliably certain occurrences of ASSA documented in California. Four of these will be destroyed by project impacts - 50% of the occurrences. There are four remaining off-site occurrences in CA, all of which occur on lands where the plant's habitat faces continued degradation over time from a high percent cover of weedy, invasive plant species, impacts from off-road vehicle activity, and other stressors. Based on the HHSEGS FSA's 2:1 mitigation requirement for a rank S2 species, only 2 of the 8 California occurrences of ASSA will be placed in conservation status as mitigation, while 4 of the 8 occurrences will be destroyed.

Because half of ASSA's California population will be impacted by the project, the current 2:1 mitigation ratio based on species rather than on number of onsite occurrences actually creates a result that is opposite the original intent of the 2:1 ratio. As required in the FSA,

for every 2 occurrences of ASSA lost onsite (4 total), only 1 occurrence will be protected offsite through mitigation (2 total). This "kill 2 : save 1" ratio of mitigation does not bode well for the species.

CNPS believes the current HHSEGS mitigation requirement for gravel milkvetch will lead to a future scenario where all but 2 occurrences remain in California, and only then by active habitat restoration to reduce on-going threats to the species. This does not represent a balanced approach to renewable energy development and natural resource protection.

For ASSA, half the species' California population will be destroyed. The remaining half must be protected.

CNPS strongly urges the California Energy Commission to work with the project applicant in order to modify the Conditions of Certification for gravel milkvetch whereby all 4 remaining off-site occurrences are conserved either through fee-title acquisition or through establishment of conservation easement, or some combination of both. In either case, management of the remaining offsite occurrences - and of any additional ASSA occurrences discovered in subsequent surveys that would total to at least the number of original onsite occurrences impacted - must focus on active management of weeds and other factors affecting the long term survival of the remaining offsite occurrences - over the life of the project. These steps are imperative in order to restore the habitat quality of the remaining ASSA occurrences and reduce the threat of extirpation of this species from California.

Sincerely,



Greg Suba  
Conservation Program Director  
California Native Plant Society

*Protecting California's native flora since 1965*

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