March 24, 2012

Mr. Gregory Helseth
Bureau of Land Management
Las Vegas Field Office
4701 North Torrey Pines Drive
Las Vegas, NV 89130-2301

Re: Draft Environmental Impact Statement for the Searchlight Wind Energy Project (NVN – 084626)

Dear Mr. Helseth:

The Desert Tortoise Council welcomes the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the proposed Searchlight Wind Energy Project (Searchlight WEP).

The Desert Tortoise Council is a private, non-profit organization made up of hundreds of professional and laypersons who share a common fascination with wild desert tortoise and commitment to advancing the public's understanding of them. Established in 1976 to promote conservation of tortoises in the desert of the southwest and Mexico the goal of the Council is to ensure perpetual survival of viable populations of desert tortoises within suitable areas of its historic range. Accordingly, our comments will focus on the potential impacts of the Searchlight Wind Energy Project to Mojave Desert tortoise and the tortoise populations on the proposed site.

The Council believes the potential impacts of Searchlight WEP biological resources cannot be reduced to less than significant levels because the acreage provides especially valuable habitat for the conservation and recovery of the Federal listed Mojave desert tortoise. While the proposed site is not within a Wildlife Management Area (DWMA), the *Desert Tortoise Recovery Plan* states: "Habitat outside DWMAs may provide corridors for genetic exchange and dispersal of desert tortoises among DWMAs" (1994, 60). The Mojave Desert Tortoise was listed as a "threatened species" under the Federal Endangered Species Act in 1990 because of the precipitous decline in desert tortoise numbers due to human-caused mortality and the destruction and fragmentation of desert tortoise habitat. Siting Searchlight WEP on occupied desert tortoise habitat would contribute directly to the continued decline of the Mojave desert tortoise. Given that desert tortoise populations have been extirpated or almost extirpated from large portions of their geographical range in Nevada, it is reasonable that this valuable habitat be protected for desert tortoise conservation rather than for energy generation.

Tortoise populations within the project area appear to be greater than populations within the adjacent DWMA. According to the *Range-Wide Monitoring of the Mojave Population of the Desert Tortoise: 2010 Annual Report* (USFWS 2010, Table 6) and *Range-Wide Monitoring of the Mojave Population of the Desert Tortoise: 2008 and 2009 Annual Report* (USFWS 2010, Table 11 & 12) populations in the Piute-Eldorado DWMA have ranged from 3.1 -3.7 tortoises per square kilometer. According to the Desert

Tortoise Survey of the proposed Duke Wind Searchlight Wind Energy Farm (SNEI 2011) the tortoise density within the project area was approximately 8.2 tortoise per square kilometer. This density is more than two times higher than in the DWMA. The importance of the desert tortoise population at the proposed site and the necessity of protecting it is further supported by scientific evidence that the population density there is comparatively higher than other areas in Nevada. Protecting this tortoise population – part of the Eastern Desert Tortoise Recovery Unit -will contribute to ensuring the genetic diversity of the Mojave desert tortoise.

Of particular concerns is the area north of Highway 164 where it appears from Figure 1 SNEI Desert Tortoise Survey the density could be around 50 tortoises per square kilometer. If the project is approve, wind turbine generators (WTG) 1-28 need to be removed from the project to protect this high population of desert tortoises.

According to the DEIS, the 96 WTG Alternative will permanently impact 160 acres and temporarily impact 249 acres of desert tortoise habitat. Because the habitat recovers very slowly in the desert, all impacts should be considered permanent. Robert Webb explains that -depending on the assumptions of the model --"the extrapolated amount of time for complete or 90% recovery of compacted [desert] soils ranges from 80 to 120 years for course-grained soils…." He adds that severely disturbed sites "may require as little as a century or as long as several thousand years for full recovery of species composition" (2009). By way of illustration, Wilshire, Nielson and Hazlett report that "severely compacted soils at 29 of 31 abandoned military bases and mining town sites have not recovered even after 91 years without human occupation" and recovery of plants and animal species "is likely to take much longer, on the order of a millennium" (2008, 305).

The Cumulative Effects section in Chapter only addresses known BLM projects that could be developed place in the area. Are there other large scale projects proposed for the area not on BLM land? If so these also need to be addressed here.

Direct and indirect impacts from the project will be long lasting, it will mean not only maintenance vehicles within the area, but as mention in the document increased traffic from OHV recreationslists which will further increase the potential of tortoise be struck by vehicles. Not only because of the increased roads in the areas, but because of the width and smoothness of the roads which will enable vehicles to travel at a higher rate of speed. It could also mean additional habitat disturbance within the area as vehicles travel off the main roads. Since there is likely to be more use in the area there is also likely to be additional trash in the area bringing more raven, which can feed in juvenile tortoises.

Mitigation provided in the DEIS to nothing to mitigate for the residual impacts to desert tortoises or other species on site.

The current rate of $786/acre for loss of habitat seems low in light of the current market for land to use for alternative energy development and mitigation for other projects. In addition, due to the density of tortoise of the site, the mitigation ratio should be at least 3:1 for habitat conservation.

In sum, based on our assessment of the proposed project's location, configuration, minimal mitigation, residual and other potential impacts to desert tortoise, the Desert Tortoise Council believes there will be significant impacts to tortoises and recommends the No Project/No Action Alternative with respect to Searchlight Wind Energy Project.

Thank you for the opportunity to comment on the SA/DEIS. Please contact me by telephone at (909) 946-5027, by e-mail at gssilliman@csupomona.edu, or by U.S. mail at the address below if you wish clarification of these comments.

Sincerely,

Sidney Silliman, Ph.D. Desert Tortoise
Council 1225 Adriana Way Upland, CA
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References

Desert Tortoise Recovery Team, U.S. Fish and Wildlife Service. *Desert Tortoise (Mojave Population) Recovery Plan*. Portland: U.S. Fish and Wildlife Service, 1994.

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Webb, Robert H. "Disturbance, Vulnerability, and Recoverability of Soils and Vegetation in the Mojave Desert." Presentation at the Southern California Botanists 35th Annual Symposium "Desert Botany: Bounty or Bust," California State University, Fullerton. October 17, 2009.

Wilshire, Howard G., Jane E. Nielson, and Richard W. Hazlett. *The American West At Risk: Science, Myths, and Politics of Land Abuse and Recovery*. New York: Oxford University Press, 2008.