



DESERT TORTOISE COUNCIL

4654 East Avenue S #257B
Palmdale, California 93552

www.deserttortoise.org
ed.larue@verizon.net

Via email only

4 November 2015

Attn: Matt Straite, Principal Planner,
Riverside County Planning Department
4080 Lemon Street, 12th Floor / P.O. Box 1409 Riverside, CA 92502-1409
mstraite@rctlma.org

RE: Notice of Preparation for Specific Plan No. 339, General Plan Amendment No. 686,
Change of Zone No. 6915 (Paradise Valley), EIR No. 506.

The Desert Tortoise Council (Council) is a non-profit organization comprised of hundreds of professionals and laypersons who share a common concern for wild desert tortoises and a commitment to advancing the public's understanding of this species. Established in 1975 to promote conservation of tortoises in the deserts of the southwestern United States and Mexico, the Council regularly provides information to individuals, organizations and regulatory agencies on matters potentially affecting the desert tortoise within its geographic range.


We appreciate the opportunity to provide scoping comments for the preparation of an Environmental Impact Report (EIR) for the Paradise Valley Specific Plan (Project). Our primary source of information is the Notice of Preparation (NOP) provided by Riverside County Planning Department (County), dated 7 October 2015. We understand that there is a 30-day review period, so scoping comments are due by 7 November 2015.

1. We cannot tell from the NOP if protocol-level desert tortoise surveys (USFWS 2010) have been performed for the Project, including the 10-mile± transmission line that would extend westward from the site into the Coachella Valley. If these surveys were performed prior to 2015, the sites would need to be surveyed again to satisfy the USFWS requirement that such surveys are valid for the period of one year. Since an accurate estimate of tortoise densities is needed, the soonest these surveys could be performed would be April-May 2016 to satisfy the USFWS survey protocol.

2. We understand that portions of the new transmission line would cross public lands administered by the Bureau of Land Management (BLM). Given that tortoises would likely be affected by both site and the transmission line development, how would impacts be compensated? Would permitting occur through Section 7 of the Federal Endangered Species Act with the BLM as the Federal Lead Agency, or would a Section 10(a)(1)(B) permit be pursued?
3. Please be sure to depict on maps and describe the spatial relationship of the proposed development, including the new transmission line, relative to the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Would any portion of site development be permitted under the CVMSHCP?
4. We understand from the NOP that the project is located within the Desert Tortoise Linkage Conservation Area (DTLCA) of the CVMSHCP. Please be sure to describe the known regional occurrence of desert tortoises, both north and south of the proposed project, and analyze how the DTLCA would be affected by this project. How would site development impair linkage between tortoise habitats occurring north and south of the Project?
5. How will the proximity of this project affect tortoise habitats currently protected on nearby Joshua Tree National Park? What are tortoise densities to the north within the Park and to the south in the Chuckwalla Bench Critical Habitat Unit and how will they be affected by loss of connectivity?
6. In addition to describing and analyzing direct impacts to tortoises occurring onsite, be sure that indirect impacts and cumulative effects are described relative to the regional occurrence of tortoises. Recent regional tortoise population trends available from USFWS must be considered in the EIR analysis, particularly trends on the Chuckwalla Bench Critical Habitat Unit.
7. Be sure that environmental documents include an analysis and plan for translocation of desert tortoises. A translocation plan should address the following questions at a minimum: Where would displaced tortoises be translocated? Will they be fitted with radio transmitters and tracked for what period of time? How will the proponent determine impacts to the host tortoises in the translocation area? Will there be disease screening for displaced tortoises and how will diseased tortoises be treated in the translocation plan?
8. Assuming this project is authorized by a biological opinion, the Council believes that any translocated tortoises that are found dead with a reasonable period of time (up to a year?) should be included in the mortality take limit identified in the biological opinion.
9. Will the alternatives analysis in the Draft EIR consider variable site locations? Have other sites that are less environmentally sensitive been considered for this new town-sized development? Or is it a matter of land ownership by GLC Enterprises, LLC that requires this particular location be developed?

This project was brought to our attention by a third party, not by the Riverside County Planning Department. We ask that the County consider the Desert Tortoise Council as an Affected Party for this and any other projects in Riverside County that have the potential to adversely affect the desert tortoise.

Regards,

A handwritten signature in blue ink, appearing to read "Ed LaRue", is enclosed in a light blue rectangular box.

Edward L., LaRue, Jr., M.S.

Desert Tortoise Council, Ecosystems Advisory Committee, Chairperson

Literature Cited

U.S. Fish and Wildlife Service. 2010. Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassizii*). USFWS Desert Tortoise Recovery Office. Reno, NV.