



DESERT TORTOISE COUNCIL

4654 East Avenue S #257B
Palmdale, California 93552

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

30 March 2016

Via email only

Mr. Philip Paule, Chief of Staff to Supervisor Ramos, Philip.paule@bos.sbcounty.gov
San Bernardino Board of Supervisors
San Bernardino, CA

RE: Please do not support a well permit for the Soda Mountains Solar Project

Dear Supervisor Ramos,

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 are dismayed to learn that the Bureau of Land Management (BLM) may grant Bechtel Corporation a Record of Decision that would allow the ill-conceived Soda Mountains Solar Project (Project) to be constructed in pristine habitats in San Bernardino County. The Council has joined dozens of other environmental groups protesting this particular Project, yet by issuing a Record of Decision authorizing the project, the BLM fails to acknowledge compelling evidence that this facility should not be developed in this location.

Whereas impacts to bighorn sheep and important travel corridors may be the most compelling reason for denying this Project, it would also impact both animals and habitats of the imperiled desert tortoise. You should be aware that the Desert Tortoise Recovery Office (DTRO) of the U.S. Fish and Wildlife Service recently provided a report (USFWS 2014) to the Management Oversight Group, which includes BLM managers, documenting recent declines in desert tortoises. Therein, the USFWS estimated that 106,000 adult tortoises have been lost within the listed range since 2004, and that most of this decline has occurred in the Western Mojave Desert, including much of San Bernardino County. USFWS estimates, in the West Mojave alone, there were 152,967 tortoises in 2004, which decreased to 76,644 tortoises in 2012, which is a 50% decrease in the West Mojave planning area where the Project is proposed. The habitats that would be lost to the Soda Mountain Project are both occupied and suitable for the desert tortoise.

When we visited the site on 11 December 2012, we found areas to the northwest of Interstate 15 to be pristine and, except for a few recreational vehicle tracks, the lands to the southeast to be undeveloped and entirely suitable habitats for the desert tortoise. Studies performed on behalf of Bechtel (Kiva Biological Consulting 2013) showed that tortoises occurred in the northern third of the East Array (the area southeast of I-15) and, except for a few carcasses, were either absent or in very low densities in the North Array. Using this best available science, Kiva Biological Consulting (2013) recommended that the project be redesigned to avoid tortoises and occupied habitats on the northern third of the East Array. However, the BLM failed to adopt this recommendation from the professional biologists the Proponent hired to advise them, and are still planning to develop these previously untouched, pristine habitats. That the BLM intends to abandon the North Array area, where tortoises are absent, and to develop the East Array area, which is occupied by tortoises, demonstrates that BLM is not willing to avoid or even minimize impacts to the imperiled desert tortoise.

Based on this information, in our letters to the BLM on 13 December 2012, 1 March 2014, 15 April 2015, and a public meeting we attended on 9 January 2014, we asked that, if the project must occur, that it avoid tortoise-occupied habitats on the northern third of the East Array, which is exactly the place BLM now plans to develop solar fields. There is a strong, persisting impression that BLM is not considering the best science in this decision and is unwilling to redesign the project to avoid tortoise impacts. Given this lack of consideration by the BLM, we turn to the Board of Supervisors to ensure that the best science is being used, that impaired and degraded habitats be targeted for solar development, and stop this Project by denying the Proponent a well permit.

We are hopeful that San Bernardino County's Partnership for Renewable Energy and Conservation (SPARC) may provide responsible energy development in impaired habitats and offset, in part, BLM's ill-conceived plans to develop solar energy facilities on pristine public lands in San Bernardino County. We appreciate that the County withdrew from the Desert Renewable Energy Conservation Plan (DRECP), which among other things, would allow for the unprecedented development of up to 8,000 acres of designated desert tortoise critical habitat in the California deserts, including much of the West Mojave in San Bernardino County. There are thousands of acres of fallow agriculture, brown fields, and suburban areas where tortoises have already been eliminated that would be ideal for development of solar fields.

We are hopeful that the Board of Supervisors will be able to represent us and the desert tortoise in denying the well permit that is required for Project development. You are likely aware that in 2015 Los Angeles Department of Water and Power (LADWP) refused to buy power associated with this project from the Proponent because of the environmental impacts that would occur. Even the National Park Service (NPS) has been an outspoken opponent of this Project, which is within a quarter mile of the boundary of the East Mojave Preserve.

Herein, I summarized a few of our concerns and if you are willing, would appreciate an opportunity to speak with you on the phone to provide more insight into the adverse impacts associated with this ill-conceived project. My cell number is (760) 964-0012. We hope that Supervisor Ramos will join LADWP, NPS, dozens of environmental groups, and hundreds of San Bernardino County residents in sending the BLM a clear message that we do not want pristine habitats in our county to be developed in spite to public opposition and best science, which says we should situate such development in degraded habitats.

Thank you for your time,

A handwritten signature in blue ink, appearing to read "Edward L. LaRue, Jr.", is centered within a light blue rectangular box.

Edward L., LaRue, Jr., M.S., San Bernardino County Resident
Desert Tortoise Council, Ecosystems Advisory Committee, Chairperson

Literature Cited

Kiva Biological Consulting. 2013. Protocol desert tortoise survey for Soda Mountains Solar Project, Spring 2013. Unpublished report produced by Peter Woodman on behalf of Panorama Environmental and BLM. Ridgecrest, CA.

U.S. Fish and Wildlife Service. 2014. Update of Mojave desert tortoise population trends (dated 10 March 2014). Unpublished report prepared by the Desert Tortoise Recovery Office of the USFWS. Reno, NV. 2 pages.