

DESERT TORTOISE COUNCIL

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Via email only

24 January 2021

Mr. Jay Olivas, Project Planner
Riverside County Planning Department
77588 El Duna Ct., Ste. H
Palm Desert, CA 92211
JOlivas@rivco.org

RE: Draft Initial Study and Mitigated Negative Declaration for the Alta Mesa Wind Energy Project which includes Commercial WECS Permit No. 71R10 / Variance Case No. 200001 (WCS00071R10 / VAR200001)

Dear Mr. Olivas,

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 desert tortoise species. Established in 1975 to promote conservation of tortoises in the deserts of the southwestern United States and Mexico, the Council routinely provides information and other forms of assistance to individuals, organizations, and regulatory agencies on matters potentially affecting desert tortoises within their geographic ranges.

We appreciate this opportunity to provide comments on the above-referenced project, and that Riverside County Planning Department (County) provided the project information in an email to the Council on January 4, 2021. Given the location of the proposed project in habitats likely occupied by Mojave desert tortoise (*Gopherus agassizii*) (synonymous with "Agassiz's desert tortoise"), our comments pertain to enhancing protection of this species during activities authorized by the Planning Department. Given that the Proponent will participate in the Coachella Valley Multispecies Habitat Conservation Plan (MSHCP) and has identified numerous protective measures, and particularly the 11 Mitigation Measures identified on page 37, it appears that tortoises will be well protected so long as these measures are conscientiously implemented. As such, we have only a few additional recommendations.

Unless otherwise noted, referenced page numbers refer to the December 2020 Environmental Assessment/Initial Study (EA/IS) (Aspen Environmental Group 2020). Alta Mesa 640 LLC (Alta Mesa), a subsidiary of Brookfield Renewable Energy (Brookfield), as owner of the Alta Mesa Wind Project (Alta Mesa Wind) (herein, “Proponent”), is planning “...to install up to seven (7) new commercial wind turbines up to 499 feet in height with a total project generating capacity of 27 MW. These 7 new turbines would replace the 159 turbines currently on the site which are scheduled for decommissioning Q1 2021 under existing permits, including demolition permits issued by the County. The project also includes associated equipment such as existing on-site substation, temporary construction yard, and existing 220 kV transmission line. No work is proposed on existing interconnection line, and the project would use an existing access road from Haugen-Lehmann Way” (page 1).

The total estimated disturbed area for the Project would be a total of up to 67.3 acres, of which 18.8 acres is already disturbed and 48.5 acres would be new disturbance. Of the 67.3 acres, less than 25 acres would be permanent, and 42.3 would be temporary. Of the 42.3 acres of temporary impacts, 32.4 acres would be a buffer area where vegetation removal is not anticipated but there may be some need for drive and crush due to trucks backing up or other unanticipated construction work. Plus, an additional 13.2 acres of ground disturbance would occur along the main access road to the Project site and an additional 13 acres of ground disturbance would occur in the temporary construction yard, both within the Mesa Wind Project ROW project (page 2). The project would impact approximately 48.5 acres of suitable and potentially occupied desert tortoise habitat (unvegetated/ruderal, brittlebush scrub, California juniper woodland, California sagebrush-buckwheat scrub, Creosote bush–brittle bush scrub (page 36).

As per page 10, “At the time of decommissioning of the new 7 WTGs [wind turbine generator], all remaining existing foundations would be removed to 3 feet below the ground surface.” As per the footnote on page 36, Dr. Jeffrey Lovich has researched tortoises in this area for many years, and reports finding tortoises burrowed beneath wind turbine foundations, and the EA/IS reports finding two tortoise burrows under several of the 199 foundations inspected (page 36). So, it is essential that knowledgeable tortoise biologist(s) be enlisted to perform preconstruction surveys before and during removal of these foundations. This will presumably be required under MM BIO-2 referenced on page 37.

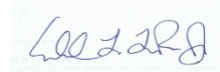
We want emphasize the mobility of tortoises and that new clearance surveys of these foundations must be performed within a reasonable amount of time, judged to be within about 48 hours of ground disturbance. We could not find a time frame for preconstruction surveys where they are discussed on page 55 but the standard is typically 48 hours in advance. This is particularly important since surveys have not been performed since 2019 (as per Appendix B of the EA).

As per MM BIO-11, a revegetation plan is required for the Project. The Proponents, and perhaps the County, may not be aware that the Council recently completed a best management practices document for restoring desert tortoise habitats. As, such we are attaching Abella and Berry (2016) for your consideration.

We recommend that prior to any ground disturbance, the Authorized Biologist identify the nearest qualified veterinarian capable of treating and rehabilitating any injured tortoises, that any injured tortoises be transported immediately to that office, and that associated veterinary bills be paid by the Proponent. This measure should be added to those listed on pages 49 and 50.

We appreciate this opportunity to provide input, the thoroughness of protective measures identified in the EA/IS, and trust that our comments will help protect tortoises during any authorized project activities. Herein, we ask that the Desert Tortoise Council continue to be identified as an Affected Interest for this and all other County projects that may desert tortoises, and that any subsequent environmental documentation for this particular project is provided to us at the contact information listed above. We also ask that you acknowledge receipt of this letter as soon as possible so we can be sure our concerns have been received by the appropriate parties.

Regards,



Edward L. LaRue, Jr., M.S.
Desert Tortoise Council, Ecosystems Advisory Committee, Chairperson

Literature Cited

Aspen Environmental Group. 2020. Environmental Assessment/Initial Study, Alta Mesa Wind Project. Unpublished report prepared for County of Riverside.

Attachments

Abella S.R. and K.H. Berry. 2016. Enhancing and restoring habitat for the desert tortoise (*Gopherus agassizii*). *Journal of Fish and Wildlife Management* 7(1):xx-xx; e1944-687X. doi: 10.3996/052015-JFWM-046.