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Desert Tortoise Council
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October 30, 2019

Carl Symons
Paul Rodriquez
Bureau of Land Management
Ridgecrest Field Office
300 S. Richmond Road
Ridgecrest, CA 93555
Via email to: csymons@blm.gov, prodriqu@blm.gov

Re: Environmental Assessment for the proposed Eland Solar Gen-Tie Line

Dear Mr. Symons and Mr. Rodriquez;

Thank you for the opportunity to review and comment on the This letter from Defenders of Wildlife (Defenders) and the Desert Tortoise Council (Council) is in response to the Environmental Assessment (EA) prepared by the Bureau of Land Management (BLM) for the proposed Eland Solar Gen-Tie Line (Project).

Project background:

The proposed Project would cross up to 2.09 miles of BLM land (0.47 miles within a Development Focus Area [DFA] and 1.62 miles within a designated utility corridor with a nominal right of way width of 100 feet. A portion of the right of way, between structures 6 and

7, would be expanded to 200-foot-wide to allow for greater spacing between the gen-tie line and other overhead electric infrastructure on the vicinity of Pine Tree Canyon Wash. The resulting gen-tie right of way would result in 25.67 acres of disturbance on public lands.

Alternative 1 would cross up to 2.88 miles of BLM land (0.47 miles within a DFA and 2.41 miles within a designated utility corridor), within a 100- to 200-foot wide right of way corridor, resulting in a gen-tie right of way that would result in 35.74 acres of disturbance on public lands. The increased disturbance is due to the proposed location of the gen-tie line farther to the west of State Route 14.

The Project and Alternative 1 would affect the desert tortoise (*Gopherus agassizii*), federal and state listed as threatened; and the Mohave ground squirrel (*Xerospermophilus mohavensis*), state listed as threatened.

Our comments and recommendations are as follows:

1. Appendix F of the EA: The EA states that the Conservation Management Actions (CMAs) associated with the Desert Renewable Energy Conservation Plan (DRECP) that are applicable to the Project and Alternative 1 are in Appendix F. However, Appendix F is not included in the documents listed on the Project webpage. We request that Appendix F be provided to use and concurrently included on the Project webpage. Absent Appendix F, we are unable to review and determine if the applicable CMAs is complete, including for example, the requirement for compensatory mitigation for impact to desert tortoise habitat.

2. Fish and Game Code Section 2081: Due to the impact of the Project on the desert tortoise and Mohave ground squirrel, both listed as threatened species under the California Endangered Species Act, the Project applicant should contact the CDFW Regional Office in Fresno, California and apply for and obtain a Section 2081 Incidental Take Permit before commencing work on the Project. The EA recognizes this need and that the Project applicant is consulting with CDFW to determine if a Section 2081 permit is required. BLM should include a condition in the right of way grant that the applicant has fulfilled this requirement and provide BLM with a copy of the permit, if required by CDFW.

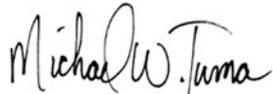
3. Minimizing Impact to the Desert Tortoise and Mohave Ground Squirrel: The proposed Project would result in less impact to the desert tortoise and Mohave ground squirrel and their habitats than Alternative 1, based on our review of Appendix A, Figure 14. The proposed Project would result in loss of 25.67 acres of habitat vs. 35.74 acres under Alternative 1. This is due to the shorter length of the proposed project on public land (2.09 miles) vs. 2.88 miles under Alternative 1. We recommend that the proposed Project be selected rather than Alternative 1. This would fulfill BLM's obligation to minimize adverse impacts to BLM Special Status Species (i.e., the desert tortoise and Mohave ground squirrel).

This concludes our comments on the EA for the Project. Please contact us if you would like to discuss our comments or if you have questions we can answer.

Sincerely,

A handwritten signature in black ink that reads "Jeff Aardahl". The signature is written in a cursive style with a long horizontal stroke at the end.

Jeff Aardahl
California Representative
Defenders of Wildlife
46600 Old State Highway, Unit 13
Gualala, CA 95445
jaardahl@defenders.org

A handwritten signature in black ink that reads "Michael W. Tuma". The signature is written in a cursive style with a long horizontal stroke at the end.

Michael W. Tuma
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