



**DESERT TORTOISE COUNCIL**

3807 Sierra Highway #6-4514

Acton, CA 93510

[www.deserttortoise.org](http://www.deserttortoise.org)

[eac@deserttortoise.org](mailto:eac@deserttortoise.org)

**Via email only**

16 August 2023

Attn: Matthew Klein, Jessica Headen

Bureau of Land Management

Southern Nevada District Office

4701 North Torrey Pines Drive

Las Vegas, NV 89130

[mklein@blm.gov](mailto:mklein@blm.gov), [jheaden@blm.gov](mailto:jheaden@blm.gov), [BLM\\_NV\\_SND\\_EnergyProjects@blm.gov](mailto:BLM_NV_SND_EnergyProjects@blm.gov)

RE: Townsite Solar 2 Project Draft Environmental Assessment (DOI-BLM-NV-S010-2023-0016-EA)

Dear Mr. Klein, Ms. Headen,

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.

Both our physical and email addresses are provided above in our letterhead for your use when providing future correspondence to us. When given a choice, we prefer to receive emails for future correspondence, as mail delivered via the U.S. Postal Service may take several days to be delivered. Email is an "environmentally friendlier way" of receiving correspondence and documents rather than "snail mail."

We appreciate that the Bureau of Land Management (BLM) contacted us directly via email on July 27, 2023, which allows the Council this opportunity to provide comments on the above-referenced project. Given the location of the proposed project in habitats known to be occupied by Mojave desert tortoise (*Gopherus agassizii*) (synonymous with Agassiz's desert tortoise), our comments pertain to enhancing protection of this species during activities funded, authorized, or carried out by the BLM, which we assume will be added to the Decision Record for this project as needed. Please accept, carefully review, and include in the relevant project file the Council's following comments for the proposed project. Unless otherwise noted, the referenced page numbers are from the BLM's Public Draft Environmental Assessment, DOI-BLM-NV-S010-2023-0016-EA, entitled "Townsite Solar 2 Project, Case File Number NVN-099875," dated August 2023.

The Council provided scoping comments on this project on September 13, 2022, which are still considered to be pertinent, are incorporated by reference, and provided in the footnote given below<sup>1</sup>. We appreciate that our scoping comments have been addressed in the Draft EA on page 5 with regards to perimeter fencing and that protective measures have been greatly expanded as demonstrated on page 8.

We note on page 47 that "Pre-project desert tortoise surveys were conducted by Allied Pacific Partners, LLC, in the fall of 2018 (October 27–30) for a broader survey effort on 458 acres that included the entire approximately 85-acre Project Area in accordance with the 2018 USFWS protocols Preparing [sic] for any action that may occur within the range of the Mojave Desert Tortoise (*Gopherus agassizii* [sic]) (Allied Pacific Partners, LLC 2022; USFWS 2018). No desert tortoise or sign was [sic] observed in either the Project Area or within the broader survey area. Although neither desert tortoise nor sign were found within the Project Area during surveys, the area may be part of an individual's home range (USFWS 2022d). Thus, USFWS estimates that the 85-acre Project Area supports no more than 1 large adult desert tortoise (USFWS 2022d)" [see Draft EA for cited references]. Again, we applaud BLM for requiring protective measures and requiring remuneration fees even though no desert tortoise sign was found on the site.

We note that the project-specific biological opinion (USFWS 2022) identifies numerous protective measures that are applicable to this and other subsections of the Draft EA. We suggest that the main bullet at the top of page 8 be augmented to indicate that the seven bullets given below are only a partial list of protective measures (e.g., a speed limit of 25 mph is an additional measure given on page 11 of the biological opinion that is applicable), and that ALL measures, including those given in the biological opinion are required.

We appreciate this opportunity to provide comments on this project and trust they will help protect tortoises during any resulting authorized activities. Herein, we reiterate that the Desert Tortoise Council wants to be identified as an Affected Interest for this and all other projects funded, authorized, or carried out by the BLM that may affect species of desert tortoises, and that any

---

<sup>1</sup> <https://www.dropbox.com/scl/fi/q4kqa1q6rtzn5864wxsaz/Townsite-Solar-2-Project.9-13-2022.pdf?rlkey=4hdlns03axuyfz02msxq02uv&dl=0>

subsequent environmental documentation for this project is provided to us at the contact information listed above. Additionally, we ask that you respond in an email that you have received this comment letter so we can be sure our concerns have been registered with the appropriate personnel and office for this project.

Respectfully,



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

cc. Glen Knowles, Field Supervisor, Southern Nevada Field Office (Las Vegas), U.S. Fish and Wildlife Service, [glen\\_knowles@fws.gov](mailto:glen_knowles@fws.gov)

### **Literature Cited**

[USFWS] U.S. Fish and Wildlife Service. 2022. Biological Opinion on the Townsite Solar 2 Project, Clark County, Nevada. Signed by Glen Knowles on October 18, 2022.