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California Energy Commission
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California Energy Commission
Dockets Office MS-4
Docket No. 09-RENEW EO-01
1516 Ninth Street
Sacramento, CA 95814-5512

Via Email: docket@energy.ca.gov

RE: **Formal comments regarding the Draft Desert Renewable Energy Conservation Plan (DRECP) and EIR/EIS**

Dear California Energy Commission:

The Desert Tortoise Preserve Committee Inc. ("DTPC") is a nonprofit charitable organization established in 1974 to promote the welfare of the desert tortoise (*Gopherus agassizii)* in the wild through land acquisition and management, scientific research, and educational outreach. The DTPC currently owns and manages over 7,000 acres of habitat for the desert tortoise and other sensitive species in the Mojave and Colorado deserts. In collaboration with the Bureau of Land Management ("BLM") and other state and federal agencies, the DTPC helped establish the Desert Tortoise Research Natural Area ("DTRNA") in Kern County, California and to this day, the DTPC manages the DTRNA in collaboration with the BLM under a cooperative agreement.

In August 2012, the DTPC expressed deep concerns about and strong objections to the draft DRECP Alternatives released in July 2012 which included Development Focus Areas encompassing much of the DTRNA. In September 2012, we expressed our support of the recommendations issued by the Independent Science Panel, including its recommendation that the DTRNA should be protected as a conservation area for the desert tortoise and other sensitive plant and animal species, and as an unique natural resource for scientific research and adaptive management. When the Description and Comparative Evaluation of Draft DRECP Alternatives were released in December of 2013, we were dismayed to find that not only was the DTRNA not considered to have any existing legal conservation status, but in the suite of six action alternatives that were presented, all but one of the alternatives contain **Development Focus Areas** that directly abut to, or overlap with, and even encompass most of the DTRNA. We conveyed comments and concerns through acceptable channels, and hoped that they would be addressed. However, on September 23rd, 2014, the Draft DRECP EIR/EIS, and the approved alternatives, including the "Preferred" Alternative, entirely failed to address our concerns. While the Renewable Energy Action Team ("REAT") claims to have made changes in plan alternatives in response to comments on the Draft DRECP Alternatives, each and every concern that we raised regarding development on and around the DTRNA has been ignored in its entirety.

Please find attached our comments, which summarize the background of the DTRNA, our objections to significant and irreversible impacts to the DTRNA under most of the **Alternatives** proposed in the Draft DRECP EIR/EIS, comments on the Draft DRECP EIR/EIS, along with recommended changes to the environmental planning document. We again urge that the DRECP exclude the DTRNA and adjacent conservation lands from all development and that the DTRNA be explicitly recognized as a vital resource for conservation, scientific research, and resource management since its establishment in 1980 and protected as such under the Sikes Act, the federal and California Endangered Species Acts, the West Mojave Plan of 2006, and other federal and state environmental statutes.

The DTRNA

The DTPC, in collaboration with the BLM and other state and federal agencies, helped establish the Desert Tortoise Research Natural Area (DTRNA) in Kern County in 1974. Since the creation of the DTRNA, the DTPC has used Congressionally-appropriated Land and Water Conservation Funds ("LWCF"), private donations, and mitigation funds received through contractual agreements with developers and state and federal agencies to acquire private lands within and adjacent to the DTRNA. The BLM invested millions of dollars in LWCF funding to acquire lands within the DTRNA from the DTPC and private in-holders and therefore much of the DTRNA lands should be held as a public trust.. In addition, the California Energy Commission ("CEC"), U.S. Fish and Wildlife Service ("USFWS"), the California Department of Fish and Wildlife ("CDFW"), state Water Board, and many local county and city agencies have approved the acquisition and management – in perpetuity – of mitigation habitat within and around the DTRNA under federal and state Incidental Take Permits, state Streambed Alteration Agreements, and state Water Board permits. Significant and irreversible impacts to the DTRNA imperils the Conservation Easement deed restrictions and mitigation requirements for approximately One Hundred (100) environmental permits that are tied to lands within and around the DTRNA.

In addition to its importance as protected habitat for wildlife, the DTRNA serves as an important area for research, educational outreach, and contemplative recreation. Universities, colleges, and government research agencies have undertaken major projects researching desert tortoises, Mohave ground squirrels and other mammals, birds, lizards, and vegetation in this protected, fenced area. These projects have resulted in many publications that help guide conservation in the desert, and more projects are currently in process. In 1989, the DTPC and BLM developed a Naturalist Program. Drawing on federal and private funding, we have staffed Naturalists at the DTRNA for 3 months every spring for 26 years. Naturalists provide interpretive services to about 1,000 visitors each year as well as environmental education programs to school and community groups.

Currently, the DTPC and BLM Ridgecrest Field Office collaboratively manage the DTRNA under a Cooperative Agreement, guided by the 1988 Sikes Act Management Plan for the Desert Tortoise Research Natural Area and Area of Critical Environmental Concern, and are working together with the BLM and CDFW to update the management plan for the DTRNA. Although the 1980 Congressional withdrawal of the DTRNA from the general land laws, mining, and grazing expired in 2000, the DTPC and the public were assured that this withdrawal would be renewed. Despite frustrating delays in this process, BLM field managers assured the DTPC as recently as July 2014 that the area will remain protected and withdrawn from mineral entry, grazing, and other deleterious land uses. To assist in the DRECP planning process and to ensure that the DTRNA was adequately considered in development of the DRECP reserve system, the DTPC provided a list and map of mitigation land acquisitions to the BLM California Desert District

Office in June of 2012. This information does not appear to be included in the maps of Alternatives in the Draft DRECP EIR/EIS.

General Concerns Regarding the DTRNA

Given the history of substantial protective designations and the vast amount of resources invested in the acquisition, protection, and management of land for sensitive wildlife species in this area, the DTPC considers the failure to acknowledge the protected status of the DTRNA to be a breach of trust not only with the DTPC, but with the public at large. To offer alternatives that open the DTRNA and surrounding areas for development violates the public trust, is inconsistent with BLM guidelines for management of Research Natural Areas, and breaches covenants and restrictions required federal and state mitigation agreements and permits. The treatment of the DTRNA and expansion areas as anything but a protected area is in conflict with existing land management plans and commitments by federal and state government agencies. This reflects a fundamental disregard for well-established conservation priorities under both federal and state management plans.

The DTRNA has been managed and protected for 40 years, and consequently has some of the highest densities of multiple threatened species and species of concern. Desert tortoises, Mohave ground squirrels, and burrowing owls all have much higher densities within the DTRNA than any area in the vicinity, as do multiple endangered and threatened plant species, e.g., the Barstow woolly sunflower. The DTRNA is irreplaceable, and there is no scientific, financial, or ethical basis for claiming that any ratio of unprotected lower-quality, unmanaged habitat can replace land that has been restored, improved, and protected for 40 years.

Specific Concerns Regarding the DTRNA

In **Alternative 2** (Draft DRECP EIR/EIS, Volume II, Chapter 3), DRECP **Development Focus Areas** encompass most of the Desert Tortoise Research Natural Area, as well as a large area of critical habitat in the adjacent Rand Mountains and Fremont Valley, and proposes to eliminate the DTRNA entirely!

While **Alternative 2** is by far the worst alternative, in the **Preferred Alternative**, **Alternative 3**, and in **Alternative 4** (Draft DRECP EIR/EIS, Volume II, Chapters 2, 4, and 5), part of the DTRNA is designated as a **Development Focus Area**, and **Development Focus Areas** are adjacent to the entire northwest border of the DTRNA.

1. According to the 1980 California Desert Conservation Area Plan ("CDCA Plan") and the 2005 West Mojave Plan ("WEMO Plan"), the DTRNA is recognized as a Research Natural Area that is managed under a federal and state Sikes Act Management Plan. Allowing anything but research and low-impact recreational activity contradicts these federally-mandated management plans. Moreover, both the CDCA and WEMO Plans recommended expanding the DTRNA to the North and West, but the DRECP is advocating development in much of the area recommended for expansion.

2. By providing incentives for power plant developers to focus on areas that include or abut the DTRNA and other critical habitat for threatened and endangered species, the participating REAT government agencies threaten more than 40 years of land-use planning, management, and protection of threatened and endangered species by the BLM, the CDFW, and USFWS.

3. Much of the land within and around the DTRNA is protected under conservation easements and are obligated as conservation habitat under legal mitigation agreements. Encouraging development of lands in and around the DTRNA all but guarantees that the BLM, CDFW, USFWS and other state and federal agencies will be responsible for statutory violations and for breaching contractual obligations made under state and federal laws. These mitigation lands were funded by developers as mitigation for past projects that damaged or destroyed critical habitat or important habitats for threatened or sensitive species. Allowing development on or around these conserved lands violates legal obligations required of developers and of organizations managing conservation lands in perpetuity.

4. The BLM not only acquired land within the DTRNA through purchase, but through land exchange as well. BLM land exchanges were premised on the value of DTRNA lands as permanently protected habitat for conservation. If the DTRNA is open to development under the DRECP, the DRECP will involve a *de jure* land exchange in contravention of the Federal Land Policy and Management Act of 1976, as amended ("FLPMA").

5. By adopting any of the alternatives that create development pressures on habitat in and around the DTRNA, regulatory agencies expose the DTPC and other conservation organizations to significant legal liability for unauthorized trespass and degradation of conservation values of habitat under binding conservation easements that run with the land.

6. Between 1988 and 1990, the U.S. Congress allocated $4.7 million to the BLM for tortoise conservation. Much of this funding was entrusted with the BLM for acquisition and management of land within the DTRNA. Similarly, the CDFW has invested several million dollars, mitigation fees paid by private developers and state tax dollars, to acquire and manage conservation lands within and around the DTRNA. If the DRECP EIR/EIS adopts any alternative that adversely affects these public investments, it must evaluate and justify the economic impacts of wasting tax-payer money.

The **Preferred Alternative** already designates more than 2 million acres as **Development Focus Areas**, and including 1,250 acres in and around the DTRNA (0.06% of the total) does not further the renewable energy development goals of the DRECP.

Similarly, **Alternative 2**, which designates almost 2.5 million acres as **Development Focus Areas**, should exclude 20,000 acres (0.8% of the total) in and around the DTRNA and parts of the Fremont-Kramer Area of Critical Environmental Concern ("ACEC").

Recommendations

The REAT must reevaluate all of the **Action Alternatives** in the DRECP to be consistent with the Conservation Goals presented in the DRECP Draft EIR/EIS. All Alternatives that involve irreversible impacts to the recovery goals for the desert tortoise and significant adverse impacts to the Mohave ground squirrel and other sensitive species fail to achieve the state conservation objectives of the DRECP.

Specifically, no area, on or adjacent to the DTRNA, the West Rand Mountains ACEC, or the Fremont-Kramer Desert Wildlife Management Area ("DWMA") should be designated as **Development Focus Areas** or **Variance Areas** in any **Action Alternative**. Furthermore, the entire area of the West Rand Mountains ACEC and the Fremont-Kramer DWMA should be

designated as conservation areas, while the DTRNA and its expansion areas must maintain their fully protected status as a Research Natural Area, open only for research and limited, low impact recreation.

To address these issues that we raised above, we recommend the following:

1. The DRECP must recognize the status of the DTRNA, West Rand Mountains ACEC and the Fremont-Kramer DWMA as legally protected conservation areas and not permit develop in or around these conservation lands.

2. All Action Alternatives and the designation of Development Focus Areas and Variance Areas must be consistent with existing management plans, mitigation agreements, and areas protected under conservation easements.

3. The Development Focus Areas and Variance Areas must include areas prohibiting development including buffer zones, wildlife corridors, and other development prohibitions in and around the DTRNA, the West Rand Mountains ACEC, the Fremont-Kramer DWMA and other conservation areas.

4. The areas in and around the DTRNA must be protected by buffer zones that prohibit development of any kind that conflicts with the conservation purposes of the DTRNA and the DRECP must include a wildlife corridor extending from the northern area of the DTRNA through and connecting to the El Paso Mountains and the Red Rock Canyon State Park.

5. The DRECP must not undermine legal obligations undertaken by federal, state, and local government agencies, nonprofit conservation organizations, and private developers under environmental permits and mitigation agreements.

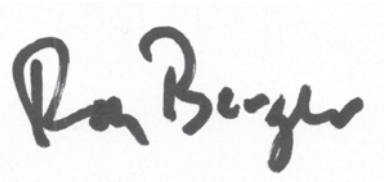
6. The DRECP must be focused on constructive and scientifically sound actions to achieve the Plan's stated goal of conserving desert tortoises and other sensitive desert species and habitats.

Under the current scoping of alternatives in the DRECP EIR/EIS, the **No Action Alternative** is an "Environmentally Superior Alternative" under the California Environmental Quality Act ("CEQA") and the only reasonable and feasible alternative under the National Environmental Protection Act ("NEPA"). Compared to the 108,000 acres of desert habitat that would be developed under the **No Action Alternative**, the **Preferred Alternative** designates 2,024,000 acres of Development Focus Areas that could be developed (Table II.3-1 in the Draft EIR/EIS).

We raise additional concerns, recommendations, and questions in the attached Table 1 along with maps and illustration in the attached Appendices.

Sincerely,

DESERT TORTOISE PRESERVE COMMITTEE, INC.



Ron Berger
President

Attachments:

Table 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS.

Appendix I – III. Maps and Illustrations

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
Volume I – Background and Planning Process					
1	I.1.2.			I.1-2	In the sentence"…mitigation strategy that will ensure **inconsistency** and efficiency in the review and permitting," the word, "inconsistency" should be "consistency"
2	I.1.2.			I.1-2 I.1-3	The objectives for either the BLM or the USFW do not include establishment of SRMAs and ERMAs. Which of the stated objectives in this section supports or encourages the designation of SRMAs and ERMAs?
3	I.1.2.			I.1-2	How does the DRECP's proposal to eliminate Multiple-Use Class Limited (MUC L) lands from BLM management support the first objective "Conserve biological, physical, cultural, social, and scenic resources?" Where is the analysis/proposal in the Draft EIR/EIS that documents how MUC L lands will be managed after this designation is eliminated? How will the elimination of MUC L lands affect the level of protection afforded to tortoises compared to current management? Designations need to provide more protection from unauthorized recreational vehicle use, grazing, and other uses that have detrimental effects to tortoises and their habitats.
4	I.1.2. I.1.4.			I.1-2 I.1-3 I.1-9 I.1-10	While objectives are listed for the BLM (**Pages I.1-1** and **I.1-2**) and for the State (**Pages I.1-9** and **I.1-10**), there appear to be no objectives listed for the USFWS, even though the USFWS is a signatory to this Plan. While there are statements of the USFWS' purpose and need (**Pages I.1-6** and **I.1-7**), roles and responsibilities (**Pages I.1-7** and **I.1-8**), and decisions to be made (**Pages I.1-8** and **I.1-9**), but objectives are not listed anywhere. Does the USFWS lack objectives within the DRECP? If so, they need to be stated explicitly, if not, this also needs to be explicitly stated within the final EIR/EIS.
Volume II: Description of Alternatives					
5					**Unless a location is specified, all following comments (throughout Table 1) refer to all locations and all Alternatives**
6				General	We believe that the DRECP should divulge the following information: • The current situation with regards to solar projects that failed to be developed, or have been on hold for

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					a lengthy period. Also, information should be provided for projects that went bankrupt, that had to be sold, that didn't produce the amounts of power anticipated, and that were otherwise poor performing. • The amount of habitat that is included in these failed or stalled projects and the current condition of that habitat. • It is our understanding that more than half of the solar projects proposed in the past five to six years have failed without damage to the habitat for numerous reasons including project proponent bankruptcy, failure to pass existing environmental requirements, being poorly situated in tortoise-occupied habitats, etc. We believe that the failure of these projects to be developed equates to preserving tortoise habitats, the loss of which would be facilitated under DRECP management.
Volume II.2 – No Action Alternative					
7	II.2.1.2			II.2-4	Thousands of acres of compensation lands have been acquired to offset impacts that were authorized by federal and State incidental take authorization, including much of the Desert Tortoise Research Natural Area (DTRNA) and its expansion areas to the west and east. The DRECP does not state what the status of these lands is. Based on the maps the DRECP has provided, the DRECP does not acknowledge and identify these lands as "Legislatively and Legally Protected Areas (LLPAs). Since each of these acquisition parcels is associated with legal documents and obligations to permanent conservation, they must be identified and mapped as LLPAs in the Final EIR/EIS.
8	II.2.1.1	II.2-1		II.2-5	This figure presents the DTRNA as land with no legal protection. The DTRNA was established in 1974 for the protection and research of desert tortoises. It was established as a research Natural Area, with multiple legal protections. This status was reiterated in the recently approved West Mojave Plan of 2006. Not showing the DTRNA as an existing legally protected area demonstrates that the DRECP is a severely flawed document which ignores existing Plans and legal designated land uses.
9	II.2.1.1	II.2-1		II.2-5	This figure presents the DTRNA as land that is open for solar development. Research Natural Areas are not open for any development. This map needs to be corrected to show the correct land use for the DTRNA.
10	II.2.1.3		II.2-3	II.2-10	Note that the West Mojave Plan is not a habitat conservation plan (HCP) as the Draft EIR/EIS has it in the fifth row, fourth column of this table. Rather, it applies solely to management on BLM lands, not private lands as it would if it were an HCP. Please make this correction.

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Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
11	II.2.2	II.2-2		II.2-27	Incorrectly designates the DTRNA as "Areas Managed for Recreation Emphasis". This contradicts the CDCA, the WEMO and the Sikes Act Management plan for the DTRNA. Correct the Map
12	II.2-4			II.2-106	End of second paragraph of the section: "The USFWS has not received inquiries from any renewable energy proponents regarding incidental take permitting on nonfederal lands within the California deserts." Appendix O presents 42 projects that have affected 64,463 acres of private lands. Were no tortoises or other endangered species affected on this land?
13	II.2.2.2.3		II.2-11	II.2-36 to II.2-38	"Crucial Habitat" was a BLM-designated habitat category that was applied to tortoise habitats with adoption of the California Desert Conservation Area (CDCA) Plan of 1980 and became obsolete with later amendments designating "Category I, II, and III Habitats,". Even these have been partially or completely replaced with adoption of the BLM's three regional plans (i.e., WEMO, NEMO, and NECO). This table, as well as the rest of the DRECP should be modified to use current designations.
14	II.2.1.3.1 II.3.1.1		II.2-6 II.3-1	II.2-18 II.3-9	We believe that the No Action Alternative offers better, programmatic protection to desert tortoises than would be provided by the DRECP as currently written. **Table II.2-6** indicates that only 108,000 acres of desert habitats would be developed under the No Action Alternative compared to 2,024,000 acres of DFAs that could be developed under the Preferred Alternative (as given in **Table II.3-1**). Given these statistics, we firmly believe there has been no greater programmatic threat to the loss of desert tortoise habitat since the CDCA Plan was adopted in 1980 than is currently being promoted by the DRECP.
Volume II.3 – Preferred Alternative					
15		II.3-1		II.3-7	We note that the upper half of Brisbane Valley, bounded by I-15 to the east, National Trails Highway to the west, and Barstow to the north has been identified as a DFA. We strongly believe that this is a mistake for the following reasons: • The only reason this area was not identified as a DWMA in the West Mojave Plan is because of the prevalence of private land ownership. Based on observations of tortoises in this area, except for the private land ownership it should have been identified as a DWMA (Ed LaRue, West Mojave Plan BLM biologist, personal communication). • Ed LaRue and others observed 23 tortoises on and adjacent to a 160-acre parcel at the north end of this area (i.e., southeast of Lenwood) in April 2014. In 1991, 20 tortoises were observed on a 160-acre parcel at the south end of this area (i.e., northeast of Helendale). In 2008, three tortoises were observed

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					during a reconnaissance survey of a 320-acre parcel near the center of this area. Tortoises have been observed on every site surveyed within this area by LaRue since the first survey in 1991. • Most of this area is comprised of small hills and rises that we believe would preclude the development of solar fields, unless these hills are flattened. We understand from the descriptions given in **Section II.3.1.4.1** that development of solar fields requires flatter lands than are available in northern Brisbane Valley. As quoted above, according the prescriptions **AM-DFA-ICS-3** (**Page II.3-62**) and **AM-RES-BLM-ICS 2 & 3** (**Page II.3-74**), sites with more than five tortoises per square mile would be abandoned, resituated, redesigned, or prohibited. Given the data provided above, we do not think there will be many areas within northern Brisbane Valley in which development be permitted. Given these new data and the above observations, we strongly encourage the DRECP team to redesignate northern Brisbane Valley as either a Special Analysis Area (SAA) or a Future Assessment Area (FAA) as described on **Page II.3-2**, and definitely not be designated as a DFA.
16	II.3.1.2	II.3-2	II.3-5	II.3-17	According to **Figure II.3-2**, the DRECP does not acknowledge the conservation status of the DTRNA. The DTRNA is a Research Natural Area which has been protectively managed for 40 years in a cooperative agreement between the DTPC and BLM, and important research has been carried out on both the desert tortoise and Mohave ground squirrel. Aside from 40 years of legal agreements, Research Natural Areas are recognized as being legally protected. Not only does this map not recognize the conservation status of the DTRNA, but it does not even include the DTRNA. The final EIR/EIS must either recognize the conservation status of the DTRNA, or provide a compelling rationale as to why it identifies the DTRNA as land that is lacking any legal conservation status. Furthermore, the REAT should provide a rationale as to why the DTRNA does not have legal conservation status.
17	II.3.1.2.5.4			II.3-63	**AM-DFA-ICS-3**: "If protocol surveys identify an adult desert tortoise density (i.e., individuals 160 mm or more) of more than 5 per square mile or more than 35 individuals total on a project site, the project will be required to be redesigned, resited, or relocated to avoid and minimize the impacts of the project on desert tortoise". Tortoise densities on the DTRNA are known to be an order of magnitude higher than this, and these densities also exist in the areas of the DTRNA that the Preferred Alternative designates as DFAs. We again urge that all areas of the DTRNA and its expansion areas be removed from consideration for any

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					development.
18	II.3.1.2.5.4			II.3-63	**AM-DFA-ICS-5**: "Covered Activities, except for transmission projects in existing transmission corridors, will avoid the desert tortoise conservation areas (TCAs) and the desert tortoise linkages identified in **Appendix H**, except the portion of the TCA in the northern Fremont Valley converted to intensive agriculture prior to 2013". Northern DTRNA and Fremont-Kramer ACEC are both part of the TCAs (See **Figure H-7** in **Appendix H**, **Page H-23**). Why does the DRECP designate areas as DFAs when it is apparent that development cannot go forward in these areas? Again, change the designation of the DTRNA
19				II.3-64	**AM-DFA-ICS-7**: "Covered Activities will be sited in lower quality desert tortoise habitat in desert tortoise linkages and the Ord-Rodman TCA, identified in **Appendix H**". Northern DTRNA and Fremont-Kramer ACEC are both high quality tortoise habitat. There should be no re-designation of conservation areas as DFA's
20					Recommendations based on the previous three points: remove the Development Focus Area designation given to any areas of Desert Tortoise Critical Habitat, especially all parts of DTRNA, Western Rand Mountains ACEC, and Fremont-Kramer DWMA, and designate them as Conservation Lands. DTRNA should retain its present designation as a Research Natural Area, and the entire Rand Mountains ACEC / Fremont-Kramer DWMA area should be designated as legally protected. We further propose that the DTRNA be expanded to include the entire Western Rand Mountains ACEC as a fully protected Research Natural Area (no development, no motorized vehicles, the only activities permitted being research and limited, low-impact recreation).
21	II.3.1.2.5.5. II.3.1.2.5.4.			II.3-74 II.3-62	**Page II.3-74**: "**AM-RES-BLM-ICS-2:** All activities, except transmission projects, that will result in the long-term removal of habitat supporting an adult desert tortoise density (i.e., individuals 160mm or more) of more than 5 per square mile or more than 35 individuals total are prohibited. The number of desert tortoises on-site will be based on estimates derived from the protocol surveys described in **AM-DFA-ICS-3** using the USFWS's pre-project survey protocol." **Page II.3-74**: "**AM-RES-BLM-ICS-3:** All activities, except transmission projects, in desert tortoise TCAs or linkages that will result in long-term removal of habitat supporting more than 5 adult individuals are prohibited. The number of desert tortoises on-site is based on estimates derived from the protocol surveys described in **AM-DFA-ICS-3** using the USFWS's pre-project survey protocol."

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					Compared to the following: **Page II.3-62**: "**AM-DFA-ICS-3:** If protocol surveys identify an adult desert tortoise density (i.e., individuals 160mm or more) of more than 5 per square mile or more than 35 individuals total on a project site, the project will be required to be redesigned, resited, or relocated to avoid and minimize the impacts of the project on desert tortoise." Why does the third not use the term "prohibited" , but rather "redesigned, resited, or relocated."? Is the difference intentional? We recommend that "prohibited" apply to all three measures.
22	II.3.1.2.5.4		II.3-10	II.3-61	**Table II.3-10** that lists survey requirements in DFAs omits burrowing owl from the list. Such surveys are part of current management, so is this omission intentional? If so, what is the reasoning?
23	II.3.1.2.5.4			II.3-62 II.3-63	**AM-DFA-ICS-3, 2nd and 3rd bullets**: What is the rationale here for having the USFWS oversee translocation of fewer than 14 tortoises (2nd bullet) and the project applicant responsible for translocation of 15 or more tortoises (3rd bullet)? We are concerned that this requires federal funding that may not be available, depending on how many concurrent projects for which USFWS may have to implement translocation. Depending on your feedback, we believe that the project applicant should be responsible for the cost of all translocations and associated funds. Alternatively, is DRECP capable of guaranteeing that USFWS funding for smaller translocations will always be available?
24	II.3.1.2.5.4			II.3-65	**AM-DFA-ICS-10**, 3rd bullet: We suggest that this bullet be modified to ensure that any tortoises encountered during clearance surveys of perimeter fences be placed outside fenced areas so that they may remain in known habitats and not be subjected to translocation.
25	3.1.2.5.4			II.3-66	**AM-DFA-ICS-15**: We note that this measure is incomplete, missing words following the word, "Operations…" We also recommend that the prescription be modified to, "If conditions warrant (e.g., if a tortoise is harmed while driving 25 miles per hour), a reduced speed limit should be enforced." Very often, a 15 mph speed limit is more effective in seeing hatchling tortoises, particularly in September and October.
26	3.1.2.5.4			II.3-70	**AM-DFA-ICS-36**: This section should advise the applicant that current management requires that anyone implementing these measures must have a species-specific Memorandum of Understanding with CDFW. A Designated Biologist who does not have such a Memorandum should not be authorized to trap and handle

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
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					Mohave ground squirrels.
27	3.1.2.5.4			II.3-70	**AM-DFA-ICS-36**: While there is an existing protocol for determining *presence-absence* of Mohave ground squirrels (CDFW 2003, revised 2010), no similar protocol exists for *clearance* surveys. Does CDFW intend to develop a "clearance survey" protocol for Mohave ground squirrel?
28	3.1.2.5.4			II.3-70	**AM-DFA-ICS-37**: Does "protocol survey" refer to the CDFW 2003, revised 2010 protocol? If so, this reference should be cited in this section.
29	3.1.2.5.4			II.3-71	**AM-DFA-ICS-41**: The following statement – "…occurrences of Mohave ground squirrel will be flagged and avoided, with a minimum avoidance area of 50 feet…". However, burrows of Mohave ground squirrels cannot be differentiated with any certainty from those of some other species, such as antelope ground squirrels (*Ammospermophilus leucurus*). This measure should be clarified in the Final EIR/EIS.
30	3.1.2.5.5		II.3-12	II.3-74	We appreciate that there is a "0.0%" disturbance cap for the DTRNA, however, does this include disturbance from development in adjacent areas? For the other caps identified for Areas of Critical Environmental Concern (ACEC, which the DRECP treats as synonymous with "DWMA") and Critical Habitat Unit, are these caps included within existing BLM plans, or are they added to existing caps? For example, under the West Mojave Plan, there is currently a 1.0% development cap (referred to as "Allowable Ground Disturbance" or "AGD") in DWMAs; would DRECP's 0.5% modify this existing 1.0% AGD, be part of it, or added to it, so that the cap would be elevated to 1.5% with implementation of the DRECP?
31	3.1.2.5.5			II.3-80	**RL-ICS-7**: We recommend that this measure – "Guzzlers located within portions of the lands added to the reserve that are required for desert tortoise conservation will have escape ramps" be amended to indicate "No fiberglass or other slick surfaces will be used; rather cement, concrete, or other surface providing more purchase for entrapped tortoises will be used on escape ramps in guzzler construction." This is based on extensive research by CDFW biologist, Frank Hoover (Desert Tortoise Council 1995), who found that most upland guzzlers where tortoises were found drowned were constructed with fiberglass bottoms.
32	II.3.1.2.5.7		II.3-13	II.3-87	Under current management, CDFW rarely requires as little as 2:1 compensation. Outside DWMAs, it is more often 3:1. What is the justification for this reduced compensation over current management?

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					Since 3:1 is currently required to meet CDFW's fully mitigate standard, how is the reduced compensation level of 2:1 able to meet that standard? Would CDFW still require proponents developing outside the context of the DRECP to compensate at 3:1? If so, how could that be justified if DRECP requires only 2:1 compensation?
33	II.3.1.2.5.7		II.3-14	II.3-87	Is it intentional that the 5:1 compensation ratio given in this table pertains only to desert tortoise critical habitat? Since critical habitat pertains to federal lands only, would private lands within the critical habitat boundary be subjected to the 5:1 ratio?
34	II.3.1.2.5.7		II.3-14	II.3-87	What is the rationale for not applying the 5:1 compensation ratio to DWMAs (current management) rather than only critical habitat (under DRECP Preferred Alternative)? We understand that DWMAs in the planning area are inclusive of all critical habitats, but that there are DWMA-lands that occur outside critical habitat. If this prescription is carried through, what would be the compensation for DWMA-lands outside critical habitat-designated lands? We firmly believe that the 5:1 ratio must be applied to all DWMAs, not only critical habitat. Failure to do so would certainly result in less protection than is provided for under current management, and must be justified in the Final EIR/EIS. How many acres within DWMAs that are not designated as critical habitat would no longer be compensated at 5:1, presumably using the 2:1 ratio instead? The Draft DRECP fails to divulge this acreage or analyze the reduction in tortoise conservation value by diluting current management and its 5:1 compensation in DWMAs.
35	II.3.1.2.5.7		II.3-14	II.3-87	Current management under the West Mojave Plan requires 5:1 compensation for projects in the Mohave Ground Squirrel Habitat Management Areas (MGS HMA), and there is also a 1% Allowable Ground Disturbance cap in this important conservation area. What are the available data that support DRECP's intended reduction from current management of a

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					compensation ratio of 5:1 down to a proposed ratio of 2:1? Has DRECP intentionally neglected to identify a development cap in the MGS HMP? If so, does that mean that current management, which is a 1% Allowable Ground Disturbance, would continue to apply to the MGS HMP?
36	II.3.1.3.4.2			II.3-104	It is not clear from this section how the programmatic success or failure of translocating tortoises would be monitored under the DRECP. Is there a requirement for monitoring translocated tortoises, preferably over multiple seasons? If translocations are found to be unsuccessful (which should be defined in the Final EIR/EIS), how will adaptive management be implemented to discontinue or modify translocation methods?
37	II.3.1.3.4.2			II.3-108	As it pertains to Mohave ground squirrels hybridizing with round-tailed ground squirrels (*Spermophilus tereticaudis*), will DRECP ensure that the hybridization zone between Barstow and Kramer Junction is studied, geographically defined, and monitored? Given that hybridization is a foreseeable threat to the conservation of Mohave ground squirrels, how will the DRECP be modified if it is determined that authorized solar development is contributing to the demise of the species by facilitating hybridization? How will take authorization under the DRECP be affected if MGS becomes federally listed?
38	II.3.1.3.4.2			II.3-109	In May 2014, MGS individuals from at least two different litters were trapped at the L.A. County Park Phacelia Wildflower Sanctuary, which is within the gap area between south Edwards and east to L.A. County line discussed in this section. Ed LaRue secured six permits from L.A. County Parks that allow for trapping of six parks in the region over the next 10-year period, the data of which he will readily share with the DRECP Coordination Group. Please be aware that MGS was detected in this area in 2014, that this area should not be identified as a DFA, that either the SAA or FAA designation is more appropriate until more data are collected.
39	II.3.1.3.7.3			II.3-156 to II.3-158	This section is vague and uninformative. It briefly refers to “minimizing impacts to recreation” on **Page II.3-157**, but it in no way indicates how increased recreation (if that is even being proposed is unclear) may

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					affect desert tortoises and other Covered Species. This section must be expanded in the Final EIR/EIS to assess the impacts associated with designating Special Recreation Management Areas (SMRAs) and Extensive Recreation Management Areas (ERMAs) in even the most protected desert tortoise habitats, like critical habitat, which is protected under current management. The expanded section should include the following information: • The uses that are likely to occur as a result of designating these areas the levels of these usages. • The effects of increased recreational use in dedicated conservation areas on Covered Species. The DRECP fails to assess how designating something as an “Extensive” recreation area is likely to change the public perception of the area and the possibility of a resulting increase in recreational uses, including destructive uses. The Desert Tortoise Preserve Committee strongly opposes any land designation that will result in increased, unregulated recreational activities that will affect desert tortoises and their habitats. As presented in the Draft EIR/EIS, the SRMA and ERMA designations appear to facilitate increased recreational use at the expense of desert tortoise conservation by designating tortoise critical habitats and DWMAs as recreational areas. There are considerable differences in impacts and loss of habitat from contemplative or non-destructive recreation (hiking, photographing) as compared to vehicle-oriented recreation, including camping, parking off road.
40	II.3.1.4	II.3-3	II.3-18	II.3-162	According to the DRECP, under the Preferred Alternative, 767,000 of the total 2,024,000 acres of DFAs (38% of all DFAs throughout the planning area) are being proposed in the one region where tortoise declines have been most severe. It would seem most reasonable that a conservation Plan such as the DRECP should consider that tortoises in the West Mojave are among the most imperiled and therefore require the most protection. However, it appears that the DRECP focuses development in the one region in which the most severe declines have been documented. Rather than protect the remaining tortoises in a region hardest hit by multiple uses due to its proximity to dense human occupation, DRECP would focus development in the region that requires the most intensive conservation to save the remaining tortoises. Moreover, the DTRNA is the only region in the West Mojave where tortoise recruitment (and a move toward population recovery) at the regional level has been documented, yet even portions of the DTRNA are identified as DFAs in the Preferred Alternative!!

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					This approach is not consistent with implementing the USFWS Revised Recovery Plan of 2011, nor even with the goals and objectives identified in the DRECP itself. Therefore major changes in the DRECP are required in the West Mojave region.
41	II.3.1.4	II.3-3		II.3-162	What is the rationale of the REAT in proposing 250 acres of the DTRNA as a DFA and failing to designate the DTRNA as NCL?
42	II.3.1.4	II.3-3		II.3-162	**AM-DFA-ICS-5**: "Covered Activities, except for transmission projects in existing transmission corridors, will avoid the desert tortoise conservation areas (TCAs) and the desert tortoise linkages identified in **Appendix H**, except the portion of the TCA in the northern Fremont Valley converted to intensive agriculture prior to 2013". In **Figure II.3-3** the DRECP shows transmission lines through Chuckwalla Mountains Wilderness Area Alligator Rock ACEC, Chuckwalla DWMA, and Chuckwalla Valley Dune Thicket ACEC. We recommend that these "Conceptual" transmission lines be established along Interstate 10, and not within the boundaries of any future or present conservation area. This figure also shows transmission lines going through the Superior-Cronese ACEC, which is also TCA. These transmission lines are also presented in Alternatives 2 through 4, and our comments and recommendations refer to those Alternatives, as well. None of these are existing transmission corridors, and therefore should be resited elsewhere.
43	II.3.1.4	II.3-3		II.3-162	**AM-DFA-ICS-5**: "Covered Activities, except for transmission projects in existing transmission corridors, will avoid the desert tortoise conservation areas (TCAs) and the desert tortoise linkages identified in Appendix H, except the portion of the TCA in the northern Fremont Valley converted to intensive agriculture prior to 2013". This figure shows that there are DFAs in the north part of Chuckwalla ACEC, south of I-10, despite this area also being part of the TCAs, as shown in **Figure H-7** (**Page H-23**). These areas should therefore not be designated as DFAs.

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					Extensive areas in Brisbane Valley, Sidewinder Valley, North Lucerne Valley, Hinkle Valley, and smaller areas in Harper Valley, eastern Mojave Valley, and Pahrump Valley are also designated as DFAs, despite being desert tortoise linkages, as shown in **Figure H-7** (**Page H-23**). These areas should therefore not be designated as DFAs.
44	II.3.1.4.1		II.3-21	II.3-174	We believe that Dr. Barry Sinervo's (2014) recent research shows that there is a "heat island" effect of solar energy installations, which seems to have been overlooked in this table as an impact that will need to be mitigated. We ask that the Final EIR/EIS describe potential impacts from the heat island effect and identify mitigation measures in this table to offset those impacts. Sinervo, B. 2014. Prospects for Gopherus: Demographic and physiological models of climate change from 65 million years ago to the future. Abstract for paper presented at the 2014 Desert Tortoise Council Symposium. Ontario, CA.
45	II.3.1.4	II.3-3		II.3-163	We are alarmed to see that substantial portions of the Mohave Ground Squirrel Habitat Management Area (MGS HMA) appear to be designated as DFAs. In the Preferred Alternative, extensive areas of Mohave Ground Squirrel habitat are designated as DFA in Rose Valley, Indian Wells Valley, Fremont Valley, Peerless Valley, Rosemond Hills, El Mirage Valley, Shadow Hills, Fifteen Mile Valley, Apple Valley, Sidewinder Valley, Lucern Valley, and Brisbane Valley. How many acres of MGS HMA are designated as DFAs in the Preferred Alternative? What is the specific analysis (presumably provided for by CDFW biologists) that justifies the loss of this much ground squirrel habitat, particularly in the light of failed trap success in recent years documented by Phil Leitner (2008)?
46	II.3.1.5.5			II.3-236	Heading: **Criteria for Land Acquisition**. Second bullet: "Demonstrated contribution to meeting the Step-down Biological Objectives" The first five requirements given are: "Contain resources impacted by Covered Activities being compensated (i.e., "like-kind")", "Provide important landscape functions including habitat linkages, wildlife movement, sand transport, and hydrologic integrity", "Support rare vegetation alliances or local rare vegetation occurrences that may not be adequately conserved in other lands in the reserve", "Have high Covered Species richness and ecological value", and "Have high landscape intactness".

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					However, much of the area which the plan proposes for acquisition as mitigation land (**Conservation Planning Areas**) in the Peerless Valley, southwest of California City is highly degraded, fragmented, and isolated from existing conservation areas like the DTRNA and West Rand Mountains DWMA. Examples of this are the lands covering the Eastern part of California City. These areas have multiple unpaved roads (in some places every 200-300 feet), as well as other parts of partially-developed infrastructure. These areas do not fulfill any of the requirements that the DRECP sets for mitigation lands, yet these constitute a large proportion of the lands that the DRECP proposes as mitigation land At the same time, the Preferred Alternative designates 1,250 acres of high quality desert tortoise habitat in the DTRNA, and in the West Rand Mountains DWMA, as DFAs. See attached **Appendix I** We recommend that the DRECP designate higher quality desert tortoise habitat as Conservation Planning Areas, maintain the conservation status of the lands in the DTRNA and DWMA, and designate low quality, highly degraded land as DFAs.
47	II.3.1.5.5			II.3-237	This section, as it pertains to land acquisition for long-term tortoise conservation, is unclear as to who will manage private lands acquired through the DRECP in perpetuity and ensure their conservation status. Are acquired lands to be managed by the USFWS? If not, is there to be a new group created to manage acquired lands? We propose that third party mitigation holding organizations, such as the Desert Tortoise Preserve Committee which has extensive experience in managing desert tortoise habitat, would manage this land. The Final EIR/EIS should clarify the land manager of acquired lands, as it is vague in the Draft EIR/EIS.
48	II.3.1.5.5			II.3-238	Although this section identifies as 12-month period to acquire lands with a 6-month extension, it fails to identify penalties or remediation if an applicant fails to acquire lands as described. What are the penalties associated to meet the 18-month acquisition time period?
49	II.3.1.6.3			II.3-252	Biological opinions where the mortality take limit associated with a given project must also evaluate the mortality of translocated tortoises due to the translocation. Translocated tortoises have a much higher mortality rate than local individuals, and any mortality in translocated tortoises that is above the mortality

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					rate of residents at the site to which the tortoises were translocated should be added to the annual mortality take identified in the biological opinion for the final DRECP.
50	II.3.1.6.3			II.3-253	Given that USFWS is a primary member of the REAT and considered a project proponent, if not author, of the Draft EIS/EIR, how is it then capable of providing third-party, independent review of the Final EIR/EIS in its biological opinion leading to either a jeopardy or non-jeopardy opinion? We do think that the USFWS should be the party providing third-party, independent review of the Final EIR/EIS and associated Biological Opinion.
51	II.3.1.7.3			II.3-269	We are dismayed to see that prolonged drought, wildfires, proliferation of non-native species, *population declines of Covered Species* (emphasis added), and climate change – all of which currently contribute to the demise of the threatened population of Agassiz's desert tortoise – are identified as reasonably foreseeable changed circumstances that would **not significantly affect the function of the DRECP**. We do not think that this interpretation is scientifically accurate. Unless impacts associated with these known threats are curtailed or minimized, DRECP is adding to the programmatic loss of habitat and will exacerbate the decline of a population that is already stressed. By identifying these threats as foreseeable and therefore not a detractor from the function of DRECP, the impacts will continue unchecked and undermine tortoise recovery. To what population levels are the REAT and DRECP willing to let threatened species, including the desert tortoise and Mohave Ground Squirrel, sink before they consider a changed circumstance has occurred to such a level that the DRECP is no longer functioning at an acceptable impact level and, itself, becomes the main threat? What are the survey and monitoring methods DRECP intends to use to determine when the unacceptable levels have been met? Is the USFWS' distance sampling methodology sufficient to determine these acceptable levels within a given Recovery Unit? We do not believe it is; the USFWS distance sampling method does not evaluate mortality rates, causes of mortality, and changes in condition and quality of habitat.

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52	II.3.1.7.3.6			II.3-277	The USFWS region-wide census of tortoises since 2000 shows that tortoise populations continue to decline throughout the listed population including all critical habitats in California. How can the REAT consider the additional loss of more than 2,000,000 acres of potential and occupied tortoise habitat to renewable energy to be acceptable, and not a further contribution to this decline? On what data do they base this determination? Where is the scientific assessment that supports this determination?
53	II.3.1.8.1			II.3-282	With regards to non-acquisition actions, did the REAT consider head-starting of desert tortoises to be an acceptable action? We could not find either reference to this program or an analysis of its efficacy in the Draft EIR/EIS.
54	II.3.1.8.1			II.3-282	The DRECP lists a number of non-acquisition measures. We have some comments/questions regarding the measures mentioned: Listing “habitat enhancement” and “fencing and signage” without describing specific programs does not allow us an opportunity to comment on these programs. For example, just how does the DRECP plan on enhancing tortoise habitats? What activities will be allowed in fenced and signed areas? What will be the sizes? While “Predator, cowbird, or starling control” are listed, are the non-acquisition measures addressing impacts associated with known subsidized predators of tortoises, coyotes and common ravens?
55	II.3.2.2.1	II.3-4		II.3-315	Critical habitat is one of the four primary criteria listed on **Page II.3-315**, yet, based on **Figure II.3-4**, only a very small portion of tortoise critical habitat is being proposed for National Conservation Land (NCL) status under the Preferred Alternative. What are the over-riding considerations that prompted the REAT to dismiss a majority of tortoise critical habitat from NCL designation? The Final EIR/EIS should divulge how much tortoise critical habitat is not being designated as NCL.

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56	II.3.2.2.1.1			II.3-318	Given that competitive vehicle events are currently prohibited from tortoise DWMAs, how can the REAT entertain competitive events in NCL-designated areas? We believe competitive events should not be discretionary actions allowed in NCL areas, that they should be prohibited. If the DRECP allows competitive vehicle events to occur in NCL areas, isn't this a reduction in the level of protection provided for under current management? If so, how can designation of this land as NCL land that at be justified as conservation to offset impacts of development?
57	II.3.2.2.1.2			II.3-358	What is the reasoning and justification behind the DRECP's proposal to reduce in the size of the DTRNA (cited as reduced by 250 acres in the Preferred Alternative) and West Rand Mountains ACEC (reduced by 1,000 acres)? The DTRNA is the only example we know of in the West Mojave where regional recruitment of tortoises (production of juveniles by females and juveniles surviving to large size classes) is occurring. Why isn't the DRECP taking this opportunity to expand the DTRNA, as recommended by the 2011 Recovery Plan for the Desert Tortoise, rather than reduce it? Again, we recommend that the entire DTRNA be legally protected and expanded.
58	II.3.2.3.4.2		II.3-50	II.3-382 II.3-426	The maps for the **Interagency Preferred Alternative** designate the northern part of the DTRNA, as well as sections of the Eastern part of the Fremont-Kramer ACEC, as **Development Focus Areas**. The maps provided to the public also designate the same areas as ACECs. According to the DRECP, **Volume II: II.3.2.3.4.2** Conservation and Management Actions > Conservation and Management Actions in Areas of Critical Environmental Concern, first bullet point: "Renewable energy and ancillary facilities are not allowed in ACECs". This is reiterated in **Table II.3-50**: CDCA Plan and DRECP Preferred Alternative Crosswalk. See our attached **Appendix II**. The REAT should provide the public with accurate maps that do not contradict the Draft EIR
59	II.3.2.4.1			II.3-425	The Draft EIR states that "…while MUC L [Limited] lands may be managed similarly to DRECP conservation lands, MUC L lands do not automatically become conservation lands-they may end up in a variety of different DRECP allocations from DFAs to NLCS,".

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					How many acres that are currently designated as MUC L would be included in the DFA designation? Where are these lands located, and how many areas are identified as Tortoise Conservation Areas?
60	II.3.2.4.1		II.3-50	II.3-431	**Table II.3-50** has the term "High user density, and/or mechanical recreation," which would be allowed in ALL AREAS excepting wilderness. How does this compare to current management? Would this open critical habitat and DWMA lands to more recreational vehicle use than is currently allowed? We strongly recommend against more high user density and/or mechanical recreation in tortoise DWMAs, ACECs, and critical habitat. Less is essential to turn around declining populations and allow for recovery.
61	II.3.2.4.1		II.3-50	II.3-431	Where do competitive recreational events, which would be allowed in all alternatives except Alternative 2, fit into this table? Are competitive events missing from the table because competitive events are not currently allowed on tortoise critical habitat and DWMAs, but would be permitted by the DRECP? We do not support competitive events in tortoise DWMAs, ACECs, and critical habitat.
62	II.3.4.2	II.3-8		II.3-445	What are the USFWS' baseline data that show that the lands being authorized for development in West Mojave DFAs are inferior to those being protected in the Conservation Planning Areas (CPAs) located east of California City, south of Edwards Air Force Base, and – in particular – south of Palmdale where tortoises are not even present? Based on these data, the DRECP designates high quality tortoise habitat in the DTRNA and West Rand ACEC as DFAs, yet designates highly degraded areas, or areas without tortoise as CPA's. All CPA areas depicted in **Figure 3-8** are either not habitat for tortoises (south of Palmdale) or severely compromised by sheep grazing (particularly east of California City) and OHV vehicle impacts (east of California City, south of Edwards AFB).This demonstrates that either the data used for the DRECP conservation designations is flawed, or that the models used for these designations have failed. See our Appendix I for examples of degraded lands outside of the DTRNA. Furthermore, it puts into question the assumption of the DRECP that purchase and conservation of lands in

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					the areas designated as CPAs will meet USFWS' and CDFW's fully mitigate standards.
Volume II.4 – Alternative 1					
63	II.4.1.4		II.4-6	II.4-18	We understand that USFWS will need to write one or more biological opinions for the DRECP before it is implemented. USFWS will therefore need to determine take limits for threatened and endangered species, including desert tortoise. What are the baseline data that will allow USFWS to identify an actual take limit associated with the DRECP?
64	II.4.1.4		II.4-6	II.4-18	In this table and elsewhere, DFAs, Conservation Planning Areas, Study Area Lands, etc. are presented in terms of acreage with no regard for habitat quality or any indication that the covered species are even present. However, acreage is not an adequate measure of habitat quality, existing tortoise densities, carrying capacity (the number of individuals that an acre can sustain), and habitat intactness differ widely between areas. So one acre may have, or be able to sustain, 200 tortoises, while another acre has no tortoises or is unable to sustain any, yet these tables will treat these two acres as identical in their ability to conserve tortoises. Given the CDFW's fully mitigate standard, how will those responsible for the DRECP's conservation elements keep track of what is being lost versus what is being conserved? While studies can conclusively identify the number of tortoises displaced by an authorized project, how does the DRECP propose to quantify the number of tortoises conserved as a result of each specific transaction? How will we know that the same number or more tortoises will be protected on acquired lands? We contend that baseline data are insufficient to answer these questions, or even support the planning decisions being made, particularly when proposed conservation areas (e.g., those in western Antelope Valley) are devoid of covered species. If the REAT does not know how many tortoises occur in DFAs compared to conservation areas, how can

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					DRECP justify their losses and state that adequate conservation is being achieved? How can DRECP quantitatively demonstrate it has achieved CDFW's fully mitigate standard?
65	II.4.2.2.1.2			II.4-39	Why are there fewer NCL lands in the Chuckwalla ACEC under Alternative 1, which is the most conservation-oriented alternative, than under the Preferred Alternative?
66	II.4.2.2.1.2			II.4-43	What is the rationale for excluding Coolgardie Mesa, which is one of only a few core areas for the Mohave ground squirrel, and the Superior-Cronese ACEC for desert tortoises, from NCL designation in Alternative 1?
67	II.4.2.2.1.2			II.4-48 II.4-49	Why are the Desert Tortoise Research Natural Area and Western Rand Mountains Area being excluded from NCL designation in Alternative 1? This entire section is a continuous string of statements about what is and is not included in the NCL designation without ever providing the basis for the decisions. We noted earlier that critical habitat is one of the considerations for NCL designation, yet we see that most of the tortoise critical habitat is excluded from that designation. We feel that the lack of analysis for making these decisions renders this portion of the Draft EIR/EIS deficient. Having not provided rationale for these decisions, how can we know if they would serve their intended functions?
Volume II.5 – Alternative 2					
68					General: due to the potential legal issues involved with the legal status of much of the land that this Alternative designates as DFAs, it is our opinion that this Alternative, as it is, is not viable even as an "extreme Energy-Friendly" Alternative and should be removed entirely as a DRECP Action Alternative, or greatly modified.
69	II.5.1.2.4	II.5-1		II.5-5	The proposed DFA located north of Kramer Junction, straddling Highway 395, occurs on both sides of the highway. All areas east of Highway 395 in this region are tortoise critical habitat and inside the Fremont-Kramer DWMA, so what is the justification of the REAT in opening this critical habitat for renewable energy development? We recommend that this area not be designated as DFA in this or any other Action Alternative (Alternative 4

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					also designates the west side as a DFA)
70	II.5.1.2.4	II.5-1		II.5-5	Is the REAT aware that the area west of Highway 395 mentioned above is considered a “Key Area” (formerly a “Core Area”) by members of the Mohave Ground Squirrel Technical Advisory Group (MGS TAG) for Mohave ground squirrel? Internally referred to as the “Bowling Alley,” and herein brought to the attention of the REAT of its importance to MGS conservation, we recommend that this area be excluded from all alternatives.
71	II.5.1.2.4	II.5-1		II.5-5	According to **Figure II.5-1** (as well as **BLM Worksheets ACEC Part 12 – 8**), the DTRNA ceases to exist, and most of its area will be designated as DFA. This violates the reserve design concept of LLPAs as stated in the DRECP. Moreover, this means that DRECP is not willing to honor Memorandum of Understandings (MOU) between its own REAT entities (in this case the BLM) and third party conservation groups (in this case Desert Tortoise Preserve Committee). Are existing MOUs not to be treated as legally-binding documents? If so, does the DRECP Coordination Group become responsible for implementing conservation measures of MOUs that the DRECP does not recognize or honor?
72	II.5.1.2.5	II.5-2		II.5-11	According to **Figure II.5-2**, the entire Superior-Cronese Critical Habitat Unit, eastern portions of Fremont-Kramer CHU, and other CHUs to the east and southeast are excluded from the “Interagency Plan-wide Conservation Priority Area.” Why and what does this designation mean in terms of conservation management? Would there be less protection of tortoises because these are not priority areas? Would these areas receive less protection from BLM’s Desert Rangers and less law-enforcement?
73	II.5.1.2.5.7		II.5-6	II.5-16	The DRECP states, in the Compensation Requirements that developer’s land compensation should be “in kind”. Thus, every acre of high quality desert tortoise habitat developed on the DTRNA would require the acquisition of high quality desert tortoise habitat at a ratio of 3:1, except for areas with transmission activity (5:1 ratio). Alternative 2 opens roughly 18,700 acres of the DTRNA for development. This would require at

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
					least 56,100 acres (without transmission activities at 5:1) of high quality desert tortoise habitat in compensation. The land cannot already be protected, so all public land that is already slated for conservation by this plan cannot be part of the compensation. Studying the maps of the DRECP area, we see that 56,000 acres of land meeting these criteria do not exist in the West Mojave, even assuming that owners will sell at the rates proposed in the DRECP. If we are looking for desert tortoise habitat that is equal in quality to the DTRNA, 56,000 acres meeting these criteria would not be available throughout the entire range of this species in the West Mojave. If we also include Mohave ground squirrel habitat, to be compensated at a 5:1 ratio, it becomes obvious that there is no real way that energy companies can actually compensate for development of the area of the DTRNA,
74	II.5.2.2.1			II.5-36	Assuming the following statement near the bottom of **Page II.5-36** is true, "Therefore, lands not focused on development or other intensive uses under the BLM's multiple-use mandate should be included as National Conservation Lands," shouldn't all tortoise critical habitat areas be designated as NCLS? If not, why not?
Volume II.6 – Alternative 3					
75	Except for different acreages, there are no new concepts or concerns that have not already been expressed for one of the previous alternatives, so no new comments on Alternative 3. However, all comments submitted for the Preferred Alternative are relevant for Alternative 3.				
Volume II.7 – Alternative 4					
76	II.7.1.1	II.7-1		II.7-4	AM-DFA-ICS-5: "Covered Activities, except for transmission projects in existing transmission corridors, will avoid the desert tortoise conservation areas (TCAs) and the desert tortoise linkages identified in Appendix H, except the portion of the TCA in the northern Fremont Valley converted to intensive agriculture prior to 2013". The Southeastern part of the Chocolate Mountains (Northeaster Imperial Valley) part of the TCAs (See Figure H-7 in Appendix H, Page H-23). This Alternative designates this area as Variance Lands. This should be changed.
77	Other than the comment above and different acreages, there are no new concepts or concerns that have not already been expressed for one of the previous alternatives, so no new comments on Alternative 4. However, all comments submitted for the Preferred Alternative are relevant for Alternative 4.				

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
78 Volume III – Environmental Setting/Affected Environment					
79	III.7.1.2			III.7-6	How does the REAT, DRECP Coordination Group, or other DRECP entity plan to ensure that the legal requirements of the acts cited here are enacted? For example: "…the impacts of the taking are minimized and fully mitigated by measures that are roughly proportional in extent to the project-related impact to the species…," . So, assuming 177,000 acres are developed under the DRECP and 10,000 tortoises are displaced (which would be determined through DRECP-required protocol surveys of impact areas), how does DRECP intend to demonstrate that a minimum of 10,000 tortoises would be protected through land acquisition or non-acquisition actions, particularly since protocol-level surveys would not be required on acquired lands?
80	III.7.4			III.7-33	The following statement, "This SAA is considered ecologically intact since it is relatively undisturbed and unfragmented, " fails to reveal that this proposed SAA located west of Highway 395 and north of Highway 58 has been and continues to be heavily impacted by domestic sheep grazing. First, we strongly recommend that the studies associated with the "Special Analysis" consider how impaired these lands may be from sheep grazing. Second, if this Special Analysis reveals that this area should be managed for conservation of Covered Species (particularly desert tortoise and Mohave ground squirrel), how will the DRECP Coordination Group manage, and preferably prohibit, the unauthorized grazing of domestic sheep in this area?
81	III.7.6.1	III.7-25		III.7-147	There is absolutely no relationship between the distribution of desert tortoises presented in this figure and the actual distribution of this species in the West Mojave. For example, this map does not show the presence of desert tortoises in the DTRNA (see attached **Appendix III**)! Why do so many of the data points follow highways? There is no evidence in any literature that this species is attracted to highways, or utilizes highways in any way, indicating that this pattern is the result of flawed data collection methodology, rather than an actual existing pattern. Since the database on which this is based is not publically available, it is impossible to know whether the error is in the database or in the figure. If the error is just in the figure, it must be corrected. If the error is in the database, it puts in question any habitat modeling presented in the DRECP. The REAT must release the

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
					databases it used for its habitat modeling. Please remember that if these data points were used in the modeling and similar very poor quality data points were used for other species, then the material on which models were based and DFAs were sited, the DRECP is seriously and fatally flawed.
Volume IV, Section 7 – Biological Resources					
Volume IV, Section 7 – Biological Resources Affected by Preferred Alternative					
82	IV.7.3.2.1.1			IV.7-234	Saying that the Preferred Alternative "largely avoids … important habitat for Mohave ground squirrel" is not sufficiently precise. How many acres of important MGS habitat would be lost? What percentage of the existing MGS HMA would be lost to the Preferred Alternative? Answers to these questions would help us understanding by what "largely" means to the REAT.
83	IV.7.3.2.1.1			IV.7-238	With regards to the following statement, "…some DFAs were the result of public scoping," we are aware of a half dozen environmental groups who specifically asked that the DTRNA be excluded from DFAs. Why were these requests ignored?
84	IV.7.3.2.1.1			IV.7-238	The following sentence: "While **attempts** were made to avoid the most sensitive areas, some DFAs do overlap sensitive desert tortoise resources" violates reasonable principals of conservation. What conditions existed that required the REAT to include any portion of the DTRNA in DFA designations, for example? Which constraints prevented your "attempts" from successfully excluding solar development from the one place in the West Mojave where tortoise populations appear to be recovering?
85	IV.7.3.2.1.1			IV.7-238	Specific Covered Species Impact Analyses > Desert Tortoise. Impact of Preferred Alternative is described as (italics ours) "DFAs *overlap* with the boundaries of the Desert Tortoise Research Natural Area, West Rand Mountains, and Fremont-Kramer TCAs." , and that "The DFAs *abut* TCAs in the following areas: in the West Mojave – 2 ecoregion subunit (the Desert Tortoise Research Natural Area)". The definitions of "abut" and "overlapping with boundaries" do not reduce the area of a location by 250 or 1,000 acres. We protest this attempt to downplay these actions and their impact on desert tortoise survival in the West Mojave.
86	IV.7.3.2.1.1		IV.4-78	IV.7-239	Given continued declines of tortoises throughout California, how can DRECP facilitate and then justify the outright loss of 27,000 acres of Tortoise Conservation Areas as reported in **Table IV.4-78**?

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					If 2,024,000 acres of DFAs are identified in the Preferred Alternative and only 177,000 acres are needed to accomplish full build out of 20,000 MW renewable energy, then why must **any** TCAs be slated for energy development? Other than the No Action Alternative, the DRECP fails to identify an alternative that would avoid Tortoise Conservation Areas and actually conserve tortoises in critical habitats. How will this support the recovery of the desert tortoise as required by law?
87	IV.7.3.2.1.1			IV.7-240	Under current management by the BLM, no desert tortoise critical habitat has been developed. Under the Preferred Alternative, 8,000 acres could be directly impacted. Why is **any** critical habitat, which USFWS defines as "essential for the conservation of a threatened or endangered species," allowed to be developed? Since the USFWS' range-wide distance sampling has NOT shown an increase in tortoise numbers, how is loss of critical habitat is justifiable? What is the justification for the development of these 8,000 acres? If 8,000 acres can be directly impacted, how many acres would be affected by indirect impacts such as heat sinks, dust deposition, increased predation by ravens and coyotes, etc.?
88	IV.7.3.2.1.1			IV.7-268	Given the following statement "In order to minimize habitat fragmentation and population isolation, DFAs were sited in less intact and more degraded areas," and the proposal that up to 8,000 acres of critical habitats could be developed, which parts of critical habitat does are judged to be "less intact and more degraded?" Which database did the DRECP consult to identify the 8,000 acres of less intact, degraded critical habitats? The 250 acres of the DTRNA identified for DFA status in the Preferred Alternative are not "less intact and more degraded" as we clearly show in Appendix I. Therefore, we contend that the proposal to site DFA on this area of the DTRNA is not justified and this area should be not be designated as DFA in any Action Alternative.

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
89	IV.7.3.2.1.1			IV.7-280	Given that the Mohave Ground Squirrel Technical Advisory Group has identified the "Bowling Alley" area north of Highway 58 and west of Highway 395 as a Key Area (previously "Core Area"), important to the long-term conservation of Mohave Ground Squirrel, we respectfully ask that this area be included in Reserve Design Lands as a new Area of Critical Environmental Concern specific to Mohave Ground Squirrel management. This area is shown as a Special Analysis Area in **Figure II.3-1** in the Preferred Alternative.
90	IV.7.3.2.1.1		IV.7-57	IV.7-297	As with the previous comment, in **Table IV.7-57** we see that the Preferred Alternative would conserve 74% of available tortoise habitat, meaning that 26%, Plan-wide, would not be conserved. What available data support your assumption that the loss of 26% of available tortoise habitat from the Plan area will not jeopardize the species? Given that these percentages are based on direct impacts to a specified number of acres, how many individual tortoises would be lost from 26% available tortoise habitats compared to conserving 74%? Without knowing how many tortoises are lost versus how many tortoises are conserved, how do you propose to quantify impacts versus conservation to effectively demonstrate the Preferred Alternative meets the CDFW fully mitigate standard?
91	IV.7.3.2.1.1		IV.7-58	IV.7-302	Regarding the intended loss of 15% of "Desert Tortoise Important Areas." How many acres does this 15% comprise and where, specifically? If these areas have been identified as important to tortoises and even named, what justification is there to develop these "important" habitats? The analysis that would be meaningful would be identification of habitats important to tortoises and identification of habitat avoided. As it is, the DRECP is identifying these areas as both important and expendable at the same time.
92	IV.7.3.2.1.1		IV.7-59	IV.7-303	Given the restricted range of the Mohave ground squirrel to the West and Central Mojave, how does DRECP justify the loss of 29% of "key population centers" and 33% of "linkages?" How many individual Mohave ground squirrels would be lost versus conserved by implementing the Preferred Alternative?

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
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					Without these numbers, how can DRECP demonstrate it has met CDFW's fully mitigate standard?
93	IV.7.3.2.1.1		IV.7-60 II.3-1	IV.7-304 II.3 - 9	According to these tables, "approximately 87% of the desert tortoise designated critical habitat would be conserved". The corollary is that 13% of critical habitat would not be conserved, and would be newly available for renewable energy development. Has the USFWS' definition of critical habitat as "essential" changed, so that now critical habitat is available for development? What is the justification for opening these particular 13% to development? **Figure II.3-1**, showing the Interagency Preferred Alternative, does not include desert tortoise critical habitat in that map, so we cannot see where the DFAs and critical habitat coincide. How is the loss of 13% of critical habitat more conservative than the No Action Alternative, where critical habitat is protected under the Solar PEIS?
94	IV.7.3.2.1.1		IV.7-60 II.3-1	IV.7-304 II.3 - 9	Since the USFWS is an author of the DRECP, and the DRECP opens 13% of the critical tortoise habitat in the area, we have a number of questions: What percentage of critical habitat does the USFWS consider to be expendable before a project such as the DRECP will jeopardize the species? How is the adverse modification and loss of 13% of critical habitat justified given the USFWS' own range-wide distance sampling data that show ubiquitous declines in California even without the loss of 13% of critical habitat? Is the loss of 13% of critical habitat (1) consistent with the biological goals and objectives identified for the DRECP and (2) complementary to the goals and objectives of USFWS' 2011 revised Recovery Plan? Was the loss of 13% of critical habitat a foreseeable circumstance in the Federal Register notice listing the species, or is this an unforeseen circumstance that may warrant listing of the tortoise as federally endangered?

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
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95	IV.7.3.2.2.1		IV.7-65	IV.7-323	It is not clear how to compare the 15% Plan-wide loss of Desert Tortoise Important Areas given in **Table IV.7-58** with the loss of 14,000 acres of Desert Tortoise Important Areas occurring on BLM lands given here in **Table IV.7-65**. Are these 14,000 acres a portion of the 15%? How many total acres of Desert Tortoise Important Areas are included in 15% of the Plan area? How does DRECP define “important” if these lands are not important enough to conserve?
96	IV.7.3.2.2.1		IV.7-66	IV.7-325	With regards to Mohave ground squirrel, there is a similar issue comparing percentages given in **Table IV.7-59** with acreages given here in **Table IV.7-66**. For example, what proportion of the 29% loss of key population centers given in **Table IV.7-59** is comprised of the 600 acres of BLM lands given here in **Table IV.7-66**?
97	IV.7.3.2.2.2			IV.7-359	Did DRECP staff perform any ground-truthing of desert tortoise modeled habitats to see predictive value of the models? We assume at the least that the model output identified suitable versus unsuitable habitats; if so, was there any attempt to perform site visits to see how well the model performed? Even if judged to be suitable and as stated elsewhere, we are concerned that DRECP is based on acreage calculations without any data to support how many tortoises would be affected, or even if tortoises occupy modeled unsuitable habitats. In the absence of these data, how does USFWS plan on identifying mortality take limit(s) in its biological opinion(s) for the DRECP? Further undermining the DRECP’s assessments are the use of a grossly flawed database for the modeling.
98	IV.7.3.2.3			IV.7-386	Given that less than 5% of Agassiz’s desert tortoise total suitable habitats are within the DRECP NCCP Reserve Design, what exactly is the conservation function of the NCCP for tortoises? Are we correct in assuming that the NCCP program is intended to function in lieu of the 2081 incidental take authorization for the DRECP?

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					Will CDFW issue a programmatic 2081 incidental take permit for DRECP-covered activities? Is there something in the NCCP that authorizes incidental take? Is CDFW's "fully mitigate" standard applicable to the NCCP portion of the DRECP? If so, how does the inclusion of less than 5% of suitable tortoise habitat in the NCCP design satisfy the fully mitigate standard?
99	IV.7.3.2.7			General	At the present, the Solar PEIS and BLM current management prohibit renewable energy development in tortoise critical habitat and DWMAs, yet this section totally ignores this fact, and claims that the DRECP would limit development in critical habitat. In fact, every Action Alternative of the DRECP opens tortoise critical habitat to renewable energy development, while under the No Action Alternative, no such development would be permitted. This claim can be summarized in the following quote from **Page IV.7-472**: "Overall, there are greater impacts to suitable habitat for Covered Species under the No Action Alternative compared to the Preferred Alternative." This entire section blatantly misrepresents of the current management plans in an attempt to paint the destruction of desert tortoise habitat proposed by the Preferred Alternative as a "better" solution than present management plans. Clearly an alternative proposing to meet the energy goals without impacts to suitable tortoise habitats is lacking from the Draft EIR/EIS and needs to be presented in the Final EIR/EIS.
100	IV.7.3.2.7			General	Although the Preferred Alternative would allow competitive recreational events in NCL-designated lands, which DRECP ostensibly presents as the most protected lands outside wilderness, we see there is no mention of this in the comparison section. Does the DRECP claim that, against all reason and logic, these events, which are prohibited in the No Action Alternative, would have no effect on desert tortoises and desert tortoise habitat? Again, it would seem that the DRECP misrepresents the actual comparison between the effects of Preferred Alternative and the No Action Alternative.

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
101	IV.7.3.2.7			General	We are concerned that the Draft EIR/EIS seemingly fails to acknowledge that DWMAs even exist, preferring instead to refer to them as ACECs. Much of current management is driven by DWMA designations, such as prohibition of solar development, 5:1 compensation ratios, 1% Allowable Ground Disturbance, and other proactive management. These management practices, which exist under the No Action Alternative would be undermined or diluted by the DRECP Preferred Alternative. Yet this difference is one more comparison that is missing from this section.
102	IV.7.3.2.7.1			IV.7-467	Bottom of the page: "Mitigation that would contribute additional conservation acreage under the No Action Alternative would be project-by-project and would not be part of a desert-wide conservation strategy," This statement ignores the fact that all public lands managed by the BLM are subject to coordinated management under WEMO, NECO, and NEMO plans. The statement is **only** correct for private lands.
Volume IV, Section 13 – BLM Lands and Realty					
103	IV.13.3.1.1.1			IV.13-5	Given the title of Impact LR-1, as a "Land tenure adjustment" analysis, where is the statement of how much public land would be conserved under the No Action Alternative because it would not be disposed of, as envisioned under the Preferred Alternative? This is one more example of how the No Action Alternative, which equals current management, is not being accurately presented. For example none of the following actions, which could occur under the Preferred Alternative, would occur under the No Action Alternative: • Under the Preferred Alternative SRMAs and ERMAs would be designated throughout tortoise critical habitats, but not under current management • The Preferred Alternative would allow competitive recreational events in DWMAs and tortoise critical habitat but are not allowed under current management • Under the No Action Alternative, no critical habitats or DWMA lands would allow solar development; compensation would remain at 5:1 for all DWMA lands, rather than applied to reduced acreages designated as tortoise critical habitat; etc. Until this analysis is revised to identify all differences (as opposed to only those that present the No Action Alternative as inferior), this "analysis" is seriously flawed.

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104	IV.13.3.1.1.1			IV.13-8 – IV.13-10	Further examples of the misrepresentation of the current management and conservation practices: The following statement, "The No Action Alternative does not include conservation actions," fails to acknowledge the multiple conservation actions that are already in place. The fact that no solar development has occurred in tortoise critical habitat since its designation in 1994 is clear evidence that current management, which would be perpetuated in the No Action Alternative, includes numerous conservation actions. In the West Mojave Plan, alone, 128 protective management prescriptions were adopted in the Record of Decision, affecting resource protection on only a portion of the BLM lands within the DRECP planning area. The following statement, "There would be no reserve design established to guide future BLM Conservation Designations," ignores the fact that the three regional BLM plans, including WEMO, NECO, and NEMO all established a reserve design that is available to BLM under current management and the No Action Alternative. The following statement, "The No Action Alternative has no reserve design, but there would be continued protection under existing Legislatively and Legally Protected Areas such as wilderness areas," is incomplete and misleading. For example, it does not acknowledge the establishment of DWMAs under WEMO, NECO, and NEMO; it does not acknowledge the creation of Solar Energy Zones in the BLM's Solar PEIS; etc.
105	IV.13.3.2.1.1			IV.13-20 IV.13-21	Does the following statement on **Page III.13-20** "If renewable energy development occurs on FAA lands, a LUPA would not be required" conflict with the following statement on **Page III.13-22** "If lands currently classified as FAAs become designated as DFAs through a plan amendment?" If a LUPA is not required to develop renewable energy in an FAA than why would anyone propose a LUPA to redesignate the FAA as a DFA?
106	IV.13.3.2.1.1			IV.13-21	The Draft EIR/EIS indicates that for the entire planning area, "In nondesignated lands (i.e. lands not covered by the specific CMAs below), make lands available for disposal through exchange or land sale,", Please clarify: • Does this mean that all public lands not specifically designated for conservation management would be available for disposal? • What is the acreage of public lands affected by this prescription? How many tortoises occur on these public lands and would no longer receive federal protection of BLM

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					policies? If, according to the second bullet on page **IV.13-21**, the BLM State Director can allow development of acquired lands at his/her discretion, how can DRECP guarantee that CDFW's fully mitigate standard is met? What is the tracking mechanism that will allow the public to see how often and how many acres of acquired lands are developed? We feel that the final bullet at the bottom of page **IV.13-21** should be clarified to identify those areas where exchange may occur. For example, could public lands within an SAA be exchanged for public lands within DFAs that may still result in a net loss of public lands? This measure would be more acceptable if the lands to be acquired in the exchange provide a conservation benefit to the specific Covered Species that are affected by the loss of public lands from Study Areas disposed of in the exchange.
107	IV.13.3.2.1.1			IV.13-23	Does the following statement in the fifth bullet on **Page IV.12-23** imply that all public lands (as inserted) within NCL designations may be disposed of if the proponent can demonstrate a net benefit to NCL management? "Make [all] lands available for disposal through exchange if it results in a net benefit to the values of National Conservation Lands." What is an example of how such a disposal of public lands could possibly result in a net benefit? If there is no compelling example, we believe this provision should be eliminated. We make the same recommendation for the final bullet in this section, which reads: "Make lands available for disposal through exchange if it results in a net benefit to the values of the ACEC." If there is no compelling example, we believe this provision should be eliminated.
108	IV.13.3.2.6.1			IV.13-28	The following statement ignores protections provided by the Solar PEIS "Under the No Action Alternative, potential development areas total approximately 9 million acres and existing protected areas total 7.5 million acres" What is the actual acreage in Solar PEIS Solar Energy Zones that would be available for solar development?

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109	IV.13.3.2.6.1			IV.13-28	In another example of the misrepresentation of the current management practices compared to those proposed by the DRECP, the DRECP claims "…potential impacts to BLM lands from renewable energy development under the Preferred Alternative would decrease compared with the current system of renewable energy development within the Plan Area: Fewer areas would be available for development." According to Appendix O, there have been only 8,686 acres of renewable energy development on BLM lands to date. How can the Preferred Alternative, which intends to develop 177,000 acres of the desert (32,000 acres of BLM lands cited on **Page IV.13-28**) be considered as a decrease compared to the current management's development of 8,686 acres? Although there may be the "potential" for this development, the data show that less desert is likely to be developed under the No Action Alternative than would be facilitated by the DRECP Preferred Alternative. Why would the CEC, CALWEA, and the solar industry support the DRECP if it does not facilitate development over current management?
110	IV.13.3.2.6.1			IV.13-27 IV.13-28	In this analysis of BLM LUPAs and other considerations on public lands, ERMAs are mentioned two times: once on **Page IV.13-27** with regards to land disposal being allowed, and a second time on **Page IV.13-28** with regards to prohibited activities. Does the REAT consider this to constitute an analysis of how designating ERMAs will affect desert tortoises and their habitats? Will the Final EIR/EIS present an actual analysis of the impacts associated with this land designation?
Volume IV, Section 27 – Comparison of Alternatives					
Among the five action alternatives, we find it counterintuitive that there is no "consistent conservation value" associated within any given action alternative. In most EIR/EIS documents, there are one or more alternatives that provide negligible conservation value, which are construed as "high human use" alternatives; there are alternatives that provide stellar conservation value, which are construed as "high conservation value" alternatives; and there is the preferred alternative, which is usually intermediate. We see no such structure in the Draft EIR/EIS, which makes it impossible to promote or endorse any one of the alternatives. For example, one may assume that Alternative 2 would be the "high development alternative" because in Table IV.27-1, it proposes a total of 4,921,000 DFA acres when BLM, NCCP, and GCP DFA acres are combined, which is the highest among the alternatives. Yet we see that, at 134,000 acres of permanent disturbance, it is the lowest of all the alternatives, excepting the No Action Alternative at 123,000 acres. How is this even possible? How can there be more land available for					

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development in an alternative that would have the fewest impacts? We find that the heterogeneity within any given alternative is as such that there is no clear way to assess its strengths or weaknesses, which is better or worse, which is more protective or not, etc. Considering Alternative 2, for example; it is attractive as the only alternative that prevents competitive recreational events on NCLs lands (which maintains current management). We then find that Alternative 2 has the largest proposed DFA, the lowest acreage of permanent disturbance, the second smallest CPA, the highest proposed NCLs, the lowest proposed ACEC acreage, the lowest wildlife allocation, etc.					
111	IV.27.2		IV.27 (all)	IV.27-2	According to the description of Tables IV.27 on page IV.27-2, "the most important impacts in each resource topic that distinguished between alternatives are identified and compared". This raises the following question: why isn't the proposed disposal of public land not included in the tables? The disposal of public lands from DFAs and undesignated areas is one of the most serious threats to the management and recovery of tortoises since its listing in 1989-1990. However, the Draft EIR/EIS fails to identify how many acres under each alternative may be disposed of by the DRECP, and this section fails to divulge what the extent of this disposal may be.
112	IV.27.6		IV.27-1	IV.27-7	The availability of 9,788,000 acres under the No Action Alternative does not actually reflect current management. Under current management, solar development has not occurred within DWMAs or tortoise critical habitat, nor does this figure seem to acknowledge restriction of solar development to the SEZs identified in the Solar PEIS of 2012.
113	IV.27.6		IV.27-2	IV.27-8	Is the REAT aware that even under the No Action Alternative that NCLS lands have already been formally proposed to the BLM? On 10/11/2013, the Desert Tortoise Council formally proposed to Director Jim Kenna that all public lands managed by the BLM in Desert Wildlife Management Areas be nominated and accepted for NCL status. The letter, which is available upon request, formally nominates these and other lands, which we interpret to be proposed NCL lands rather than the "0" given in Table IV.27-2. This request was resubmitted to Carl Roundtree of BLM on 1/6/2014. We are also aware that several other environmental groups have recently formally nominated BLM-administered lands for NCL status. Aren't these nominations considered proposals under the No Action Alternative? And, if so, shouldn't that acreage be published in this table?
114	IV.27.6		IV.27-4	IV.27-13	We note that you indicate 26,000 acres of tortoise critical habitat may be developed under the No Action Alternative, which is not true. Critical habitat is currently protected under the Solar PEIS; no solar is allowed in ACECs or DWMAs, which together encompass all tortoise critical habitats.

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
					All potential loss of tortoise critical habitat is proposed by the DRECP, and would not occur under present management plans. Here and elsewhere, the Draft EIR/EIS has misrepresented and underestimated protection provided by current management under the No Action Alternative. This is not only misleading, it erroneously presents the Preferred Alternative and other action alternatives as enhancing current management, when in fact, all alternatives would facilitate loss of tortoise critical habitats, result in disposal of public lands, and streamline authorized take of animals that are currently not threatened with energy development.
Volume V – Consultation, Coordination, and Public Participation					
115	V.5			V-12	Why wasn't the U.S. Forest Service (USFS) included as a NEPA Cooperating Agency? Are not some USFS lands affected by transmission corridors leaving the DRECP planning area?
Volume VI – Mitigation Monitoring and Reporting Plan					
116	VI.4			VI-4	Does **Point 7**, "Provisions responding to a failure…" include the ability to identify and require remedial measures, which is not listed but may be implied? If not, we suggest that point 8 be added and read as follows: "Provisions for requiring remediation to ensure that failure to comply is rectified and the mitigation measures function as intended," or some similar language.
Appendix H - Conservation and Management Actions Documentation					
117			H-1 H-7	H-7 H-23	What does "Desert Tortoise High Priority Habitat" mean? The term is used to designate areas shown in these two maps, but there is no reference or explanation in the text either here or in the description of the CMAs in Volume II.3. Use if terms that are not explained contribute to the general disorganization of the DRECP, and should be corrected. Either explain the term, or don't use it in the figures.
118	H.4.3.2		H-11	H-103	Non-acquisition costs in the West Mojave Recovery Unit are given as 1 mile fencing being the mitigation for 100 acres of lands used in development. Presently, desert tortoise habitat in the location of the DTRNA costs about $1000-$2000 per acre. At a mitigation ratio of 3:1, that should be $3,000-$6,000 per developed acre. At a mitigation ratio of 5:1, that should be $5,000-$10,000. So, for 100 acres, the compensation should

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
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					be worth $300,000 - $600,000 (or $500K - $1 million). We have estimated permeable fencing and signing costs for our properties, and the fencing and signing cost per mile is about $30,000. So not only would the non-acquisition compensation be an order of magnitude less than the cost of land at the compensation ratios claimed by the DRECP, they would not even cover the cost of the land ($100,000 - $200,000)!! Even for the other Recovery Units, the cost of fencing ($90,000) would not cover the cost of the land. In the Colorado Desert Recovery Unit, the Non-Acquisition Action of setting up 2 miles of roadside tortoise exclusion fencing is too low. Tortoise exclusion fencing is about $8-$20 per linear foot. So two miles would cost $85,000 - $220,000, which is still far below the cost of a 3:1 or 5:1 land acquisition action for 100 acres of good quality desert tortoise habitat. The non-acquisition costs should be increased to match the 5:1 costs of land acquisition.
Appendix L – BLM Worksheets					
119					General: What is "***Design*** Focus Areas"? Why does the DRECP keep on using terms that are not defined or explained? This lack of coherency and consistency is yet another major flaw in an already fatally flawed document. Please do not use unexplained and undefined terms and please use the same term consistently across the entire document.
120					General: this whole appendix is organized in a confusing and haphazard manner. There is no internal logic to the order of the maps, aside from the being clumped by general region. Even within region, there is no logical organization, maps of different areas and ACECs are often mixed within Worksheet Parts, or otherwise jumbled. Finally, there is no comprehensive key in a list or map, showing which Region/ACEC is found in which Worksheet and Part. The entire Appendix seems set up to make reviewing it difficult and time-consuming. This is especially disturbing, since there is information and data here about the DRECP which does not exist elsewhere in the DRECP. This further reduces the already limited transparency of the DRECP and the process by which the land use decisions in the DRECP were made. Please rearrange these Worksheets in a more consistent and logical manner, and provide a clear key, to allow reviewers to find the specific plans for ACECs without needing to sift through the more than 100 maps in this Appendix.

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
121	BLM Worksheets ACEC Parts 5-3 to 5-5			Pages not numbered	McCoy Wash is designated, in the Preferred Alternative, as both DFA, *AND* an ACEC with a disturbance cap of 0.1%. These are incompatible land uses, as is made clear in the DRECP. Please follow the rules laid out by the DRECP itself, not to mention every conservation plan in existence, and remove the DFA designation. What is the justification for designating the entire area surrounding the McCoy Wash ACEC as DFA in the Preferred Alternative and in Alternatives 3 and 4? This endangers the ecological functioning of this area, and contradicts the purpose of designating an area as an ACEC. To preserve this area, the DFA designation should also be removed from surrounding lands. The DFAs of the Preferred Alternative are in Desert Tortoise Linkages.
122	BLM Worksheets ACEC Parts 5-10 and 5-11			Pages not numbered	Why do the maps here not show planned transmission lines that are shown in the DRECP itself? **Figure II.3-3** shows transmission lines through Chuckwalla Mountains Wilderness Area Alligator Rock ACEC, Chuckwalla DWMA, and Chuckwalla Valley Dune Thicket ACEC, however, these transmission lines are not shown in these Worksheets. This lack of transparency in the DRECP Plans for development needs to be remedied
123	BLM Worksheets ACEC Parts 6-5 and 6-8			Pages not numbered	The figures in the Worksheet show the areas adjacent to Mountain Pass Dinosaur Trackway to be designated as DFAs in the Preferred Alternative. However, **Figure II.3-3** on **Page II.3-162** shows these same areas designated as Future Assessment Areas in the preferred Alternative. This is yet another case demonstrating the lack of consistency and internal contradictions plaguing this plan. Please decide what designation these areas should have and correct this contradiction.
124	BLM Worksheets ACEC Part 6-7			Pages not numbered	The figures in the Worksheet show areas around Mesquite Lake to be designated as DFAs in the preferred Alternative. However, **Figure II.3-3** on **Page II.3-162** shows these same areas designated as DRECP Variance Lands in the preferred Alternative. Another internal contradiction. Please decide what designation these areas should have and correct this contradiction.
125	BLM Worksheets ACEC Part 6-			Pages not numbered	The figures in the Worksheet show areas in the Silurian Valley to be designated as DFAs in the preferred Alternative. However, **Figure II.3-3** on **Page II.3-162** shows these same areas designated as Special Analysis Areas in the preferred Alternative.

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	9				Please decide what designation these areas should have and correct this contradiction.
126	BLM Worksheets ACEC Part 8-12			Pages not numbered	The extent of DFAs around Soggy Dray Lake Creosote Rings in the Preferred Alternative is shown as more extensive in this Worksheet than presented both in **Figure II.3-3** on **Page II.3-162** and in the maps provided by the DRECP to the public online at http://drecp.databasin.org/. Once again, data presented in different locations in the DRECP is not in agreement. Please ensure that all the maps and figures supplied to the public show the same information.
127	BLM Worksheets ACEC Part 9-5			Pages not numbered	What is the reason for the DFA to the West of the Calico Early Man Site? It overlaps TCA, it is fairly pristine habitat, and it is not on a road or any existing power corridor. Please provide justification.
128	BLM Worksheets ACEC Part 9-16			Pages not numbered	Why don't the maps in the Part show the DFA to the West of the Calico Early Man Site that was shown in every map in Worksheet ACEC Part 9-5? Please make sure that maps are consistent.
129	BLM Worksheets ACEC Part 10-2			Pages not numbered	The figures in the Worksheet show areas south of Highway 62, close to Arizona to be designated as DFAs in the preferred Alternative. However, **Figure II.3-3** on **Page II.3-162** shows these same areas designated as DRECP Variance Lands in the preferred Alternative. Please decide what designation these areas should have and correct this contradiction.
130	BLM Worksheets ACEC Part 10-3			Pages not numbered	The figures in the Worksheet show areas North of I-40, northwest of Needles to be designated as DFAs in the preferred Alternative. However, **Figure II.3-3** on **Page II.3-162** shows these same areas designated as DRECP Variance Lands in the preferred Alternative. Please decide what designation these areas should have and correct this contradiction.
131	BLM Worksheets ACEC Part			Pages not numbered	The figures in the Worksheet show the area south of Historic Route 66, between Cadiz Valley ACEC and Twenty Nine Palms Marine Base to be designated as DFAs in the preferred Alternative. However, **Figure II.3-3** on **Page II.3-162** shows these same areas designated as DRECP Variance Lands in the preferred

TABLE 1. Desert Tortoise Preserve Committee, Inc. Comments on DRECP Draft EIR/EIS					
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	11-2				Alternative. Please decide what designation these areas should have and correct this contradiction.
132	BLM Worksheets ACEC Part 12 - 8			Pages not numbered	The Stated Goals, according to this Worksheet are: "Goals: To protectively manage an area that supports a significantly high density of Desert Tortoises while providing opportunities for compatible recreation. To conduct research activities that help to guide in the management of the Desert Tortoise and its habitat." However, aside from Alternative 1, none of the Alternatives actually makes any attempt to achieve this goal. In fact, the Preferred Alternative, as well as Alternatives 3 and 4 put serious obstacles in the way of this goal, while Alternative 2 would achieve the opposite – removal of all protections from the DTRNA and consigning the desert tortoise populations of the DTRENA to extinction. All the Action Alternatives should be redesigned so that they actually have a chance to achieve the stated goal of conservation of desert tortoises, rather than help bring on the demise of this population, which is what these alternatives will achieve in their present form
133	BLM Worksheets ACEC Part 12 - 9			Pages not numbered	How are any of the goals presented in this Part served by the reduction in the Fremont-Kramer ACEC which is proposed for every Action Alternative? This area has the most endangered population of the desert tortoise, so this proposal is one of the most antithetical to Conservation in this entire "Conservation Plan". This part of the DRECP should be removed from any and every Action Alternatives – the Fremont-Kramer ACEC should be expanded, rather than reduced.
134	BLM Worksheets ACEC Part 12 - 9			Pages not numbered	The map for the preferred Alternative shows the area to the West of Highway 386 to be a ground squirrel ACEC, while at the same time, the area is shown to be designated as DFA. Please clarify what land use is proposed by the DRECP, and a justification for the designation of this ground squirrel habitat area as a DFA.
135	BLM Worksheets ACEC Part 12-18			Pages not numbered	As for the proposed reduction of the Fremont-Kramer ACEC: how are any of the goals presented in this Part served by the reduction in the Western Rand Mountains ACEC which is proposed for every Action Alternative? The DRECP is putting the entire West Mojave population of the desert tortoise at risk, by the decision of the REAT that development should be focused on critical desert tortoise habitat, including habitat that has, until now, enjoyed different levels of conservation.

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					This part of the DRECP should be removed from any and every Action Alternatives – the Fremont-Kramer ACEC should be expanded, rather than reduced.
136	BLM Worksheets SERMA-ERMA			Pages not numbered	General: even more so than for the ACECs, these Worksheets present information that is not found in any other location in the DRECP. This “hiding” of critical information in a confusingly arranged set of documents in an appendix severely harms the transparency of the DRECP.
137	BLM Worksheets SERMA-ERMA			Pages not numbered	General: we oppose the expansion of motorized off road opportunities in the California Desert. This activity destroys natural habitat, endangers and kills native wildlife and plants. This activity also causes severe health issues through the vast increase in particulate matter in the air, caused by the enormous amount of dust generated and flung into the air by off-road vehicles. We see no justification for further erosion of the desert and for further reduction in the quality of life of the people who live and visit the desert. Furthermore, multiple species, especially desert tortoises, are being severely impacted by respiratory diseases. Decreasing air quality across their habitat will only exacerbate this problem.
138	BLM Worksheets SERMA-ERMA Part 7			Pages not numbered	We categorically oppose the expansion of off-road activities into the Rodman Mountains Wilderness area, shown in this worksheet. We further protest that this proposal was not presented in the main body of the DRECP as a Biological impact. This seems an underhanded way to “sneak” a proposal that will have major biological impacts into this plan.
139	BLM Worksheets SERMA-ERMA Part 7			Pages not numbered	We oppose the increased OHV activity in the Stoddard/Johnson Valley SRMA, since it will further reduce air quality in the Coachella valley, through increase in dust production. We categorically oppose the proposed expansion of off-road activity into the Anza-Borrego State Park.
140	BLM Worksheets SERMA-ERMA Part 17			Pages not numbered	This worksheet proposes Chemehuevi Trails as an off-road recreation area, but does not provide information regarding the location and size of this site. An EIR of a land-use plan cannot propose a project that would cause severe impacts on biological resources without providing any information as to the location and size! This area is mostly within TCA’s and any OHV activity would have extensive negative impacts on desert tortoise. We request that this information be provided, so that we can comment and react.

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Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
141	BLM Worksheets SERMA-ERMA Part 17			Pages not numbered	We are categorically against opening any new OHV route in the Chuckwalla Wilderness and in the different ACECs in the Chuckwalla area. OHV activity is a major factor in habitat destruction, direct cause of death, harassment, and destruction of dens and nests. OHV activity also brings an increase in numbers and activity of Ravens and other human subsidized predators of desert tortoises and other sensitive species. We propose that OHV activity in this area be reduced or eliminated.
142	BLM Worksheets SERMA-ERMA Part 29			Pages not numbered	OHV activity in the Rand Mountains Management Area should be reduced or discontinued. Closing the area to OHV activity was a major factor in the success the neighboring Desert Tortoise Natural Area in the recovery of desert tortoises. However, the West Mohave population of the desert tortoise can only be achieved if similar conservation actions are implemented across the all desert tortoise critical habitat, which includes the RMMA. We recommend that this area be closed to all OHV activity.
Appendix M – USFWS General Conservation Plan					
143	5.1			M-6	Given that BLM's land-use mandate is for multiple uses and the General Conservation Plan (GCP) envisions spending some fees for non-acquisition mitigation measures, how will USFWS ensure that BLM's multiple use mandate does not undermine the efficacy of these non-acquisition measures?
144	5.2			M-7	To what extent is USFWS' GCP obligated to meet CDFW's fully mitigate standard? We understand that CDFW's mitigation standards are somewhat more restrictive than USFWS' and want to be sure that these higher standards are being considered in the GCP.
145	5.2			M-7	In the absence of any baseline data either within DFAs or proposed Conservation Planning Areas (CPAs), how can USFWS "define the anticipated amount of take and the effects of that take on Covered Species" as stated on this page? Hopefully the answer to this is not by acreage, as not all acres within impact areas and conservation areas are of equal value.
146	6.0			M-8 M-9	The statement here is that the GCP would facilitate the Department of Interior's national policy goals to facilitate large-scale energy development on public lands. Does the GCP do this? Our understanding is that the GCP would function as a 10(a)(1)(B) incidental take permit, which would facilitate energy development on *private* lands, not *public* lands. Given this, how exactly does the GCP facilitate the DOI's national policy goals for development on public lands? By its nature, wouldn't that be authorized under Section 7 if

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					development of public lands is authorized by the action?
147	7.0			M-11	Under current management, it may take USFWS up to two years to issue a 10(a)(1)(B) permit. In some cases, this delay was sufficient to cause the project to be abandoned (consider Sunland Communities in Victorville, which was California's 2nd 10a permit issued in 1992 for tortoises; the site still had tortoises in 2010± and remains undeveloped). How quickly does USFWS envision incidental take issuance under DRECP? And, has this facilitation been considered in the analysis of impacts that would not occur "but for" the DRECP?
148	7.1.1		7.1.1-1	M-12	Under current management, proponents have been obligated to ensure that the compensation habitats are as good as or better than those being lost. In 2008 for Copper Mountain College, Ventura USFWS required that more habitat acreage be acquired because there were fewer tortoises on the compensation parcel than on the development parcel. According to this table, presence/absence surveys are required on development parcels. Will similar surveys be required on the acquisition parcel to ensure that the "mitigate to the maximum extent practicable" standards are met? If not, how do you propose to ensure that mitigation standards are met on a case-by-case basis?
149	7.3.1.1			M-18	This section states that compliance monitoring will ensure that "incidental take of Covered Species does not exceed the level authorized by the permit." How does the USFWS propose to do that: Will this be done based on acreage lost and conserved, or on the basis of the number of animals lost and conserved? Because of presence/absence surveys on the project site, exactly how many tortoises are taken on each site will be known, but what method will be used to quantify how many tortoises are benefitted by conservation measures that will be implemented? Where is it documented in the DRECP the number of tortoises permitted to be taken?
150	7.4.1			M-21	One of the circumstances that is expected to change is "(6) population declines of Covered Species unrelated to implementation of permits issued under the GCP". In the face of tortoise population declines that USFWS recovery efforts have still failed to curtail in the 25 years since the listing, is there a plan to deal with these uncontrollable declines, particularly in the West

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					Mojave where most of the DFAs would occur under the Preferred Alternative? Where in the DRECP is USFWS' range-wide monitoring data documented that would support the kind of programmatic impacts that would be associated with proposed development in the DFAs?
151	7.6.3.2			M-28 – M-30	How will any of the BBCS identified in this section benefit burrowing owl, which is one of the covered species not listed under the ESA?
152	9.2			M-34	Where are the 1,416 acres of tortoise critical habitat on private lands, and why have these (or any critical habitat for that matter) been designated as DFAs? Do the 1,416 acres include "action area" considerations, which USFWS is obligated to assess? Or is this acreage for only the direct impact footprint? How many more acres of tortoise critical habitat would be affected by the transmission lines accessing these solar facilities in critical habitat? These conservation plans are supposedly to protect desert tortoises, yet the descriptions of the expected impacts and proposed conservation and mitigation measures are extremely vague and uninformative.
153	9.2		9.2-1	M-35	Table 9.2-1 states that there are 518,505 acres of desert tortoise critical habitat that will be impacted by DFAs. What is the breakdown between federal and private lands? What percentage of private lands is encompassed by the 1,416 acres of critical habitat you've slated for development?
154	11.1 (Attachment A)			2 - 4	According to this attachment, 66 acres of critical habitat would be impacted by the portion of incidental take assigned to CEC. Are these 66 acres also to be compensated at 5:1 as identified for other project proponents? According to page 2, 35,250 acres of impact given to CEC are to be mitigated at 1:1.01, for a total of 35,600 acres to be acquired. Under current management CDFW rarely requires less than 3:1 for projects in tortoise and Mohave ground squirrel habitat. What is DRECP's justification for charging CEC only a third of what is required by CDFW under current management? Has CDFW agreed to this lower compensation ratio? Under current management in numerous 2081 permits, CDFW has required 3:1 compensation to meet its "fully mitigate" standard. If this has been necessary for all previous project proponents to meet CDFW's

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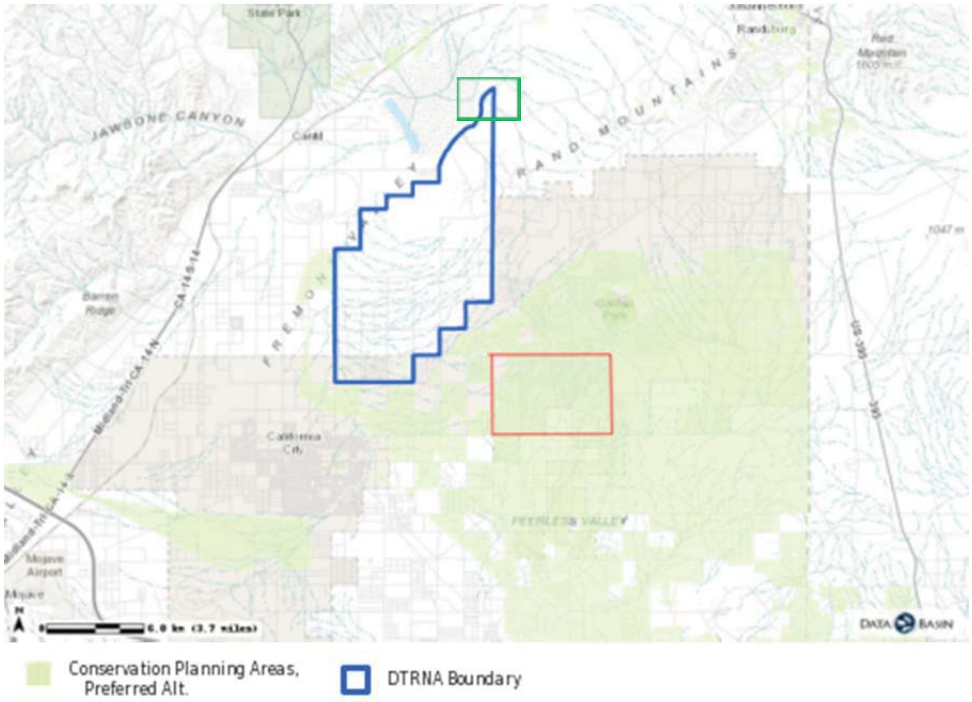
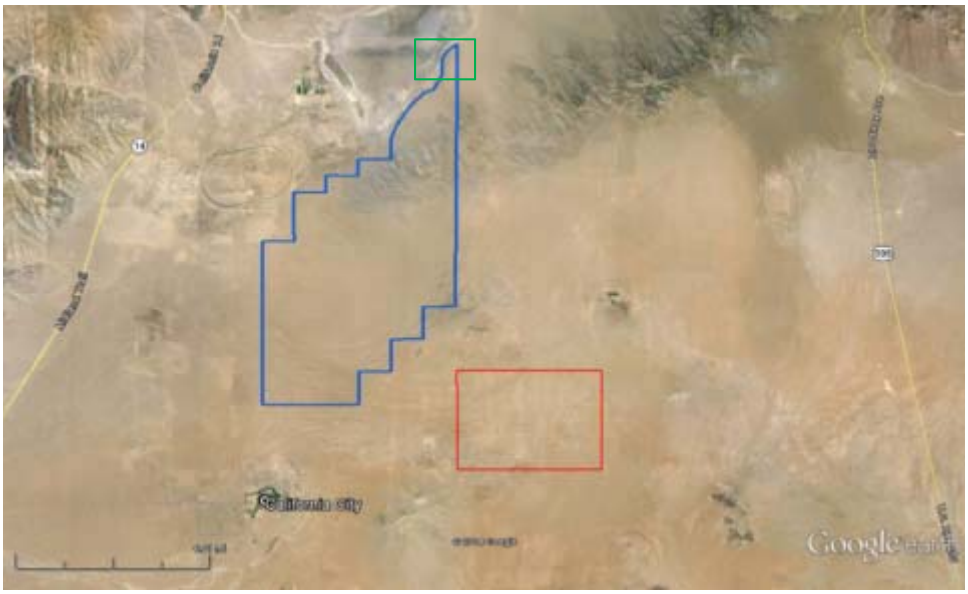
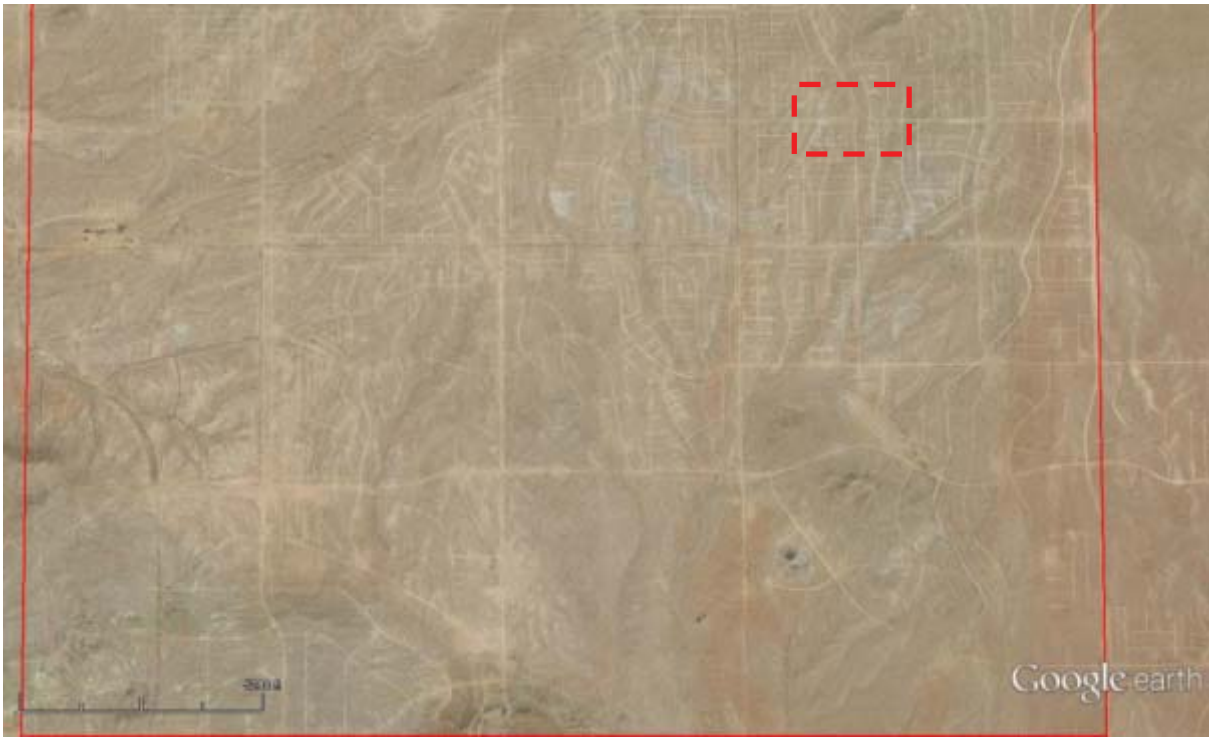
Comment Number	**Section Number**	**Figure Number**	**Table Number**	**Page Number**	**Comment and/or Reference**
					standards, what has changed that will now allow only 1:1 to meet those same standards, especially at the programmatic level envisioned by DRECP?
155	11.2 CSLC Application Materials			1-4	Has the California State Lands Commission (CSLC) allowed/authorized development of renewable energy on State lands to date? If so, how many acres have been developed? How many acres of CSLC lands are in tortoise critical habitat included in DFAs? Are all CSLC lands *de facto* DFAs, or only those parcels falling within the DFA boundaries that would be included in the final adopted alternative?

Appendix I: Images Comparing Land with Planned Development to the Area Proposed for Mitigation





<u>Conservation Planning Area</u> <u>in red box:</u>

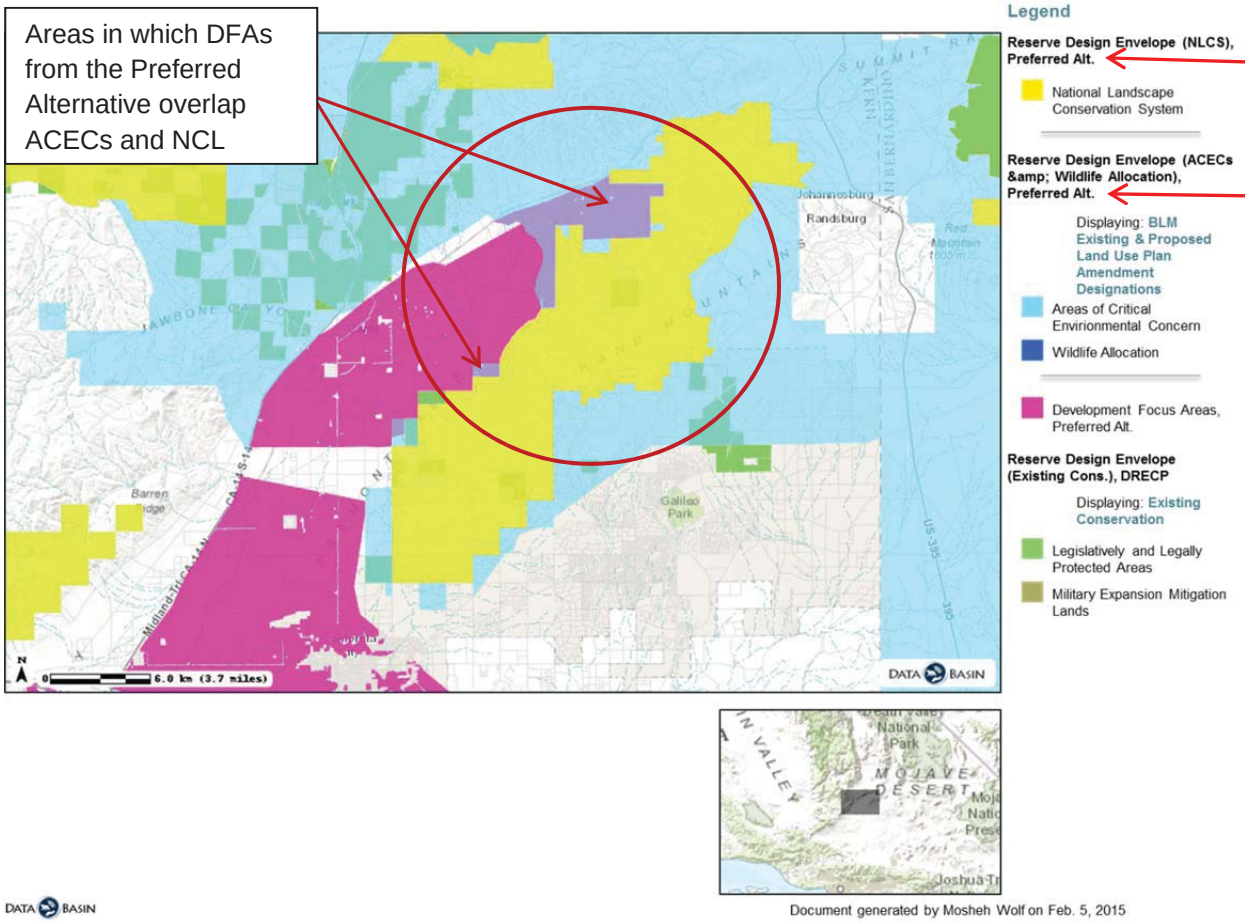


<u>Overlap of **DFA** with DTRNA, **Preferred Alternative** (in green box):</u>

Close-up of box in **Conservation Area Planning**:

Close up of box in **DFA** - DTRNA overlap (same resolution as previous image)

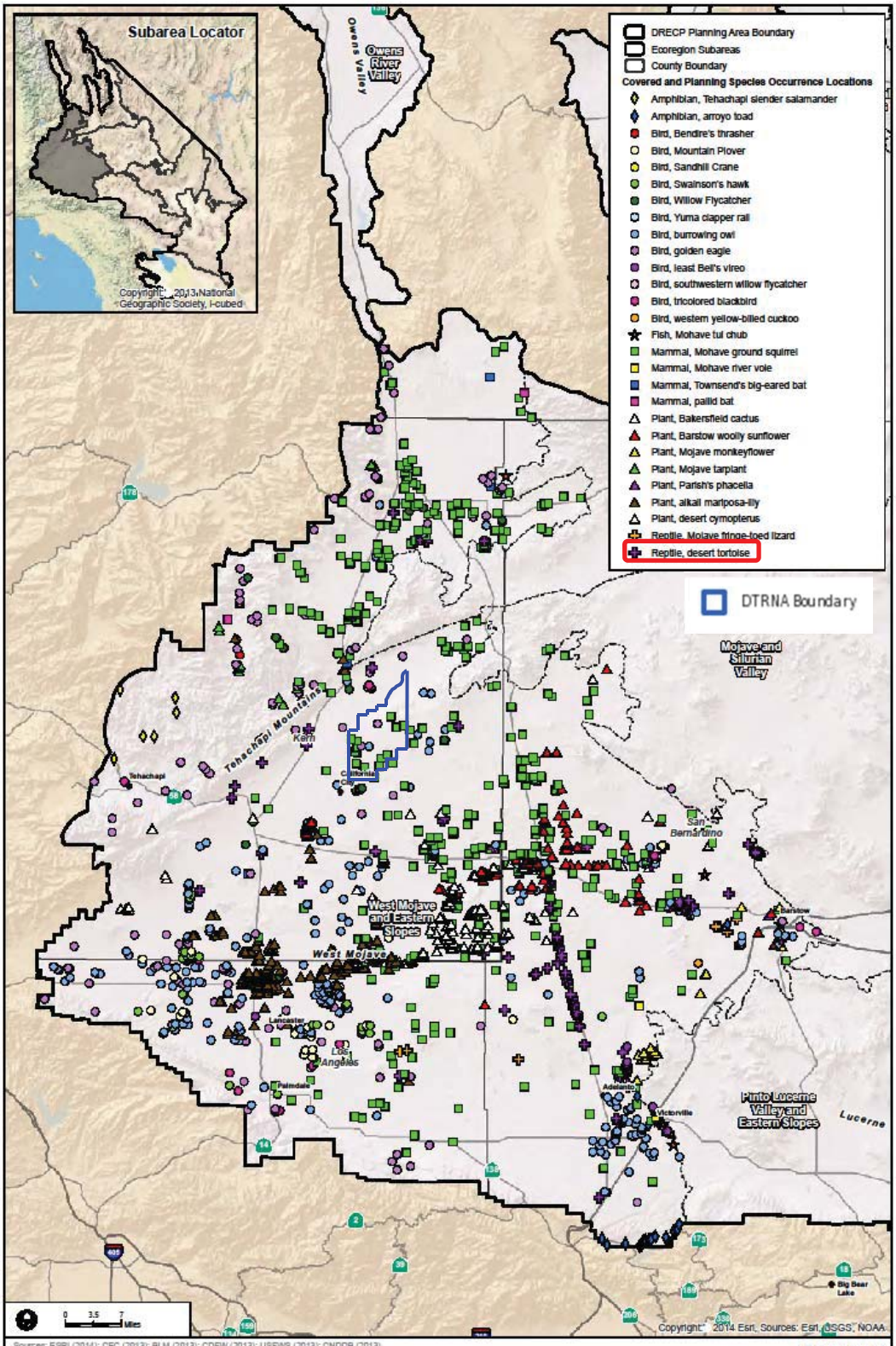
Appendix II: Overlap between the Preferred Alternative and Areas Designated as Conservation Lands in the preferred Alternative According to DRECP Publicly-Shared Maps



DATA BASIN

Document generated by Mosheh Wolf on Feb. 5, 2015

Appendix III: Figure III.7-25 from **DRECP**



Sources: ESRI (2014); CEC (2013); BLM (2013); CDFW (2013); USFWS (2013); CNDDB (2013)

FIGURE III.7-25

Covered and Planning Species Occurrence Locations - West Mojave and Eastern Slopes Ecoregion Subarea

Draft DRECP and EIR/EIS

August 2014