desert conservation
PROGRAM

DOCKET 07-AFC-5	
DATE	02/10/10
RECD.	07/28/10

February 10, 2010

Tom Hurshman
Right-of-Way Project Manager
Bureau of Land Management
2465 South Townsend Ave.
Montrose, CO 81401-5436

Re: Draft Environmental Impact Statement/ Environmental Impact Report for the BrightSource Ivanpah Solar Electric Generation System Project (California Energy Commission Docket # 07-AFC-05)

Dear Mr. Hurshman:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement/ Environmental Impact Report for the BrightSource Ivanpah Solar Electric Generation System Project. The Desert Conservation Program administers the Clark County Multiple Species Habitat Conservation Plan (MSHCP) and Section 10(a)(1)(B) Incidental Take Permit on behalf of the Nevada Department of Transportation, the Cities of Boulder City, Henderson, Las Vegas, Mesquite, and North Las Vegas, and Clark County (the Permittees).

In statements made to the California Energy Resources Conservation and Development Commission on 12/14/2009 and 1/11/2010, the subject project applicants have described the proposed Southern California Edison Eldorado – Ivanpah Transmission Line project (transmission line: California Public Utility Commission Application # A.09-05-027) to be "necessary" and "critical" to the subject project. Our program is submitting comments regarding the impacts that the transmission line project would have on mitigation areas and species of concern to the Permittees.

As the manager for the Boulder City Conservation Easement (BCCE), any proposed project work on the BCCE is of importance to the County. It is the County's position that no new Rights of Way, or expansion of existing Rights of Way, may be granted by BLM or the City of Boulder City for the transmission line project without amendment of the BCCE agreement between the County and the City. The transmission line project as currently proposed includes new and or expansion of Rights of Way and disturbance to areas that we contend are included in and protected by the BCCE agreement.

As Plan Administrator for the MSHCP, we are also concerned about impacts to the BLM's Piute Eldorado Area of Critical Environmental Concern, which is located south of the BCCE. The Piute

Eldorado Area of Critical Environmental Concern, while managed by the BLM, is part of our mitigation reserve portfolio for the MSHCP. The transmission line project as currently proposed may have an impact on the MSHCP via the impacts to our mitigation areas.

In our comment letters (June 6, July 24, and August 28, 2009) on the transmission line project, we also notified the project applicants that Boulder City Ordinances, Nevada State Cactus and Yucca laws and other local and Nevada regulations must be reviewed to determine if the transmission line project as proposed is in compliance with those regulations.

In addition, we have evaluated environmental and land use concerns within the transmission line project area which included analyzing existing information for environmentally sensitive areas, wildlife, and plant species of concern. A list of species that could be found in or near the BCCE is provided below.

Reptiles:
Gopherus agassizii
Heloderma suspectum
Sauromalus obesus
Gambelia wislizenii
Crotaphytus insularis
Coleonyx variegatus
Phrynosoma platyrhinos
Dipsosaurus dorsalis
Crotalus mitchelli
Crotalus cerastes
Crotalus scutulatus
Rhinocheilus lecontei
Arizona elegans
Phyllorhynchus decurtatus
Trimorphodon biscutatus

Bees:
Perdita cracens
Perdita fallugiae

Birds:
Phainopepla
LeConte's Thrasher
Crissal Thrasher
Gray Vireo
Loggerhead Shrike
Western Burrowing Owl
Cactus Wren
Scott's Oriole

Plants:
Penstemon bicolor ssp. *bicolor*
Penstemon bicolor ssp. *roseus*
Acacia greggii
Prosopis glandulosa
Lotus argyraeus var. *multicaulis* (scrub lotus)

Mammals:
Kit Fox
Several species of Bats
Desert Kangaroo Rat
Desert Pocket Mouse

If the subject project is indeed dependent upon the transmission line project as currently proposed, we wanted to be certain that our above comments were provided to assist in any updates to the subject project description or effects analysis.

We appreciate the opportunity to provide comments on the subject project. We hope the information provided assists you in planning your activities.

Should you have any questions, please contact me at 702.455.3859.

Sincerely,

Sue Wainscott
Adaptive Management Coordinator
DCP

cc: Brok Armantrout, City of Boulder City
Janet Bair, Assistant Field Supervisor, USFWS
Marci Henson, DCP Program Manager