



Michael J. Connor, Ph.D.
California Director
P.O. Box 2364, Reseda, CA 91337-2364
Tel: (818) 345-0425
Email: mjconnor@westernwatersheds.org
Web site: www.westernwatersheds.org

Working to protect and restore Western Watersheds

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Submitted by E-mail

Billie Blanchard, CPUC
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104

E-mail: dpv2@aspeneg.com

**RE: Devers-Palo Verde No. 2 Transmission Project Supplemental Draft Environmental
Impact Report Colorado River Substation Expansion
California SCH #2005101104**

Dear CPUC:

Western Watersheds Project (“WWP”) thanks you for the opportunity to comment on the Supplemental Draft Environmental Impact Report (SDEIR) for the proposed Colorado River Substation Expansion that is part of the Devers-Palo Verde No. 2 Transmission Line Project.

Western Watersheds Project works to protect and conserve the public lands, wildlife and natural resources of the American West through education, scientific study, public policy initiatives, and litigation. Western Watersheds Project and its staff and members use and enjoy the public lands, including the lands at issue here, and its wildlife, cultural and natural resources for health, recreational, scientific, spiritual, educational, aesthetic, and other purposes.

Western Watersheds Project recognizes that global climate change poses new challenges to our already stressed public lands. While climate change threatens biodiversity and entire fragile ecosystems, our response to climate change also threatens our public lands and their wildlife. Accordingly, WWP supports responsible development of renewable energy projects. Responsible development requires the use of comprehensive, ecologically sound, science-based analysis in determining where renewable energy projects should be sited. Energy developments should focus on private or severely altered lands that are located close to points of use to reduce the need for new transmission projects and to minimize new disturbance or further fragmentation of fragile, native ecosystems. Ecological impacts from renewable energy project development should be fully mitigated with significant and lasting actions such as land/habitat acquisition, habitat restoration, and the reduction of existing negative impacts.

The substation expansion project has arisen because two recently approved, but not yet under construction, industrial scale power plants that are being built on public lands - the Blythe Solar Power Project and the Genesis Solar Energy Project - have requested interconnection to the electricity grid at the Colorado River Substation. The Substation project will have significant impacts on biological and water resources – precisely the kinds of issues associated with accommodating inappropriately sited power plants that are challenging public resources on our already stressed public lands.

The project will have significant impacts on important biological, cultural and water resources.

Mojave Fringe-toed Lizard:

The project will eliminate 98 acres of stabilized and partially stabilized sand dunes that are occupied habitat for Mojave fringe-toed lizard and the project will block sand transport onto an additional 1,365 acres. The total loss of habitat is thus 1,463 acres. The affected population is on the southern edge of the range of Mojave fringe-toed lizard and its loss would result in a range contraction for the species.

The substation project is being propelled by two power plant projects - Blythe and Genesis – that will also impact Mojave fringe-toed lizards and their habitat.

The EIR failed to analyze any action alternatives that avoid impacts to Mojave fringe-toed lizard that would not result in increased impacts to the listed desert tortoise. None of the action alternatives located the substation outside of Mojave fringe-toed lizard and desert tortoise habitat. The only alternative that would avoid impacts to Mojave fringe-toed lizard and desert tortoise is “no action” and this would not meet the purpose and need for the project. Thus the range of alternatives is both overly constrained and inadequate.

The proposed mitigation is also entirely inadequate. The project will impact 1,463 acres of Mojave fringe-toed lizard habitat. For reasons that are not explained in the EIR, the mitigation for the loss of the 1,365 acres habitat that will be degraded and lost due to blocked sand transport is only 0.5:1. This compensation ratio is inadequate and highly inappropriate given the importance of the affected population and the risks it faces from the project.

Desert Tortoise:

The project is located within the bounds of the desert tortoise Eastern Colorado Recovery Unit. This population is part of the federally listed Mojave population. Mitigation Measure B-9d(rev) incorrectly mentions the “Sonoran desert tortoise” – this taxon only occurs in the United States in Arizona.

The proposed substation will be close to the Chuckwalla DWMA but the EIR includes no analysis or discussion of the effects of the project on raven and coyote populations. Local raven and coyote populations are likely to benefit from subsidies provided by the substation and

increase. Both ravens and coyotes are well established desert tortoise predators. Mitigation measures must be added to address raven management.

Water Resources:

The substation and associated energy projects will be located within the boundaries of the Chuckwalla Valley Groundwater Basin. The EIR includes “Table D.4-1. Estimated Budget for the Chuckwalla Valley Groundwater Basin” that purports to show that the basin is in a positive recharge situation. However, there is no analysis of how this is likely to change in the immediate future due to the very climate change effects that the expansive solar power plants this project is meant to facilitate are supposedly going to help counteract. While there is disagreement among climate models, the mean climate change projection is for the southwestern U.S. is for increased aridity (Seager et al., 2007¹). Increased aridity would both reduce precipitation (and thus inflow) and increase evapotranspiration (outflow).

Cultural Resources:

All action alternatives will impact cultural resources and all have potentially significant and unmitigable impacts to TCPs. The SDEIR should be revised to include analysis of an action alternative that avoids cultural resources and that will have minimal impact to TCPs.

Thank you for the opportunity to provide these comments. Please include Western Watersheds Project on the list of interested public for this project. If we can be of any assistance or provide more information please feel free to contact me by telephone at (818) 345-0425 or by e-mail at <mjconnor@westernwatersheds.org>.

Yours sincerely,

A handwritten signature in black ink that reads "Michael J. Connor". The signature is written in a cursive style and is underlined with a long horizontal line extending to the right.

Michael J. Connor, Ph.D.
California Director
Western Watersheds Project
P.O. Box 2364
Reseda, CA 91337

¹ Seager, R., Ting, M., Held, I., Kushnir, Y., Lu, J., Vecchi, G., Huang, H., Harnik, N., Leetmaa, A., Lau, N., Li, C., Velez, J., Naik, N., 2007. Model predictions of an imminent transition to a more arid climate in southwestern north America. Science 316, 1181e1184.