

**Steve Taffolla**

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**From:** Sevrens, Gail <gsevr@parks.ca.gov>  
**Sent:** Friday, March 04, 2011 4:34 PM  
**To:** ECOSUB; 'catulewind@blm.gov'  
**Subject:** Tule Wind Energy DEIS/DEIR comments - part one  
**Attachments:** Renewable energy map jan27th2011.pdf; CDD DPR comments Tule Wind DEIR-DEIS 3-4-11.pdf

Attached please find the following:

- 1. Comments on the above proposed project;
- 2. Map attachment to comments.

In subsequent emails please find the following:

- 3. Photo showing view to Carrizo Marsh and other portions of ABDSP from project site; project will be visible from all these locations.
- 4. Photo showing view northeast from project site into ABDSP; project will be visible from all these locations.
- 5. Comments submitted February 10, 2010 re the Notice of Intent to Prepare an EIS for the above project (Clark 2010), incorporated by reference in item #1 above;
- 6. Comments submitted August 26, 2008 (Wells 2008) re Eastern San Diego County Proposed Resource Management Plan (RMP), incorporated by reference into item #1 above;
- 7. Comments submitted May 18, 2007 (Wells 2007) re RMP, incorporated by reference into item #1 above.

**IMPORTANT NOTE: Duplicate copies of items #1 and #2 ONLY were also faxed to Dudek and the State Clearinghouse. Items 1-7 include the totality of our comments.**

Thank you,  
*Gail Sevrens*  
District Superintendent, Acting  
District Services Manager  
Colorado Desert District  
(760) 767-4037

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Colorado Desert District  
200 Palm Canyon Drive  
Borrego Springs, CA 92004

March 4, 2011

Mr. Iain Fisher/Greg Thomsen  
c/o Dudek  
605 Third Street  
Encinitas, CA. 92024  
Fax: (800) 371-8854, ext. 2  
ecosub@dudek.com; catulewind@blm.gov

Subject: DEIR/DEIS for the Proposed Tule Wind Energy Project, San Diego County, California.

State Clearinghouse No. 2009121079  
DOI-BLM-CA-D070-2010-0027-EIS  
DOI-BLM-CA-D070-2008-0040-EIS

Dear Mr. Fisher and Mr. Thomsen:

We appreciate the opportunity to comment on the above proposed project. The proposed project is located directly adjacent to Anza-Borrego Desert State Park (ABDSP), which is part of the Colorado Desert District (CDD) of California State Parks.

The CDD submitted comments for the Notice of Intent to Prepare the EIS for the above project on February 10, 2010 (Clark, 2010), and hereby incorporates them by reference. Additionally, the CDD submitted comments regarding the Eastern San Diego County Resource Management Plan (RMP) on May 18, 2007 (Wells, 2007) and the revision to the RMP on August 27, 2008 (Wells, 2008). State Parks would like to reiterate these 2007 and 2008 comments and incorporate them by reference. We are able to provide duplicate copies of these comments on request.

The CDD has the following concerns with the proposed project.

1. The proposed project would have adverse impacts to migratory birds protected under the Migratory Bird Treaty Act. Wind turbines have been well documented to cause mortality to a variety of migratory birds.
2. The proposed project could have adverse effects to golden eagles (Federally protected under the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act). Researchers estimate that in the Altamont Pass Wind Resource Area, wind turbines kill 40-60 sub-adult and adult golden eagles each year on average (Pier Energy-Related Environmental Research 2007). There are several nest locations of golden eagles in the southern part of the Park, within approximately 5 miles of the proposed project. We recommend eliminating all wind turbines within a 5 mile radius of any golden eagle nests, whether active or inactive. We surveyed the Anza-Borrego Desert State Park

(Wildlife Research Institute 2011) and the surrounding areas for golden eagles in 2010 and recommend removing for this reason at a minimum wind turbines in rows A, B, C1-3, D1-6, J, K, L, M, N, P, R8-10, and Q.

3. In addition to the species mentioned above, the proposed project could adversely impact sensitive and species of special concern, such as the red diamond rattlesnake (*Crotalus ruber*), barefoot banded gecko (*Coleonyx switaki*), coast horned lizard (*Phrynosoma coronatum*), and orange-throated whiptail (*Cnemidophorus hyperythrus*).
4. The proposed project would adversely affect the federally listed Quino checkerspot butterfly (*Euphydryas editha quino*) and its habitat. A Quino checkerspot butterfly was found at the proposed location for wind turbine D1 during project surveys in 2010 (Figure D-2.9). US Fish and Wildlife Service recommends no disturbance within 1 kilometer of a Quino location based the Recovery Plan for the species. A 1 kilometer buffer around the Quino location on the proposed project site would remove turbines C1-3 and D1-4.
5. The proposed project could cause significant mortality of bats due to barotrauma (drop in air pressure causing internal hemorrhaging in the lungs). Wind turbines result in a greater number of bat mortalities than bird mortalities. How these mortalities affect bat populations are currently unknown, however; migratory bat populations seem to be the most affected by wind turbines.

Page D2.-180 states:

Given the detected bat use and the potential for special-status bat species to forage in the Tule Wind Project area, the presence of wind turbines would result in a significant risk of collision to special-status species. This impact would be adverse and therefore, Mitigation Measures BIO-10a through BIO-10e and BIO-10h have been provided to mitigate this impact Under CEQA, risk of collision to special-status species would be significant but can be mitigated to a level that is considered less than significant (Class II) with implementation of Mitigation Measures BIO-10a through BIO-10e and BIO-10h.

These mitigation measures **do not** mitigate the cause of mortality to bat species, because the predominant cause of mortality is not collision with a turbine, but the barotrauma they cause to bats. Therefore, the significant impacts to bats listed above will not be mitigated to a level that is considered less than significant with these mitigation measures, or any other measures.

6. There are two documented significant and unmitigable impacts from the ECO substation project that could adversely affect populations of Quino checkerspot butterfly and golden eagles whose ranges include Anza-Borrego Desert State Park. We are very concerned about potential adverse effects to both these populations. Page D.2-276 states:

Both of these alternatives (and all other alternatives) would construct and operate an aboveground transmission line through USFWS designated critical Quino checkerspot butterfly habitat between approximate MP 4.0 and Old Highway 80. Although avoidance, minimization, and compensatory mitigation would be implemented, comparable habitat compensation may not be obtainable (the

species is found in sparsely vegetated hilltops, ridgelines, and occasionally on rocky outcrops in open chaparral and coastal sage scrub habitat in western Riverside County, southern San Diego County, and northern Baja California, Mexico), and therefore mitigation has not been identified that would sufficiently offset the loss of critical habitat for Quino checkerspot butterfly. There is no feasible mitigation to reduce this anticipated impact to a level that is below a level of significance under CEQA.

Page D.2-276-277 states:

Although the Tule Reduction in Turbines Alternative would remove all turbines considered high risk for golden eagle collision, the risk of mortality due to collision would remain adverse. While avoidance, minimization, and mitigation measures would be implemented, the operation of remaining turbines would pose a significant and unmitigable risk of collision for golden eagles, in the absence of data demonstrating low risk, due to the proximity of known active nests near the project site. In addition, all other alternatives would construct and operate 134 turbines in the McCain Valley area and therefore impacts associated with golden eagle mortality due to collision with turbines would remain significant and unmitigable. There is no feasible mitigation to reduce this anticipated impact to a level that is below a level of significance under CEQA.

7. The proposed project site abuts Anza-Borrego Desert State Park, and these adjacent Park lands are designated as State Wilderness. State Parks is very concerned that wind-related energy development in McCain Valley will have significant visual impacts to the adjacent State Park Wilderness and other areas within the Park. With the proposed tall wind turbine towers, there is potential for this proposed project to be visible from within the Anza-Borrego Desert State Park, and compromise the public's wilderness experience within the Park.

Moreover, without any analysis or justification in their Resource Management Plan (BLM 2008) for the area, the BLM downgraded the Visual Resource Management Class in McCain Valley from Class II-III to Class IV. This contradicts the original purposes that the McCain Valley Conservation Area was originally set aside for with cooperation between the BLM and California Department of Fish and Game. California State Parks, in its August 26, 2008 (Wells 2008) letter to BLM, as well as other agencies, raised concerns about these changes and pointed out that it triggered the requirement for a supplemental EIS. No response was received from BLM by DPR.

In CDD's February 10, 2010 letter in response to BLM's Notice of Intent to Prepare the EIS (Clark 2010), CDD wrote:

The McCain Valley abuts Anza-Borrego Desert State Park, and these adjacent lands are designated as State Wilderness. State Parks is concerned that the Tule Wind Project could have significant visual impacts to the adjacent State Wilderness. With the typical tall wind turbine towers associated with this type of development, there is the potential for this development to be visible for many miles, thus seriously compromising the public's wilderness experience within Anza-Borrego Desert State Park. Consideration should be given to preclude placing them immediately

adjacent to State Parks lands, and to use topography, where feasible, to screen these developments from view from State Parks lands.

Locations where the ridgeline of McCain Valley is visible would include the ridges of Sombrero Peak, Jacumba Peak, Tule Mountain, the In-Ko-Pah and Jacumba Mts. sections of the Anza-Borrego Desert State Wilderness, Whale Peak and the surrounding Vallecito Mts. section of the Anza-Borrego Desert State Wilderness, Fish Creek, Carrizo Mountain, the Carrizo Badlands, Borrego Mountain, Hwy 78 east of Ocotillo Wells, and literally many thousands of acres of State Wilderness near and far from the proposed project.

Despite this, the current DEIR/DEIS contains absolutely no analysis or recognition of this potential impact to Anza-Borrego Desert State Park. ABDSP and Sombrero Peak are mentioned in passing, but not a single Key Observation Point (KOP) was included from ABDSP, despite the potential to impact adversely thousands of acres. One KOP outside the Park was designated as a stand-in for the Park's viewshed. The Tule Wind Project Viewshed Analysis (Figure D.3-2) fails to include the vast majority of the above impacted areas of ABDSP. The impacts to these areas absolutely must be analyzed and disclosed, and therefore a recirculation of this document is required.

8. One of the prime species for which ABDSP provides protection is the endangered Peninsular bighorn sheep. Visitors come from around the world hoping to catch a glimpse of this majestic animal. CDD is concerned regarding the close proximity of project site to the Critical Habitat for this population.
9. CDD has concerns regarding the cumulative impact of this and other proposed wind energy, solar energy and other projects currently approved or proposed in the vicinity of ABDSP and this project. For example, this project along with Manzanita, Jordan and Campo wind energy projects, the existing wind turbines and proposed turbines in Mexico, would require migratory birds such as the golden eagle to run a gauntlet of deadly turbines. The aesthetic impact from the multitude of projects is cumulatively considerable. The attached map (BLM Renewable Energy Sites) demonstrates the multitude of projects proposed by BLM, the County of San Diego, and/or the County of Imperial that hug the southern portion of ABDSP.

## **Literature Cited**

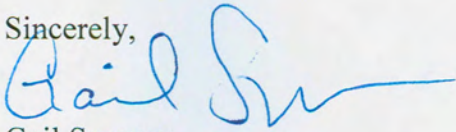
**Bureau of Land Management. 2008. El Centro Field Office, Eastern San Diego County Resource Management Plan and Record of Decision.**

**Pier Energy-Related Environmental Research. 2007. Golden Eagles in a perilous landscape. Unpublished report. Contract # 500-97-036. 6 pp.**

**Wildlife Research Institute, Inc. 2011. Golden Eagle Surveys in the Anza-Borrego Desert State Park in San Diego and Imperial Counties, California.**

Thank you in advance for your consideration of our comments. If you have any questions or would like further information please do not hesitate to contact me at [gsevr@parks.ca.gov](mailto:gsevr@parks.ca.gov) or 760-767-4037.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gail Sevens", with a long horizontal flourish extending to the right.

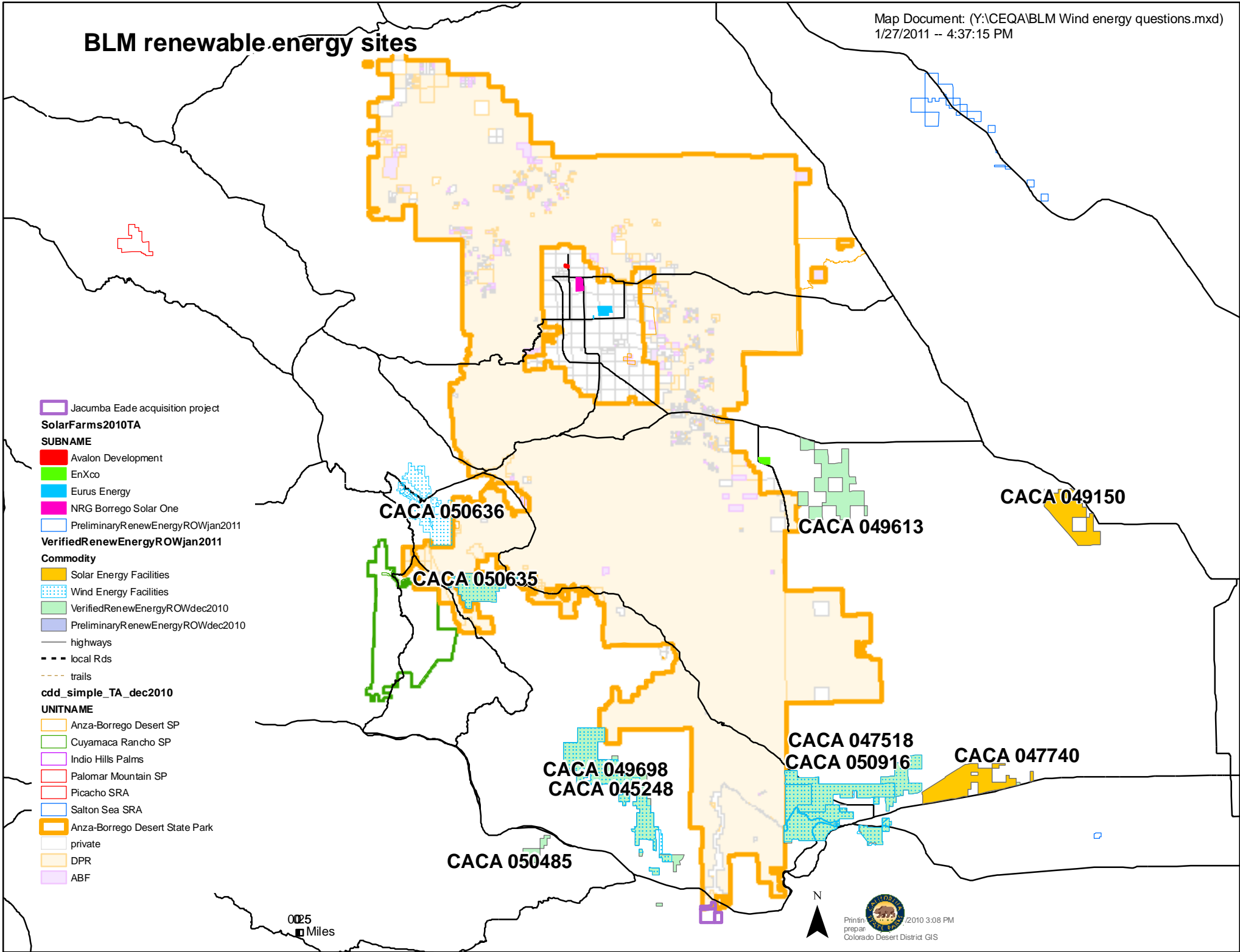
Gail Sevens

District Superintendent, Acting

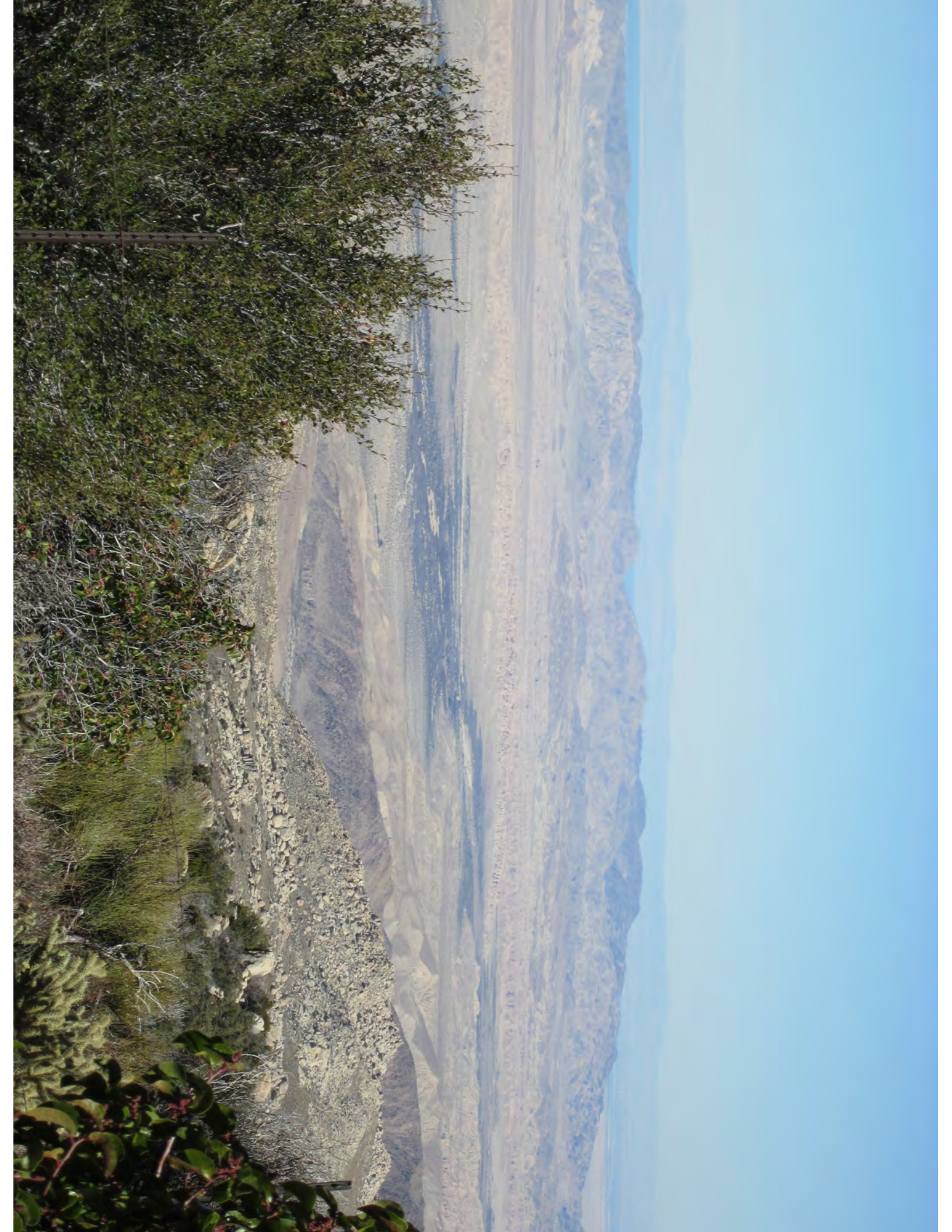
Cc: State Clearinghouse, via fax

# BLM renewable energy sites

- Jacumba Eade acquisition project
- SolarFarms2010TA**
- SUBNAME**
- Avalon Development
- EnXco
- Eurus Energy
- NRG Borrego Solar One
- PreliminaryRenewEnergyROWjan2011
- VerifiedRenewEnergyROWjan2011**
- Commodity**
- Solar Energy Facilities
- Wind Energy Facilities
- VerifiedRenewEnergyROWdec2010
- PreliminaryRenewEnergyROWdec2010
- highways
- - - local Rds
- - - trails
- cdd\_simple\_TA\_dec2010**
- UNITNAME**
- Anza-Borrego Desert SP
- Cuyamaca Rancho SP
- Indio Hills Palms
- Palomar Mountain SP
- Picacho SRA
- Salton Sea SRA
- Anza-Borrego Desert State Park
- private
- DPR
- ABF



0.25 Miles









February 10, 2010

Greg Thomsen  
BLM California Desert District Office  
22835 Calle San Juan de Los Lagos  
Moreno Valley, California 92553-9046  
E-mail: [catulewind@blm.gov](mailto:catulewind@blm.gov)  
Fax: (951) 697-5299

*Via e-mail and fax*

Re: Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Tule Wind Project and the Proposed East County Substation Project, San Diego County, CA

Dear Mr. Thomsen:

The Colorado Desert District of the California Department of Parks and Recreation (State Parks) offers the following comments for the above project, specifically the proposed Tule Wind Project.

State Parks is a neighboring landowner to much of the BLM-owned lands in eastern San Diego County, and, as such, is keenly interested in the management planning on BLM lands that could impact State Parks lands and resources. We have partnered with the BLM in the past on projects, and will continue to do so where together we can sustain and improve the resources we manage, while providing sustainable recreational and educational opportunities for the public.

The Colorado Desert District feels the issues below require serious consideration for the project.

#### **Incorporation of Previous Comments**

The Colorado Desert District submitted comments on the Eastern San Diego County Draft Resource Management Plan (RMP) and Draft Environmental Impact Statement on May 18, 2007 (BLM designation Lett. # EC-0185, Comment #252). These comments included concerns specifically regarding visual resource management classifications, wind-related energy development, and the McCain Valley area (p. 7). Colorado Desert District submitted further comments on the revision to the RMP on August 27, 2008. State Parks would like to reiterate these 2007 and 2008 comments and incorporate them by reference. We are able to provide duplicate copies of these comments on request.

**Potential Impacts to Visual Resources**

The McCain Valley abuts Anza-Borrego Desert State Park, and these adjacent lands are designated as State Wilderness. State Parks is concerned that the Tule Wind Project could have significant visual impacts to the adjacent State Wilderness. With the typical tall wind turbine towers associated with this type of development, there is the potential for this development to be visible for many miles, thus seriously compromising the public's wilderness experience within Anza-Borrego Desert State Park. Consideration should be given to preclude placing turbine towers immediately adjacent to State Parks lands, and in areas visible from State Park lands. Design should incorporate the use of topography and proximity, where feasible, to screen development from view from State Parks lands.

**Potential Recreational, Noise, Social and Economic Impacts**

State Parks lands, including designated State Wilderness Areas, are adjacent to the BLM land in question.

Colorado Desert District of California State Parks has concerns that the proposed Tule Wind Project could impact visual resources, as well as cause potential impacts to biological resources and recreation, increase ambient noise, and cause social and economic impacts.

The Anza-Borrego Desert State Park General Plan and Final EIR (2005), which was cited as a reference in the Final EIS (p. R-3) for the RMP and in State Parks comments on BLM's Draft EIS, analyzes these resources and threats in the General Plan's Section 2.2.4 Aesthetic Resources (see also Section 1.1.4 Spirit of Place, pp. 1-5 and 1-6 of the General Plan). Visual resources of Anza-Borrego Desert State Park include all of the vistas and viewsheds, both internal and external to the State Park, and these resources are both significant and fragile. Types of potential impacts to these State Park resources are defined in the General Plan:

Just as certain characteristics can summon positive emotions, other features can detract from the participant's pleasure in the Park experience. These undesirable (to some) features include human-fashioned intrusions like power lines, road cuts, buildings, signs, and lights. They include human activities and the impacts of these activities, including noise, traffic, waste, litter, exotic plant species, damaged plants, smog, mining and off-road scars, and crowding.  
(p. 2-78)

The importance of natural sounds and silence is further delineated on p. 2-81 of the General Plan. The recreational values of State Wilderness Areas are stated within Section 2.2.7 Recreational Resources (see also Section 2.4.4 Aesthetic Resource Issues, pp. 2-105 and 2-106; Section 2.4.7 Recreational Issues, pp. 2-107 and 2-108; Section 4.5.3.6 Aesthetic Resources, p. 4-15, and Section 4.5.3.7 Recreation Resources, pp. 4-15 through 4-17):

State Wilderness Areas are...where the handiwork of humans is virtually non-existent, and natural processes prevail.... Paved roads, motorized vehicles, power lines, pipelines, radio towers, and buildings are not to be found within such wild areas. One of the primary purposes of wilderness is to provide visitors with a true "wild" experience; one in which nature and natural processes predominate without manmade intrusions distracting the visitor's senses of sight, sound, smell, and touch. (p. 2-92)

With the proposed Tule Wind Project, visitors to State Parks could be impacted by visual blight, with views from peaks such as Sombrero Peak and Whale Peak impacted, as well as potential visual impacts along ridgelines.

Associated infrastructure from the electric generation development, such as access roads and transmission lines, would lead to increased vehicle and human presence--an adverse impact consisting of degradation/alteration as stated in the RMP's Final EIS, p. 4-69.

The Final EIS of the RMP did not evaluate economic and social impacts to communities such as Borrego Springs, Shelter Valley, and Canebrake due to loss of tourism caused by the degradation of the park experience with the proposed changes. Disproportionate impacts to low income and minority populations could be caused by this degradation. Colorado Desert District of State Parks requests that these potential impacts be evaluated as part of the evaluation of the Tule Wind Project.

### **Wildlife and Vegetation Impacts**

The Final EIS of the RMP indicated that three sensitive species of bats are known or suspected to occur within the Planning Area: Townsend's western big-eared bat (known), small footed myotis (known), and long-eared myotis (suspected). (Table 3-4, pp. 3-31 and 3-32; pp. 3-53 and 3-54)

Mortality of bats at wind energy development sites has been documented by the scientific community (See: Kunz, T.H., Arnett, E.B., Erickson, W.P., Hoar, A.R., Johnson, G.D., Larkin, R.P., Strickland, M.D., Thresher, R.W., and

Tuttle, M.D. [2007]. Ecological impacts of wind energy development on bats: questions, research needs, and hypotheses. *Front. Ecol. Environ.* 5, 315-324. Arnett, E.B., Brown, K., Erickson, W.P., Fiedler, J., Henry, T.H., Johnson, G.D., Kerns, J., Kolford, R.R., Nicholson, C.P., O'Connell, T., et al. [2008]. Patterns of fatality of bats at wind energy facilities in North America. *J. Wildl. Manag.* 72, 61-78.) Newly published studies indicate that mortality results from a change in pressure near wind turbines that bat lungs are not able to accommodate by expelling air; the turbines cause the bat lungs to literally explode (Erin F. Baerwald et al. [2008]. Barotrauma is a significant cause of bat fatalities at wind turbines. *Current Biology*, 18, R695-R696.)

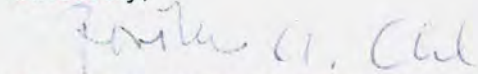
The RMP's Final EIS of impacts of electric energy development under the RMP to bats consists of one sentence: "Wind energy and other utility development could result in increased mortality to individuals (e.g., bat strike, powerline electrocution)." (p. 4-27) There is no mention of these impacts in Section 4.7.3 Impacts on BLM Sensitive Species or Section 4.7.5 Unavoidable Adverse Impacts, even though there are subsections on BLM Sensitive Bats (Section 4.7.3.4, pp. 4-38 and 4-39; Section 4.7.5.2.4, pp. 4-44 and 4-45). Section 4.7.8 Cumulative Impacts does not consider bats. Impacts to bat species, including the new information regarding barotrauma to bat species designated as sensitive, should be evaluated for the Tule Wind Project.

Analysis also needs to be conducted regarding impacts to other wildlife and botanical resources. Potential impacts to vegetation, soils, water quality, air quality and wildlife (such as increase of invasive species, erosion, dust) caused by soil and habitat disturbance involved in construction of the Tule Wind Project and associated infrastructure under the proposed changes must be evaluated.

### Summary

Thank you for the opportunity to provide comment. In summary, State Parks believes the proposed Tule Wind Project may have significant Visual, Wildlife, Soil, Air, Vegetation, Recreation, Social and Economic impacts. These must be carefully analyzed and fully mitigated if this project proceeds to development.

Sincerely,



Ronilee A. Clark, Superintendent, Acting  
Colorado Desert District



August 26, 2008

Ms. Erin Dreyfuss  
Planning and Environmental Coordinator  
BLM El Centro Field Office  
1661 S. 4<sup>th</sup> Street  
El Centro, CA 92243  
[caesdrmp@ca.blm.gov](mailto:caesdrmp@ca.blm.gov)

*Via mail and fax*

Dear Ms. Dreyfuss:

The Colorado Desert District of the California Department of Parks and Recreation (State Parks) has reviewed the Bureau of Land Management's (BLM) Notice of Changes to the Eastern San Diego County Proposed Resource Management Plan (PRMP) and offers the following comments.

State Parks is a neighboring landowner to much of the BLM-owned lands in eastern San Diego County, and, as such, is keenly interested in the management planning on BLM lands that could impact State Parks lands and resources. We have partnered with the BLM in the past on projects, and will continue to do so where together we can sustain or improve the resources we manage, and provide sustainable recreational and educational opportunities for the public.

The Colorado Desert District is strongly concerned with the proposed changes to Visual Resource Management (VRM) classifications and wind-related energy development proposals, and their environmental impacts.

### **Failure to Incorporate Previous Concerns**

The Colorado Desert District submitted comments on the Draft Resource Management Plan and Draft Environmental Impact Statement on May 18, 2007 (BLM designation Lett. # EC-0185, Comment #252). These comments included concerns specifically regarding visual resource management classifications, wind-related energy development, and the McCain Valley area (p. 7). State Parks would like to reiterate these concerns, which are heightened by the proposed changes:

#### **Visual Resources**

The Preferred Alternative of the DRMP categorizes 8,362 acres of land in McCain Valley West as Visual Resource Management Class IV (Table 4-9, pgs. 4-55&56) to accommodate possible future wind-related energy development. While there are a number of potential

environmental impacts that could occur from such development in this area, there is one in particular that State Parks would like acknowledged in the DRMP. The McCain Valley abuts Anza-Borrego Desert State Park, and these adjacent lands are designated as State Wilderness. State Parks is very concerned that wind-related energy development in McCain Valley will have significant visual impacts to the adjacent State Wilderness. With the typical tall wind turbine towers associated with this type of development, there is the potential for this development to be visible for many miles, thus seriously compromising the public's wilderness experience within Anza-Borrego Desert State Park. The DRMP should include some siting guidelines for wind-related energy developments in McCain Valley to preclude placing them immediately adjacent to State Parks lands, and to use topography, where feasible, to screen these developments from view from State Parks lands.

Not only did the PRMP and Final EIS of November 2007 fail to incorporate these concerns and this request, the current proposed changes would downgrade the VRM Classes for 12,195 acres in the McCain Valley areas, with further impacts.

The BLM's response to these comments was to defer analysis, assessment of impacts, and mitigation to some future time (p. 5-23), which is not adequate. Nor does BLM's response address potentially significant adverse environmental impacts to the Park at the first tier level of the Programmatic EIS. These issues must be addressed to avoid the potentially significant adverse cumulative effects of the project level proposals.

### **Supplemental EIS Required**

State Parks requests that BLM prepare a Supplemental EIS for the proposed changes. The current changes proposed by BLM require a Supplemental EIS, as neither the Notice of Changes nor the Final EIS adequately analyze or demonstrate the basis for changing the visual inventory or VRM classes. Visual resources for Alternative D were not adequately analyzed in the Final EIS, and no supplemental analysis is provided in the Notice.

In the Final EIS, BLM stated Alternative E as the preferred alternative. In the section on Comparison of Alternatives, Section 2.3.11 describes the Visual Resource Management system and how it relates to the inventory of visual values. The section states:

BLM prepares and maintains on a continuing basis, an inventory of visual values on all public lands in accordance with the Visual Resource Management (VRM) system (DOI BLM 1984a). The VRM system provides a way to identify, evaluate, and determine the appropriate levels of management of scenic values. The inventory of visual values has been documented for the BLM-administered lands within the Planning Area and is described in Chapter 3 and illustrated on Map 3-10. *The inventory serves as the basis for the designation of VRM management Classes I-IV, which take into account other resource uses on public lands within the Planning Area.* (p. 2-56, emphasis added)

The Notice of Changes provides no new information on the inventory of visual values. What has changed in the inventory that provides the basis for the re-designation of VRM management classes?

In the Affected Environment chapter of the Final EIS, in the section examining Visual Resources in the McCain Valley, BLM asserts that "The level of surface disturbance, loss of vegetative cover and resulting visual contrast are valid reasons for reclassifying the highest use areas as VRM Class III." (p. 3-95) Even if this were true, BLM provides absolutely no analysis for justification for reclassification to VRM Class IV. Therefore a Supplemental EIS is required for the proposed changes.

### **Recreational, Noise, Social and Economic Impacts of the Proposed Changes**

State Parks lands, including designated State Wilderness Areas, are adjacent to the BLM land in question.

In addition to State Park concerns that the proposed changes would impact visual resources, State Parks also believes there are unanalyzed impacts to recreation, noise, biological resources, and social and economic impacts from the proposed changes.

The Anza-Borrego Desert State Park General Plan and Final EIR (2005), which was cited as a reference in the Final EIS (p. R-3) and in State Parks comments on BLM's Draft EIS, analyzes these resources and threats in Section 2.2.4 Aesthetic Resources (see also Section 1.1.4 Spirit of Place, pp. 1-5 and 1-6). Visual resources of Anza-Borrego Desert State Park include all of the vistas and viewsheds, both internal and external to the State Park, and these resources are both significant and fragile. Types of potential impacts to these State Park resources are clearly spelled out:



Just as certain characteristics can summon positive emotions, other features can detract from the participant's pleasure in the Park experience. These undesirable (to some) features include human-fashioned intrusions like power lines, road cuts, buildings, signs, and lights. They include human activities and the impacts of these activities, including noise, traffic, waste, litter, exotic plant species, damaged plants, smog, mining and off-road scars, and crowding. (p. 2-78)

The importance of natural sounds and silence is further delineated on p. 2-81. The recreational values of State Wilderness Areas are stated within Section 2.2.7 Recreational Resources (see also Section 2.4.4 Aesthetic Resource Issues, pp. 2-105 and 2-106; Section 2.4.7 Recreational Issues, pp. 2-107 and 2-108; Section 4.5.3.6 Aesthetic Resources, p. 4-15, and Section 4.5.3.7 Recreation Resources, pp. 4-15 through 4-17):

State Wilderness Areas are...where the handiwork of humans is virtually non-existent, and natural processes prevail.... Paved roads, motorized vehicles, power lines, pipelines, radio towers, and buildings are not to be found within such wild areas. One of the primary purposes of wilderness is to provide visitors with a true "wild" experience; one in which nature and natural processes predominate without manmade intrusions distracting the visitor's senses of sight, sound, smell, and touch. (p. 2-92)

With the proposed changes, visitors to State Parks would be impacted by visual blight, with views from peaks such as Sombrero Peak and Whale Peak impacted, as well as potential visual impacts along ridgelines.

Associated infrastructure from the electric generation development, such as access roads and transmission lines, would lead to increased vehicle and human presence--an adverse impact consisting of degradation/alteration as stated in the Final EIS, p. 4-69.

The Final EIS failed to evaluate economic and social impacts to communities such as Borrego Springs, Shelter Valley, and Canebrake due to loss of tourism caused by the degradation of the park experience with the proposed changes. Disproportionate impacts to low income and minority populations could be caused by this degradation.

Further, Alternative D results in 1,080 acres of total BLM lands for disposal (0 acres VRM Class III and 1,040 of VRM Class IV), as opposed to 490 for the

Preferred Alternative, Alternative E (450 acres class III and 0 acres class IV). This is described under the category of Irreversible/Irretrievable Commitment of Resources (p.4-73).

### **Wildlife and Vegetation Impacts**

The Final EIS indicated that three sensitive species of bats are known or suspected to occur within the Planning Area: Townsend's western big-eared bat (known), small footed myotis (known), and long-eared myotis (suspected). (Table 3-4, pp. 3-31 and 3-32; pp. 3-53 and 3-54)

Mortality of bats at wind energy development sites has been known to the scientific community (See: Kunz, T.H., Arnett, E.B., Erickson, W.P., Hoar, A.R., Johnson, G.D., Larkin, R.P., Strickland, M.D., Thresher, R.W., and Tuttle, M.D. [2007]. Ecological impacts of wind energy development on bats: questions, research needs, and hypotheses. *Front. Ecol. Environ.* 5, 315-324. Arnett, E.B., Brown, K., Erickson, W.P., Fiedler, J., Henry, T.H., Johnson, G.D., Kerns, J., Kolford, R.R., Nicholson, C.P., O'Connell, T., et al. [2008]. Patterns of fatality of bats at wind energy facilities in North America. *J. Wildl. Manag.* 72, 61-78.) Newly published studies indicate that this is due to a change in pressure near wind turbines that bat lungs are not able to accommodate by expelling air; the turbines cause the bat lungs to literally explode (Erin F. Baerwald et al. [2008]. Barotrauma is a significant cause of bat fatalities at wind turbines. *Current Biology*, 18, R695-R696.)

The entire BLM analysis in the Final EIS of impacts of electric energy development under the RMP to bats consists of one sentence: "Wind energy and other utility development could result in increased mortality to individuals (e.g., bat strike, powerline electrocution)." (p. 4-27) There is absolutely no mention of these impacts in Section 4.7.3 Impacts on BLM Sensitive Species or Section 4.7.5 Unavoidable Adverse Impacts, even though there are subsections on BLM Sensitive Bats (Section 4.7.3.4, pp. 4-38 and 4-39; Section 4.7.5.2.4, pp. 4-44 and 4-45). Section 4.7.8 Cumulative Impacts fails to even consider bats.

Further, the EIS does not analyze how impacts to sensitive bat species may differ between Alternative D and Alternative E, nor does it incorporate the new information regarding barotrauma to bat species designated as sensitive. These impacts must be evaluated under a Supplemental EIS.

In addition to impacts to bats under Alternative D, analysis further needs to be conducted regarding impacts to other wildlife. Furthermore, impacts to vegetation and wildlife (such as increase of invasive species) caused by soil

and habitat disturbance involved in construction of electric power facilities and associated infrastructure under the proposed changes must be evaluated.

### **Cumulative Impacts**

Cumulative impacts under the existing EIS analysis are not clearly identified.

In the Final EIS, BLM acknowledged some potential cumulative impacts, presumably under the preferred alternative. "Any new wind energy projects approved on BLM-administered lands within the Planning Area could result in a cumulative increase in renewable energy generated in the Planning Area." (p. 4-94)

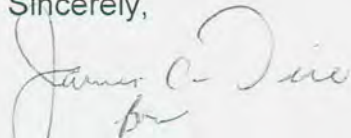
Additionally, this appears at odds with the BLM statement that "Any potential development of wind energy in the Planning Area is expected to be small relative to total energy consumed in San Diego County and not expected to result in significant economic impacts." (p. 4-109)

What would be the cumulative impacts under the changes to Alternative D? Have these impacts identified additional infrastructure, including power lines that may directly impact adjoining properties, including State Parks and the resources located therein?

### **Summary**

In summary, State Parks believes the proposed changes would have significant Visual, Wildlife, Vegetation, Recreation, Social and Economic, and Cumulative Impacts; that those impacts have not been adequately analyzed, and that a Supplemental EIS is required. Further, new information regarding mortality to bat published after the Final EIS but during the comment period for the proposed changes also triggers the need for a Supplemental EIS.

Sincerely,



Michael L. Wells, PhD  
District Superintendent



May 18, 2007

Bureau of Land Management  
El Centro Field Office  
ESDC RMP Team Lead  
1661 South 4<sup>th</sup> Street  
El Centro, CA 92243

**Comments on the Eastern San Diego County Draft Resource Management Plan  
and Draft Environmental Impact Statement**

To whom it may concern:

The Colorado Desert District of the California Department of Parks and Recreation (State Parks) has reviewed the Bureau of Land Management's (BLM) Eastern San Diego County Draft Resource Management Plan (DRMP) and Draft Environmental Impact Statement (DEIS) and offers the following comments and recommendations. State Parks is a neighboring landowner to much of the BLM-owned lands in eastern San Diego County, and, as such, is keenly interested in the management planning on BLM lands that could affect, both positively or negatively, State Parks lands as well. We have partnered with the BLM in the past on projects, and will continue to do so where together we can sustain or improve the resources we manage, and provide sustainable recreational and educational opportunities for the public.

In general, The Colorado Desert District is supportive of the BLM's Preferred Alternative (E). However, there are several refinements or additions that should be added to improve the alternative's conservation and management strategy. These recommended additions, along with other comments, are detailed below.

**Natural Resources**

State Parks is particularly supportive of the proposal in the Preferred Alternative (Section 2.3.14.2 GRAZING, Alternative E) to eliminate livestock grazing on the current BLM grazing allotments in eastern San Diego County. One of the prime concerns for State Park resources relative to the BLM DRMP is the chronic livestock grazing which has been permitted for decades along the State Park borders, and by means of substantial illegal trespass, within Anza-Borrego Desert State Park.

It is not clear in the DRMP whether existing grazing allotments will be permanently cancelled, or simply put into an inactive status. State Parks requests that the grazing allotment known as Canebrake be canceled, not simply put into a category of "vacant" or "temporarily inactive." The Canebrake Allotment has heavily impacted natural and cultural resources of Anza-Borrego Desert State Park for over fifty years, never having

been properly fenced, managed, or monitored. The upper pasture in South Inner Pasture, although once permitted by the BLM, caused cattle to cross one-half mile of State Park property in order to access the windmill stock watering trough on BLM land. No fence was ever erected on the allotment boundaries to protect the State Park, in spite of letters sent from the State Parks to the BLM for a period of over thirty years. A high density of archeological sites exists in both the southern and northern Inner Pasture areas, including rock art sites, burial and cremation sites, and village sites. These sites were heavily impacted by cattle grazing in the past

The cattle operation in Canebrake impacts a Peninsular bighorn sheep lambing area documented on the ridges within the State Park, south of the perennial water source in Canebrake Canyon. Bighorn have also been documented to use the water source in Canebrake, bringing bighorn and cattle face to face, increasing the likelihood of disease transmission into the Carrizo Canyon subpopulation of this endangered species. This mountain range has great potential to be used by bighorn throughout the year if cattle were eliminated from the area. As it is today, all bighorn leave the area after lambing season, traveling 7-10 miles back into Carrizo Canyon for the summer.

State Parks asks that the BLM also eliminate the Vallecito Grazing Allotment from any future grazing activity. State parks acquired the home ranch and 3,349 acres of the former Ranchos Vallecitos in 2004-05. Anza-Borrego Desert State Park is working with the BLM to manage the lands at Vallecito to benefit public use, recreation, riparian restoration, and work toward the return of the Peninsular bighorn sheep to this area. Anza-Borrego has acquired a \$500,000 resource grant to eliminate all non-native tamarisk trees from the entire Vallecito property. This work will begin in October 2007.

Section 3-35, Section 3.7.1.1 PENINSULAR BIGHORN SHEEP. State Parks recommends updating the population estimate for the Peninsular Ranges in the document from 335 to “almost 800, as of October 2006”.

In the section entitled, “Occurrence in Planning Area”, we recommend changing the description near the bottom of the page to read “The Carrizo Canyon subpopulation occurs on BLM and State Park lands while the Vallecito Mts. And N. and S. San Ysidros groups occur primarily on Anza-Borrego Desert State Park land.”

Section 3-50, 3.7.1.7 Unarmored Three-Spined Stickleback. In section “Occurrence in Planning Area,” change ownership from “private” to “State Parks and Fish & Game lands near Scissors Crossing”.

Wildlife Resource Management. The DRMP mentions under most of the proposed alternatives that the BLM will either maintain existing wildlife water sources, or maintain existing sources and consider the construction of additional water sources in the future. State Parks recommends that the BLM consider prioritizing rehabilitation of historic water sources before creating new artificial sources. This may especially be beneficial to wildlife in areas where grazing is being eliminated.

## Paleontological Resources

It is impossible to critically comment on the paleontologic resource issues as presented in the existing management document. The paleontologic resources and their distribution are not described (taxa, stratigraphic data, ages or geologic formation names are not provided). Apparently, field assessment of the more sensitive areas within BLM lands in the Planning Area has not been performed at either reconnaissance or intensive levels. No paleontologic data sources, such as museum collections or published or gray literature, are referenced or listed in the appendices.

Areas with four different paleontological sensitivity levels are defined (page 2-49, 3-85, 3-86) and plotted within the Planning Area (Figure 3-10). However, specific criteria used to evaluate the resource content and sensitivity of these areas is not provided, and the definitions are unsatisfactory.

No management plan for the mitigation of the regionally pervasive negative natural impacts to sensitive and/or significant paleontologic resources is presented.

2.3.10 Paleontological Resource Management. The document states that the paleontological potential of all lands within the Planning Area are based on "existing maps" (page 2-49). A reference to these maps is not provided. We assume the authors refer to the geologic maps of Roger (1992) and Strand (1993). Although comprehensive, these sources are 25 years out-of-date. They do not address paleontologic resources or provide criteria for sensitivity evaluations. A paleontologic sensitivity map is included in Final Anza-Borrego Desert State Park General Plan (DPR 2005). However, this source does not list geologic formations, the basis of the sensitivity units described.

Under Class 3 (see discussion under chapter 3.10) it is claimed that because there is "no risk of human-caused adverse impacts" sensitivity is moderate. The risk of impact does not change the significance of fossil remains. Significant remains are sensitive to any/all adverse impacts regardless of the level of risk.

As an attribute of Class 3 and 4 sensitivity areas (see discussion under chapter 3.10) (page 2-49), appears the undefined term "low risk of natural degradation". This condition does not exist. For all of the fossiliferous geologic units present within the Planning Area, natural degradation is an omnipresent threat to fossils. The surface residency time of vertebrate remains following exposure through natural erosion is estimated at no more than 50 years (given weather/precipitation maxima, soil temperature fluctuations, slope angle, proximity to run off channels, matrix composition and texture, and the extent of specimen premineralization).

The management of potential or presumed paleontological resources, based on the assigned sensitivity levels for specific geological formations (page 2-49, 3-85, 3-86), has serious limitations. Given these limitations are recognized, potential sensitivity is only a crude method of resource evaluation. The relative paleontologic productivity of a

geological formation may widely vary from exposure to exposure. Named stratigraphic formations may include both non-productive as well as highly fossiliferous beds or members. Furthermore, a sedimentary unit that is classed as *low sensitivity* may yield a few rare fossils that could be very highly significant. Sedimentary deposits with no known paleontologic signature at the surface may yield abundant and significant fossiliferous remains (e.g. Diamond Valley, Hemet, California) (Springer et al. 1998). There is no substitute for the direct field assessment of the distribution and significance of paleontological resources.

Essentially all Class 3 and 4 sensitive areas (see discussion under chapter 3.10) within the Planning Area are on Colorado Desert District (CDD) Anza-Borrego Desert State Park (ABDSP) lands (page 3-86, Figure 3-10). The ABDSP General Plan and CDD Paleontological Resources Management Plan (Department of Parks and Recreation [DPR] 2004, 2005; Jefferson 2001) address resources issues for these areas. However, these documents and the actual paleontological distribution and attribute data referenced therein (Jefferson 1999, also see Jefferson and Lindsay 2006) are not cited.

2.3.10.2 Management Actions Common to All Alternatives. Paleontologic resource assessment is a prerequisite to informed management. The presence and significance of paleontologic resources should be evaluated on all Class 3 and 4 designated lands (see discussion under chapter 3.10) as a standard element of the land use planning process. Information so derived should drive the decisions presented in resource planning documents.

3.10 Paleontological Resources. To claim that paleontologic resources are less sensitive, Class 3 rather than 4, because there is "no risk of human-caused adverse impacts" is illogical. Risk level can change with a variety of factors including land use designations and weather. The sensitivity of fossil remains is not based on the probability of damage, but on the intrinsic nature of the fossil materials to suffer damaged. The definitions of Class 3 and 4 sensitivity need to be amended and reworded accordingly.

4.10 Impacts on Paleontologic Resources. "The analysis of potential impacts to paleontological resources was based on review of existing literature and the expertise of BLM resource specialists." This "existing literature" is not cited (page 4-47). "BLM resource specialists" responsible for the drafting these sections are not referenced in 5.2 (see below).

4.10.1 Loss or Degradation of Paleontological Resources. "Livestock grazing could result in the degradation of vertebrate fossils . . . through trampling of exposed deposits, though the potential of this is low as most deposits are not exposed." This latter half of this statement (page 4-47) is a non-sequitur.

Although WAs, WSAs, and ACECs largely protect vertebrate fossils from negative human impacts (page 4-48), degradation of such remains occurs constantly

through natural processes. These land designations and attendant management practices do nothing to insure the protection of such remains from the destructive forces of weathering and erosion. A proactive program of resource assessment, specimen recovery and conservation is employed by other governmental agencies such as NPS at Hagerman Fossil Beds NM and John Day Fossil Beds NM, and by State Parks CDD (Jefferson 2001). What are the BLM plans to mitigate these negative natural impacts?

5.2 List of Preparers. No on-staff BLM paleontologic experts or consultants are listed in Table 5-1. Was the author/s of sections 3.30 and 4.10 a qualified paleontologist (see definitions The Society of Vertebrate Paleontology 1991, 1995, 1996, 2007)?

Appendix B Laws, Regulations, and Executive Orders. The authorities under which the BLM manages paleontological resources listed in 2.3.10 (page 2-49) are not included in this appendix.

References. No paleontologic literature is cited for the Planning Area or region.

## **Cultural Resources**

Section 2.3.9.1, Table 2-5: Cultural Use Allocation. All cultural resource categories should be identified as having potential to Traditional Use and Conservation for Future Use. The assumption that archaeological sites have only Scientific values is not in accordance with current professional standards nor in accordance with input from Native and other traditional communities.

Section 2.3.9.2: Goals and Objectives. Include goal: "Work with Native American communities to identify cultural resources of critical concern to Native Peoples."

Section 3.9, Table 3-5: Cultural Resources. Table 3-5 should be relabeled "Summary of Cultural Resources Previously Recorded Within the Planning Area." This table does not reflect the totality of cultural resources located within the Planning Area.

Section 3.9, Figure 3-9: Cultural Resources. Blue areas identify "Surveyed Areas." These areas have only been surveyed incompletely and often at records-only overview level. It is erroneous to state that they have been Surveyed.

Section 3.9.1: Site Significance. A page from the Paleontology discussion (Page 3-86) is mistakenly included in the Cultural Resources section.

Section 3.9.5: Historically Significant Trails System. Discussion of the San Diego and San Antonio Mail Route is in error. The third sentence should read, "The route entered the Planning Area in the south, east of where the community of Ocotillo is today." The sixth sentence should read, "At Oriflamme Canyon, one leg of the route left S-2 and proceeded up the mountains to Cuyamaca and on to San Diego." The seventh sentence should read, "Passengers dismounted from the stages for this portion of the route and proceeded on to San Diego." The eighth sentence should be deleted. The



“Jackass Mail” was a label attached to the mail line as ridicule by rival cities in the 1860s and for popularization by researchers in the 1930s.

The discussion of Butterfield Mail is in error. The fifth sentence should read, “The Butterfield followed the San Antonio and San Diego Mail in the southern portion of the Planning Area.” The sixth sentence should read, “...the Butterfield stage continued north to Warner Spring and on to Los Angeles, whereas the San Antonio and San Diego Mail also went west up Oriflamme Canyon to San Diego.”

Section 3.12.1: Wilderness Areas. Carrizo Gorge Wilderness, Sawtooth Mountains Wilderness, and seven Wilderness Study Areas should have included in the Wilderness Values, “Cultural Value.”

Section 5.1.3: Consultation with Native Americans. As with State, County, and Local governmental agencies, the BLM should continue to coordinate with Native American tribes within the DRMP Planning Area as to their concerns. This coordination should continue on a regular basis as part of the BLM’s ongoing land management decision-making process.

## **Special Designations**

Table ES-1, page ES-7: Wilderness and Wilderness Planning Area Management. Under this section of Table ES-1 no alternatives are “X’ed” for two important categories: 1) “Acquire inholdings from willing owners.”, and 2) “Perform restoration treatments where damage has occurred or where it will reduce vehicle incursions.” These two management items should be included in the Preferred Alternative (E).

## **Mineral Resources**

Section 2.3.15.3: Mineral Resource Disposal from Public Lands. The DRMP indicates that designated Critical Habitat for federally-listed threatened or endangered species would still remain open for the extraction of “locatable mineral deposits” under the Preferred Alternative (E). Under Alternative C this activity would be excluded from areas of Critical Habitat. Under the Preferred Alternative the DRMP would exclude extraction of “leasable” and “salable” minerals from Critical Habitat. The development and/or extraction of “locatable mineral deposits” should also be excluded from designated Critical Habitat areas to maximize the opportunity for listed species recovery. This action would make the DRMP consistent with its goal in Section 2.3.7, Special Status Species Management, which states, “Land use plan decisions would be consistent with BLM’s mandate to protect and recover species listed under the ESA and would be consistent with objectives and recommended actions in approved recovery plans.”

## Visual Resources

The Preferred Alternative of the DRMP categorizes 8,362 acres of land in McCain Valley West as Visual Resource Management Class IV (Table 4-9. pgs. 4-55&56) to accommodate possible future wind-related energy development. While there are a number of potential environmental impacts that could occur from such developments in this area, there is one in particular that State Parks would like acknowledged in the DRMP. The McCain Valley abuts Anza-Borrego Desert State Park, and these adjacent lands are designated as State Wilderness. State Parks is very concerned that wind-related energy development in McCain Valley will have significant visual impacts to the adjacent State Wilderness. With the typical tall wind turbine towers associated with this type of development, there is the potential for this development to be visible for many miles, thus seriously compromising the public's wilderness experience within Anza-Borrego Desert State Park. The DRMP should include some siting guidelines for wind-related energy developments in McCain Valley to preclude placing them immediately adjacent to State Parks lands, and to use topography, where feasible, to screen these developments from view from State Parks lands.

This concludes State Parks comments and recommendations on the DRMP. We appreciate the opportunity for input in the development of the DRMP. The BLM and State Parks share a number of similar mandates as land managers in the conservation of natural and cultural resources, as well as in public recreation and education. We look forward to continued cooperation and coordination in managing our lands in eastern San Diego County. If you have any questions regarding this letter, please contact David Lawhead, District Environmental Coordinator, at (760) 767-4315 or [dlawhead@parks.ca.gov](mailto:dlawhead@parks.ca.gov).

Sincerely,

*Original signed by*

Michael L. Wells, Ph.D.  
District Superintendent

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cc: Mark Jorgensen, ABDSP  
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