

April 12, 2013

To: Dave Harlow, Director, Desert Renewable Energy Conservation Plan

Cc: Karen Douglas, Commissioner, California Energy Commission  
Charlton Bonham, Director, California Department of Fish and Wildlife  
James Kenna, California State Director, Bureau of Land Management  
Ren Lohofener, Regional Director, Region 8, U.S. Fish and Wildlife Service

From: Defenders of Wildlife, Natural Resources Defense Council, California Native Plant Society, Center for Biological Diversity, Audubon California

Subject: Questions on the DRECP Draft Covered Species List

Dear Dave,

Thank you for releasing the Draft Covered Species List for the Desert Renewable Energy Conservation Plan (DRECP). We appreciate the opportunity to view documents related to the DRECP as they are available and we hope that the DRECP continues to provide transparency to stakeholders in this way.

Our organizations have the following questions and comments regarding the Draft Covered Species list.

General:

1. What is the overall methodology for either including or not including species on the covered species list?
  - a. How is it decided that species be removed from the covered species list?
  - b. How will the bats, mice and desert kit fox on the "species still under consideration list" be analyzed for inclusion on the covered species list?
2. What does it mean to be on the covered species list versus not? Could you please provide us with a basic review of the meaning of this from a regulatory and conservation perspective?
3. What happens if a species becomes listed as a state or federal threatened or endangered species but is not included on the covered species list by DRECP?
4. How can the DRECP incorporate some of CEC's Biological Conditions of Certification from approved projects into DRECP Plan-wide, Landscape, and Species-specific BGOs? Our organizations have a list recommendations that we will provide in writing for consideration by the DRECP.
5. Is the DRECP still considering the use of "planning species" to help in achieving plan goals? These species would not require take authorizations but could serve as useful indicators of changing environmental conditions that affect multiple species.

Birds:

6. Why was the Tri-colored blackbird rejected as a covered species? It has a stronghold in the Antelope Valley and is currently being impacted by solar projects in this area.
7. There are many migratory songbirds that will be impacted by wind energy development yet few are listed on the covered species list. Many of these songbirds are protected under the Migratory Bird Treaty Act. How will impacts to migratory songbirds be addressed?
8. Prairie falcon was not included on the list of covered species – is this because it is considered adequately protected by other conservation measures for other birds of prey, such as golden eagle?

9. Turkey vultures migrate in large numbers through portions of the planning area – were they considered for inclusion on the DRECP covered species list?

Amphibians/Reptiles:

10. Why were the Gila monster, Couch's spadefoot toad and the Barefoot banded gecko removed from the covered species list?

Mammals:

11. Why was the Owen's Valley vole removed from the covered species list?

Plants:

12. CRPR 2 plants (those that are rare and at the periphery of range in CA but more common outside of CA): Bare-stemmed larkspur, and Palmer's Jackass clover are two on the list, however there are two others that would seem to qualify under the same scenario (Spine-noded milkvetch and Angel trumpets). Why are the latter two CRPR 2 plants not on the covered species list? Both have only 1 or 2 element occurrences in CA and all are under / near energy project footprints so extirpation is a real issue with them.
13. What was the rationale for not including Algodones Dunes plants on covered species list? Additional geothermal energy projects between the Salton Sea and the Algodones dunes might affect groundwater used by the rare dune plants. More research is needed to understand the connection between the dune groundwater and rare plants use.
14. Recent botanical surveys have discovered plants new to California (several related to Hidden Hills SEGS) and new to science altogether (e.g., *Linanthes maculatus var. emaculatus* - 20 meters from an Ocotillo Wind turbine). How will the DRECP address new discoveries that are happening now, and will surely happen in the future during the term of Plan?

Other:

15. How were invertebrates analyzed for inclusion or exclusion as covered species? Both Independent Science Panels (2010 and 2011) mentioned the need to consider impacts to invertebrates, especially in their critical roles in the food web as pollinators, herbivores, regulators of populations and decomposers. How does the DRECP plan to analyze impacts to invertebrates from renewable energy development?

We appreciate your response to these questions and look forward to discussing further with you. Thank you.