



February 23, 2015

California Energy Commission (CEC)/Bureau of Land Management (BLM)  
Dockets Office, MS-4,  
Docket No. 09-RENEW EO-01  
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Re: National Parks Conservation Association's (NPCA) Draft Environmental Impact Statement (DEIS) comments for the Desert Renewable Energy Conservation Plan (DRECP)

Acting DRECP Director Chris Beale and BLM Director Jim Kenna,

This letter is intended to provide guidance on the DRECP DEIS and to raise unresolved questions about this document. National Parks Conservation Association's (NPCA) comments are public and are intended to ensure that the DRECP process implements scientifically-driven and stakeholder-inclusive goals and actions, while carefully considering, minimizing or avoiding impacts to natural and cultural resources across the 22.5 million acre planning area. The California desert represents one of the most intact and iconic landscapes in North America and merits robust conservation measures and careful consideration of the DRECP's impacts.

NPCA is dedicated to the protection and enhancement of National Parks for current and future generations. NPCA advocates on behalf of more than one million members and activists, including 116,000 supporters in California. NPCA has an established on-the-ground presence in the region and manages three field offices in the Mojave Desert, including the Mojave Field Office in Barstow, CA and the Joshua Tree Field Office in Joshua Tree, CA. Our comments have been submitted in compliance with the extended review period ending February 23, 2015.

NPCA has played an important role in the development of national renewable energy policy on public lands since 2008. As a national organization with a strong local presence in the California desert, we have connected decision makers to important places in the California desert and local communities and community leaders to decision makers. We have also convened public meetings allowing the BLM and CEC to present updates about the DRECP; and worked closely with a variety of local and national organizations to improve the Solar PEIS and the DRECP.

Considering our long-standing role connecting organizations and stakeholders to

decision makers on renewable energy issues, we are attuned to many of the key problems and the respective solutions that are needed to improve the DRECP.

NPCA understands the substantial work and time necessary to create a plan of this magnitude to chart a course for the future of renewable energy in the California desert. The Interior Department's understanding and management of renewable energy policy has made significant strides forward since 2008. NPCA is supportive of this progress and continues to work as a partner to help achieve many of these shared goals.

For the purposes of this letter, NPCA refers to the lead DRECP agencies (Bureau of Land Management (BLM), California Energy Commission (CEC), US Fish and Wildlife Service (FWS), and Department of Fish and Wildlife (DFW) together as “Agency”.

**Recommendation 1: A Supplemental EIS is required to address key problems and erroneous assumptions in the DRAFT DRECP**

We have identified significant flaws in the design and assumptions underpinning this draft plan that unfortunately does not provide the public with sufficient information, including a clear and factual picture of the environmental impacts of proposed actions, and in turn, limits the alternatives presented<sup>1</sup>. NPCA has signed onto several joint letters describing these concerns which have been submitted to agencies and into the public record. NPCA requests that further synthesis, analysis, and discussion occur related to the grave concerns referenced below. NPCA recommends that these questions be addressed in a Supplemental EIS. *Should the agencies decide not to move forward with a Supplemental EIS, we request that the following issues be fully addressed/resolved in the Final EIS.* We request that the agencies:

- Improve the durability of conservation measures to meet or surpass California state standards. See Defenders et all letter on February 11, 2015 to BLM and Department of Fish and Wildlife (DFW) MOU.
- Provide more specificity about conservation actions. The how, where, and when of the conservation goals need to be clarified for covered species and covered natural communities.
- Refine Development Focus Areas to remove critical habitat, key linkages, and important lands for ecological processes like sand movement corridors. See SC Wildlands connectivity discussion by Dr. Kristeen Penrod on February 19, 2015 and Defenders of Wildlife et al DEIS comments on Feb 23, 2015 .
- Provide additional analysis of Special Assessment Areas (SAA), Future Assessment Areas (FAA), and Undesignated Lands to allow interested parties to understand what values are present on these lands and provide substantive comments. NPCA recognizes that many of the lands

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<sup>1</sup> Significant new circumstances or information relevant to environmental concerns or substantial changes in the proposed action that are relevant to environmental concerns may necessitate preparation of a supplemental EIS following either the draft or final EIS or the Record of Decision (CEQ NEPA Regulations, 40 C.F.R. § 1502.9(c)).

represented in these three categories are appropriate for designation as National Conservation Lands (NCL), Areas of Critical Environmental Concern (ACEC), or should be accounted for within the reserve design for covered species and covered natural communities. We recommend SAAs, FAAs, and Undesignated lands be given the same analysis and treatment as DFAs to allow for public understanding and comment. It is also worth noting that the undesignated lands are roughly indistinguishable from impervious/urban developed lands, making assessment extremely difficult.

- Provide more specificity about how each aspect of the plan (e.g. mitigation, monitoring, adaptive management, additional analysis, unforeseen circumstances, scientific or cultural discoveries) will be accomplished and funded considering that there is no dedicated funding source.
- Provide more analysis of new designations including NCL and ACEC. The public requires more information on how new NCL designations will be managed, such as what uses will be allowed and what restrictions will be in place. Similarly, new ACEC's should be described in more detail; should discuss what specific values are being protected; and what steps are being taken to ensure those resources persist. We also request that more information be provided about how these designations overlap, and where they do, what the dominant rule sets will be.
- Provide more analysis of new recreation designations including Special Recreation Management Areas (SRMA) and Extensive Recreation Management Areas (ERMA). The Preferred Alternative includes 3 million acres of new SRMA and ERMA designations. We request that further analysis and a clearer presentation of this information be made available, especially as SRMA, ERMA, NCL, and ACEC may overlap across many landscapes.
- Update and transparently discuss the DRECP's Acreage Calculator. Calculations should be revised in 2015 or 2016 to reflect significant advances in technology and efficiency. The agencies should better explain what assumptions are being used to develop the acreage numbers to fully justify the need for the proposed acreage. Harm to species and the use of public lands for utility scale renewable energy projects are unjustifiable if they could have been avoided by updating acreage calculations.
- Update and discuss megawatt goals and assumptions. The 20,000 MW goal has been discussed as a flat goal since 2009. Since that time 10,000 MW or more has been approved, permitted, or come on line in the planning area. An updated discussion is needed that includes a reduced renewable energy target that incorporates the significant progress that has been made towards the goal. That progress should also reduce the need to develop in high conflict areas.
- Develop maps that show Conservation Management Actions (CMA) in DFAs, study area lands, and undesignated lands where known setbacks and resources exist. For example, demonstrate and illustrate which areas of Riverside East or Lucerne Valley DFA would be unavailable for development due to covered natural communities (microphyll woodlands) or critical values (tortoise connectivity).

**Recommendation 2: Agencies must coordinate across ecological and political boundaries to make meaningful conservation actions, protect communities, and better preserve public trust resources. The DRECP and Southern Nevada**

## **Resource Management Plan (SNRMP) should coordinate.**

We ask that this process take advantage of the opportunity to implement Secretarial Order 3330<sup>2</sup> to create landscape-scale planning that crosses agency, departmental, and political boundaries. When planning for conservation and careful energy development across a large landscape that includes a high density of National Park lands, Wilderness Areas, Areas of Critical Environmental Concern (ACEC), and lands with tribal significance, more diligence is required in order to protect existing legal and legislatively protected values while meeting existing and future renewable energy goals.

The Secretarial Order 3330 makes this case succinctly.

*“the Department seeks to avoid potential environmental impacts from projects through steps such as advanced landscape-level planning that identifies areas suitable for development because of low or relatively low natural and cultural resource conflicts.<sup>3</sup>*

NPCA supports this concept and would respectfully add that communities should be brought into decision making related to siting projects to avoid creating unnecessary impacts to communities, health, and the quality of life.

The DRECP plan should analyze impacts to and conservation opportunities on connected public lands managed by the United States Forest Service (USFS) and lands across the state line into Nevada. Our most recent communications have confirmed that the 5 million acre SNRMP and 22.5 million acre DRECP are not being sufficiently coordinated on<sup>4</sup>. The rare opportunity currently exists for two large planning processes to work together across jurisdictions to protect critical shared water resources and wildlife connectivity corridors. Specifically, development focus areas in Nevada could significantly harm the Mojave National Preserve and Death Valley National Park through direct and cumulative impacts.

- A wind focus area has been identified in the SNRMP across the state line from the northeastern Mojave National Preserve. That wind area threatens to disconnect important desert bighorn sheep corridors, allow wind development in desert tortoise critical habitat, and would harm the visual resources, recreation, and species present in the Castle Mountains region. The Castle Mountains are a known Unique Plant Assemblage (UPA), proposed for NCL in the DRECP preferred alternative, and are currently in Senator Feinstein’s California Desert Conservation and Recreation Act of 2015 (CDCRA).
- Disposal lands east of Death Valley National Park outside of Pahrump have been proposed in the SNRMP. Development of these disposal lands could lead to significant water drawdown for Ash Meadows National Wildlife Refuge, Devil’s Hole, and other areas of Death Valley National Park.

## **Recommendation 3: Protect the South Soda Mountain linkage and habitat as an ACEC.**

<sup>2</sup> <http://www.doi.gov/news/upload/secretarial-order-mitigation.pdf>

<sup>3</sup> <http://www.doi.gov/news/upload/secretarial-order-mitigation.pdf>, pg 2

<sup>4</sup> Personal communications with DOI staff in CA and NV state offices

NPCA supports the agency proposal to designate the Soda Mountains north of Interstate 15 for conservation in the preferred alternative. This proposal supports protection for one of the most important restorable desert bighorn sheep connectivity corridors in the Mojave desert as identified by Wehausen in the below passage:

*The corridor linking the Avawatz Mountains and S. Soda Mountains was the highest-ranking restorable corridor in our analysis in terms of impact on long-term demographic connectivity. This corridor is the most influential restorable corridor because if restored it would demographically link two major clusters of populations on either side of I-15. In fact, our model suggests that the Avawatz--S. Soda corridor is the only restorable corridor that is short enough to connect populations on either side of I-15 within the estimated maximum dispersal range of a ewe<sup>5</sup>.*

We request that the REAT agencies implement a permanent, landscape-scale solution by protecting both the North and South Soda Mountains as an ACEC to protect important desert bighorn sheep habitat, foraging grounds, lambing grounds, and wildlife connectivity. Key portions of the Soda Mountains are already protected as a Wilderness Study Area (WSA) to the north and within the Mojave National Preserve to the southeast. Such a conservation designation in the DRECP's Preferred Alternative would set the stage for broad protection for the Soda Mountain sub-population, but should be expanded to the South side of the highway to protect from development (e.g. renewable energy) key biological resources. For example, the proposed Soda Mountain Solar Project, if constructed, would disconnect the only existing routes, underpasses, for connectivity to the north.

Considering the known value of this wildlife corridor and habitat, as well as the unique attributes of this particular region, such as springs existing in close proximity to rugged mountain sides<sup>6</sup>, desert washes to provide early season browse important for nutrition needed for lambing<sup>7</sup>, it is critical to protect both the population and the connectivity to the west and the north. This is best accomplished by permanent conservation designation.

This region also contains important habitat for DRECP covered species including the desert tortoise, kit fox, burrowing owl, one of the only sites for the Mojave Tui Chub, and seasonal habitat for migratory birds like the yellow-headed blackbird. The proximity to Mojave National Preserve and other conservation lands in the region make it a critical linkage for a range of species and an important feature for

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<sup>5</sup> Potential impacts of proposed solar energy development near the South Soda Mountains on desert bighorn sheep connectivity Clinton W. Epps1, John D. Wehausen2, Ryan J. Monello3, and Tyler G. Creech1

<sup>6</sup> Access to forage and water resources in proximity to rugged escape habitat is critical for desert bighorn sheep (USFWS 2000).. As noted previously, lambing recruitment is generally positively correlated with high winter precipitation. Poor quality forage may adversely affect maternal care if ewes are in poor condition and lamb mortality may be increased through malnutrition, thus adversely affecting recruitment (USFWS 2000).

<sup>7</sup> During the reproductive season, nutritious forage is typically concentrated on alluvial fans and bajadas, and in washes where more productive, wetter soils support more herbaceous forage than steeper, drier, rockier soils. These areas, therefore, are especially important food sources during the heat of summer months and in drought conditions (74 FR 17288–17365).

the DRECP to meet its Biological Goals and Objectives (BGO) and Reserve Design. The construction of a project in this area would also harm visual resources and night sky resources.

The following passages from DRECP agencies and expert biologists confirm the importance of this corridor and habitat; and make a strong case for its permanent conservation:

*Due to the nature of the habitats in which desert bighorn sheep live, their populations are relatively small in general. This makes them quite vulnerable to local extirpation and to the loss of genetic diversity through generic drift if isolated. Broad estimates of desert bighorn sheep population size indicate an increasing or at least stable population; local populations have shown more variability, with some local population declines (CDFG 2010).*

*The network analysis indicated that the North-South Soda Mountain connection is the most important restorable corridor for long-term demographic potential (i.e., population recolonization by ewes) across the entire southeastern Mojave Desert of California, as it would provide the best and only opportunity for movement between bighorn populations in the Mojave National Preserve and the large complex of populations to the north of Interstate 15, and would facilitate gene flow as well resulting in long-term (multi-step) connections with bighorn sheep populations in Death Valley National Park.<sup>8</sup>*

*We identified four existing underpasses in or near the affected area, and identified two specific locations where overpass structures might be built based on the distribution of bighorn sheep habitat. All potential crossing locations, including both existing underpasses and sites for potential overpass construction, are on or adjacent to the area proposed for renewable energy development. Therefore, the proposed development may negatively affect the potential to restore this extremely important movement corridor for bighorn sheep.<sup>9</sup>*

*Desert bighorn sheep are threatened by loss and fragmentation of important habitats (e.g., lambing and feeding areas, escape terrain, water, travel, and dispersal routes), disease (potentially from livestock), predation, drought, potential resource competition, and negative interactions with humans (Wehausen 2006).*

*Alluvial fans and washes in flatter terrain are also used for forage and water and as connectivity habitat between more rugged areas...Seasonal forage available in alluvial fans and in washes provides a diversity of browse during warmer periods that support lactation and thus is important for reproduction and recruitment of lambs. Foraging behavior is described in more detail herein.*

*Desert bighorn sheep adjust their feeding ranges to exploit areas with more nutritive resources, such as within bajadas, early in the season as high-protein grasses emerge. The relationship between nutritive resources, reproductive success, and optimal timing of birth is complex. Lamb survival is strongly related*

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<sup>8</sup> Potential impacts of proposed solar energy development near the South Soda Mountains on desert bighorn sheep connectivity Clinton W. Epps<sup>1</sup>, John D. Wehausen<sup>2</sup>, Ryan J. Monello<sup>3</sup>, and Tyler G. Creech<sup>1</sup>

<sup>9</sup> Potential impacts of proposed solar energy development near the South Soda Mountains on desert bighorn sheep connectivity Clinton W. Epps<sup>1</sup>, John D. Wehausen<sup>2</sup>, Ryan J. Monello<sup>3</sup>, and Tyler G. Creech<sup>1</sup>

*to spring body growth, so the earlier they are born the more they can grow before forage quality quickly declines in late spring (Wehausen 2005).*

This proposed Soda Mountain Solar project site, as previously noted, is also one of the most contentious locations proposed for renewable energy development on public lands in the California desert. The project was originally on the fast-track list, and was removed due to significant resource conflicts and vocal stakeholder opposition. The project was sold and has moved forward despite the known conflicts. This is negatively impacting the DRECP because it undermines the same species the DRECP seeks to protect and the Interior Department's landscape-scale policies. It is clear that this project could not move forward in this location if proposed today. Local communities oppose the project, tens of thousands of residents and activists have opposed<sup>10</sup>, widespread press has run against the project, and key BLM stakeholders have vocally opposed it. As the agencies understand the value of the resources at stake in this location, we ask that DRECP protect this important habitat and corridor as an ACEC. That ACEC would protect the habitat and connectivity of desert bighorn sheep, the most likely place to connect populations between Mojave National Preserve and ranges north, and an excellent example of rugged mountains, desert washes, alluvial fan, and creosote scrub complete with high densities of associated wildlife.

#### **Recommendation 4: Protect the Silurian Valley as a NCL:**

NPCA supports the BLM's decision to deny the right of way for solar development in the natural and cultural resource-rich Silurian Valley. We believe that sound reasoning also applies to wind energy development in this region, and that due to the area's spectacular natural and cultural resources, that the Silurian Valley merits NCL designation. The Silurian Valley is a highly intact landscape surrounded by significant conservation investments; important Native American and Western American cultural and historic sites; and is identified as a key linkage for desert tortoise and bighorn sheep connectivity.

Wind energy is especially inappropriate in this narrow valley as it lies along the wettest corridor in the Mojave. That corridor is critical for migrating birds and other sensitive and endemic species as it links Ash Meadows to the Amargosa River to Grimshaw Marsh to Saratoga Spring to Salt Creek to Lake Tuendae. While more data needs to be collected from the surrounding area, both Ash Meadows and the Wild and Scenic Amargosa River are renowned locations for birds. Ash Meadows and Shoshone (adjacent to the Amargosa River) are identified as Important Bird Areas<sup>11</sup>, while the Amargosa Canyon "has an enormous number of bird species. This is the highest riparian species richness of any site in the Mojave Desert in California"<sup>12</sup>. According to BLM and other sources, the Silurian Hills specifically, and the region generally, is an important home to a diverse assemblage of bat species, including federally listed species. The importance of this area for birds and bats, including nesting and foraging golden eagles and state and federally listed bird and bat species, makes Silurian Valley an unusually harmful location for a wind energy project. The topography of the region would also likely act as a funnel to draw birds down the Ibex Pass and directly through the turbine

<sup>10</sup> NPCA e-alert on DRECP sent over 11,000 letters to CEC and BLM opposing Soda Mountain Solar.

<sup>11</sup> <http://web4.audubon.org/bird/iba/ibaadopt.html>

<sup>12</sup> <http://www.blm.gov/ca/st/en/fo/barstow/amargosa.print.html>

field as the path of least resistance. Birds traveling to the Avawatz Mountains, Kingston Mountains, and Silurian Hills that frame the valley will likely be drawn into the wetlands at Salt Creek and would then be in the direct path of wind turbines as they continue south.

Development of wind energy in this region could also negatively impact Salt Creek and Saratoga Springs. Water supplies necessary for construction and dust control in this very sandy area of the Mojave would likely come out of the flow for Salt Creek. The Amargosa Conservancy and The Nature Conservancy are still working to fully understand the regional flows associated with the Amargosa River and its tributary water sources. While we cannot confirm a hydrological connection between Salt Creek and Saratoga Spring, we believe that may exist and that further study is necessary to understand this connection.

NPCA offers a much more detailed discussion of the remarkable values present in the Silurian Valley in the 66 page document “COMMENTS ON THE SOLAR AND WIND PROJECTS PROPOSED BY IBERDROLA RENEWABLES, INC., IN SILURIAN VALLEY, CALIFORNIA”. We will be submitting that document for consideration of both our opposition to siting renewable energy in the Silurian Valley and the values present that confirm its designation as NCL.

The DRECP Preferred Alternative also offers discussion on the SAA and describes the following important values present in Silurian Valley:

### **“SAA in the Mojave and Silurian Valley and Kingston and Funeral Mountains Ecoregion Subareas**

This SAA is located in the “Baker sink” area and at the gateway to Death Valley. The SAA provides occupied suitable habitat for the desert tortoise (tortoises have been confirmed within the SAA). The SAA is in the narrowest part of the Baker sink, which is thought to be a barrier between two desert tortoise critical habitat units. As such, the area within and around the SAA provides the best connectivity point between these two critical habitat units – likely allowing genetic connectivity between these two units. Lands within and around the SAA also provide important connectivity corridors for bighorn sheep and several species of bats. The migration linkages support both biodiversity and opportunities for adaptation to climate change. These lands are foraging habitat for golden eagles and prairie falcons (*Falco mexicanus*) nesting nearby. The SAA also provides habitat for burrowing owl and desert kit fox (*Vulpes macrotis arsipus*). While Mojave fringe-toed lizards (*Uma scoparia*) have not been confirmed within the SAA, suitable occupied habitat exists in the vicinity of the SAA”.

### **Recommendation 5: Protect the Eagle Mountain cutout as NCL/ACEC.**

NPCA supports designation of the Eagle Mountain region as NCL or ACEC to protect critical desert tortoise habitat and linkages. Specifically, we recommend that all public lands within the Eagle Mountain cut-out, including transmission exclusions, be conserved as NCL or ACEC in order to protect the known and remarkable natural, cultural, and historic resources found at this location. NPCA requests that this landscape be surveyed for Lands with Wilderness Characteristics (LWC), as references in the Wilderness Appendix of the CDCA plan identified this

area as highly rated for Wilderness quality<sup>13</sup>.

Specifically, this area is regarded as a critical desert tortoise linkage between the Chuckwalla Bench, Palen-McCoy Wilderness, and Joshua Tree National Park<sup>14</sup>; critical habitat and connectivity corridor for desert bighorn sheep<sup>15</sup>, and a very important immediate nesting area and larger regional habitat and nesting grounds for golden eagles<sup>16</sup>.

This region is crucial for supporting the DRECP Biological Goals and Objectives (BGO) and reserve design as it represents a confluence of habitat and connectivity corridors for listed and DRECP covered species. The currently proposed designation of undesignated lands in the Preferred Alternative is improper and not reflective on known values in the region. This is one area (South Soda Mountain being another) where covered species habitat and connectivity are known, but to which conservation designations are not extended. Protection of the habitat and connectivity in the Eagle Mountain region are particularly important when viewed in relation to the existing mapped DFAs in the region; the renewable energy projects already under construction or approved; the existing concerns about water drawdown in the region, and the cumulative impacts in this region to listed and covered species.

NCL or ACEC designation are particularly important for the entire Eagle Mountain region as harmful proposals exist in the region that threaten existing values. The Eagle Crest Pumped Storage project could harm the land, water and species extending into Joshua Tree National Park. The project could also introduce significant impacts such as invasive species, ravens and other known desert tortoise predators to the region.

NPCA's full recommendations and discussion of the Eagle Mountain region are submitted in addition to our DRECP comments. The position paper has been drafted by Stanford Law Clinic and will be attached to our submission.

### **Recommendation 6: Protect the Castle Mountains as NCL/ACEC**

NPCA supports the agency determination to add The Castle Mountains to the NCL/ACEC system due to the rich natural and cultural values, many unique, found in this area. We also support the management prescriptions recommended by USFWS in Appendix L for this area. This landscape is a provision in Senator Feinstein's California Desert Conservation and Recreation Act of 2015.

The Castle Mountains are one of the most scenic landscapes in the California desert

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<sup>13</sup> <http://babel.hathitrust.org/cgi/pt?id=umn.31951002927989h;view=1up;seq=17>. Pg 7.

<sup>14</sup> Averill-Murray, et al., at 3-4; Penrod, et al. at 35; see also FWS, Explanation of Map of FWS—Identified Priority Desert Tortoise Connectivity Areas, 1, available at [http://solareis.anl.gov/documents/fpeis/maps/FWS\\_Connectivity\\_Explanation.pdf](http://solareis.anl.gov/documents/fpeis/maps/FWS_Connectivity_Explanation.pdf); Draft DRECP Biological Goals and Objectives for 3 Driver Species, 6, 7 (pdf pagination) (May 20, 2013), available at [http://www.drecp.org/documents/docs/Memo\\_three\\_drivers\\_BGOs.pdf](http://www.drecp.org/documents/docs/Memo_three_drivers_BGOs.pdf).

<sup>15</sup> SC Wildlands, 32-33.

<sup>16</sup> Wildlife Research Institute, 2011, Golden Eagle Survey Report for the Joshua Tree National Park in Riverside County, California

with the backdrop of the jagged and aptly-named Castle Peaks that emerge above the grassland like ramparts. This rare desert grassland was identified as a BLM Unique Plant Assemblage (UPA), and is home to at least 8 rare plants<sup>17</sup>.

The Castle Mountains are an important area for desert bighorn sheep habitat and movement. This grassland has been targeted and may also be appropriate for the reintroduction of the Great Basin pronghorn to the Eastern Mojave Desert. This landscape has a remarkably dense Joshua Tree Woodland interspersed with giant examples of Mojave Yucca, as well as Juniper. Any disturbance should require surveys for desert pavement, yucca and creosote rings, which are abundant and spectacular here.

This region also has a rich and important Western American history ranging from the historic mining town of Hart to the Barnwell Rail<sup>18</sup>. It also provides excellent views east towards the Spirit Mountains, one of the most significant Native American Traditional Cultural Properties (TCP) in the Mojave desert.

As referenced in Recommendation 2, this region lies on the California/Nevada border. There are significant opportunities for interstate coordination here, as the California side of the border includes Mojave National Preserve and the proposed NCL/ACEC at Castle Mountains, while the Nevada side is proposed as a Wind Energy zone. Wind Energy development in this region would impair important conservation gains, wildlife connectivity (especially for desert bighorn sheep), and critical habitat on both sides of the state line.

While supportive of the NCL designation, NPCA does not have sufficient data to analyze the ERMA designation on this highly resource-rich landscape. We recommend that further analysis and justification for this designation be provided, or that the ERMA designation be removed.

### **Recommendation 7: Protect the Wild and Scenic Amargosa River, its watershed, and water resources for Death Valley National Park:**

The Amargosa Watershed of Southeastern Inyo County and Northeastern San Bernardino County includes many iconic locations in the California Desert including Death Valley National Park, the Wild and Scenic Amargosa River and Amargosa River Canyon, the Avawatz Mountains, and the sky-islands of the Kingston Range. This area has significant public lands conservation investments, is a popular tourism location, and is supported by conservation-focused gateway communities like Shoshone and Tecopa. NPCA thanks the agencies for their powerful investments in this region and supports further designations as prescribed in multiple DRECP alternatives. NPCA specifically wants to highlight the Bowling Alley, Soda Mountains, Avawatz Mountains, Kingston Wash, as areas identified in Senator Feinstein's California Desert Conservation and Recreation Act of 2015 for additional designation. NPCA recommends that these high value conservation lands be added to the NCL due to their known significant resources.

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<sup>17</sup>[http://www.fws.gov/carlsbad/PalmSprings/DRECP/Appendix%20L\\_Bureau%20of%20Land%20Management%20Worksheets/Appendix%20L\\_BLM%20Worksheets%20-%20ACEC\\_Part11\\_3.pdf](http://www.fws.gov/carlsbad/PalmSprings/DRECP/Appendix%20L_Bureau%20of%20Land%20Management%20Worksheets/Appendix%20L_BLM%20Worksheets%20-%20ACEC_Part11_3.pdf)

<sup>18</sup>[http://www.fws.gov/carlsbad/PalmSprings/DRECP/Appendix%20L\\_Bureau%20of%20Land%20Management%20Worksheets/Appendix%20L\\_BLM%20Worksheets%20-%20ACEC\\_Part11\\_3.pdf](http://www.fws.gov/carlsbad/PalmSprings/DRECP/Appendix%20L_Bureau%20of%20Land%20Management%20Worksheets/Appendix%20L_BLM%20Worksheets%20-%20ACEC_Part11_3.pdf)

This region is also world-renowned for its endemic species, including the Devil's Hole Pupfish and a number of other aquatic fish species found nowhere else on Earth. While the sufficient water resources for the Devil's Hole Pupfish are protected by order of the Supreme Court<sup>19</sup>, this region is globally important for its rare and endangered aquatic species, many federally listed, and dependent on ever-shrinking water supplies.

NPCA supports the NCL designations for the Southern Amargosa Desert, including the areas directly adjacent to East Death Valley National Park and Death Valley Junction. This region includes Carson Slough, a seasonally flooded Alkali Wetland home to rare plants. This region protects landscape connectivity between the Funeral Mountains, other Death Valley ranges, and important water resources in Carson Slough and Ash Meadows. The region also protects the flowpath beneath Ash Meadows and the Amargosa River that flows south towards the communities of Shoshone and Tecopa and east towards Death Valley National Park.

NPCA supports an NCL designation or appropriate designation for Chicago Valley and Charleston View. These remote and beautiful lands protect significant natural and cultural resources that merit further investigation and protection.

NPCA also recommends that all lands in the Ash Meadows, Carson Slough, and Amargosa watershed be managed for conservation and that any allowed activities not permit the net loss of water resources for these important watersheds protected by the Wild and Scenic River Act<sup>20</sup>, the 1976 Supreme Court ruling on Cappaert vs. United States, and the Endangered Species Act, in addition to State listings (Endangered, Threatened, Species of Special Concern) and DRECP covered species. NPCA recommends that any allowed activity within these watersheds be required to implement water retirements or water conservation actions equal to or exceeding any water take.

For a more detailed discussion on these issues and this region, please see The Nature Conservancy's DEIS comments and the Amargosa Conservancy's DEIS comments, both of which NPCA supports in relation to the Amargosa, Carson, and Ash Meadows Watersheds.

#### **Recommendation 8: Protect the lands ecologically connected to Joshua Tree National Park as NCL or ACEC:**

NPCA supports the following Agency recommendations:

- Protect the Saddle lands, north of and surrounded by Joshua Tree National Park's northeastern boundary, as NCL lands. This region includes existing Wilderness, important desert tortoise and desert bighorn habitat, important desert bighorn sheep wildlife corridors, and an ecotone between the Mojave and Colorado deserts that adds to the site's species richness.
- ACEC designation for the important corridor linking the Saddle and Joshua Tree National Park to the Bullion and Sheephole Mountains. NPCA understands

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<sup>19</sup> <http://www.lewiscenter.org/documents/Local%20Programs/riggsdeacon.pdf>

<sup>20</sup> <http://www.rivers.gov/wsr-act.php>

that the lower elevation habitat represented in these linkage includes important desert tortoise habitat. As the area between the Saddle and the Bullion Mountains includes private lands, we recommend that this area be prioritized for acquisition from willing sellers to aid in desert tortoise recovery efforts.

- Protect the linkage connecting Joshua Tree National Park to the southern Cadiz Valley and also to the Iron Mountains as an ACEC. This region contains important wildlife habitat, Aeolian sand movement corridors and sand deposition corridors. This region was excluded from consideration as a Solar Energy Zone in the Solar Programmatic EIS (Solar PEIS) due to a lack of transmission and natural resource impacts and should be fully protected as wildlife habitat in the DRECP to help support the accomplishment of the reserve design and BGOs.
- Protect the beautiful Palen Valley between the Granite and Coxcomb Mountains along State Road (SR) 177 as NCL. This area is also an important Aeolian sand transport corridor, sand deposition corridor, and habitat for listed and covered species including desert tortoise, fringe-toed lizards, and kit foxes, as well as many other sand-dependent or sand-tolerant species.
- Protect the Chuckwalla Valley north and south of Interstate 10 from East of Chiriaco Summit to the Little Chuckwalla Mountains as NCL and ACEC. Protect the Chuckwalla Mountains as NCL. The Chuckwalla Valley represents a crucial desert tortoise corridor between the Chuckwalla Mountains and the Pinto Basin. Protect all DFA lands excluded through Conservation Management Actions (CMA) for Microphyll woodlands and Sand Movement as NCL or ACEC.

NPCA recommends the Agency refine the following recommendations/assumptions:

- Refine DFAs to remove Covered Natural Communities (Microphyll Woodlands and Dune habitats) and demonstrate locations where CMAs would preclude development within DFAs. This refinement would provide more clarity about whether development was occurring in sensitive habitats, and exactly what areas are being proposed for development within a highly sensitive landscape.
- Extend NCL or ACEC designation to the entire Eagle Mountain region, not just the southeastern corner. See discussion in Recommendation #5 and in Stanford Law Clinic's Eagle Mountain research paper.
- Develop common sense rule sets to protect the remarkable viewshed to the South and East of Joshua Tree National Park from inappropriate adjacent development. NPCA recommends that the Agency work in coordination with the NPS to identify height limits for projects in proximity to National Park lands, within the viewscape of National Park lands, or develop a coordinated response to projects that could impair National Park visual resources. See Recommendation 12 for further discussion.

### **Recommendation 9: Protect the lands ecologically connected to Mojave National Preserve as NCL or ACEC.**

NPCA supports the following agency recommendations:

- Protect Soda Mountain north of I-15, Mountain Pass, Northwest Ivanpah Valley, Mesquite Valley, Clipper Valley, and the low mountains south of Ludlow as ACEC.

- Protect Southeastern Ivanpah Valley, Shadow Valley, Castle Mountains, Silurian Hills, the Baker Sink (Trough), Afton Canyon, Cady Mountains, Broadwell Valley as NCL. Protect the Route 66 viewshed, including the proposed Mojave Trails National Monument, connected wilderness areas, and intersecting mountains and valleys (Old Dad, Marble, Clipper, Old Woman, Piute, Sacramento, Dead, Stepladder, Turtle, Chemehuevi, and Whipple) as NCL. This landscape-scale linkage represents one of the most intact, remarkable, and both natural and culturally significant corridors in the West. Durable protection of this vast corridor would significantly support reserve design and BGOs.
- NCL/ACEC designation to connect the Fremont-Kramer DWMA to the Superior-Croneese DWMA.
- NCL/ACEC designation for important habitats along the Mojave River and adjacent to the West Cady Mountains.

NPCA recommends the agency/refine the following:

- NPCA requests that the agency protect the South Soda Mountains, extending the ACEC to include the north and south side of Interstate 15, to protect critical desert bighorn sheep habitat, foraging grounds, lambing grounds, and connectivity. See Recommendation #3 for further discussion.
- Remove public lands in the Cadiz Valley FAA. This region includes one of the largest remaining unprotected roadless areas in the California desert and includes a covered Natural Community, Sand dune habitat, and the covered species found therein. This area also includes Catellus lands purchased by the Wildlands Conservancy and the Federal Government for conservation purposes. All Catellus lands should be removed from DFA and other Study Area lands. FAAs were not adequately analyzed in the DEIS and should be covered more extensively in a Supplemental EIS in order to allow for broader discussion on the impacts of development within these proposed Study Lands.
- Remove the FAA in Mountain Pass on the South side of Interstate 15. This region includes remarkable stands of Joshua Tree (covered natural community) and Blackbrush and is important for desert bighorn sheep habitat and movement. This area is also directly adjacent to Mojave National Preserve and the unique Dinosaur Trackway ACEC. See above comments about the need for additional analysis of FAA.
- Variance lands and DFA surrounding the Mesquite Valley Mesquite Bosque Microphyll Woodlands (UPA and Covered natural community) should be removed.
- Coordinate with Nevada BLM to avoid Wind Energy Zones that would harm desert tortoise and desert bighorn sheep habitat and movement.

#### **Recommendation 10: Protect the lands ecologically connected to Death Valley National Park as NCL/ACEC.**

NPCA supports the following Agency recommendations:

- Protect appropriate lands in the Owens Valley, Panamint Valley, and dry lake lands north of Death Valley Junction, Rand Mountain, El Paso Mountain and Valley, Red Mountain, and Searles Valley as ACEC.
- Panamint Valley and Owens Valley are significantly important natural and cultural landscapes that deserve permanent and durable protections.

- Protect Owens Valley, Panamint Valley, from Death Valley Junction to Ryan Camp, Resting Hills, Shoshone, Tecopa, Chicago Valley, California Valley, Sperry Hills, and Silurian Valley as NCL.

NPCA recommends the agency rework/refine the following:

- Silurian Valley SAA should be designated as NCL due to remarkable natural and cultural values including desert tortoise and desert sheep connectivity, Old Spanish Trail, Native American values, and proximity to Golden Eagle nesting and bat roosting habitat. For further discussion on Silurian Valley see Recommendation #4 and Stanford Law Clinic's Silurian Valley research paper.
- Further analysis should be done in Charleston View to identify natural and cultural resources. NPCA recommends that this DFA be removed, reduced, or develop rule sets to ensure that no net loss of water for the Amargosa River occur.

### **Recommendation 11: Protect the culturally important viewshed of Manzanar National Historic Site (NHS).**

Manzanar National Historic Site tells the important and difficult story of the internment (incarceration) of Japanese Americans during World War II. US Citizens of Japanese ancestry were taken from their homes, families, and communities and forced to live at Internment Camps, including Manzanar in the beautiful eastern Sierra.

The solemn viewscape from Manzanar camp is fundamental to allow visitors to the NHS to try to understand the experience of what life was like for the incarcerated Americans forced to live there. NPCA opposes any industrialization of that important viewshed. The lands in that viewshed, owned by The Los Angeles Department of Water and Power (LADWP) are Undesignated Lands in the DRECP. NPCA requests that LADWP permanently designate those lands for conservation, donate those lands to Manzanar NHS, or work in partnership with Manzanar NHS and the Manzanar Committee to ensure that solemn viewscape is protected in perpetuity.

### **Recommendation 12: Protect Desert National Parks from DFAs that would impact their visual resources.**

NPCA recommends that the DRECP agencies coordinate with the NPS to ensure that National Park viewsheds are not compromised by the development of DFAs. This coordination should center around early notification for applications that include tall towers or turbines which would potentially negatively impact National Park Service viewscapes, or projects proposed in close proximity to park boundaries which would require additional coordination. Examples would include Palen Solar, and future wind development in the Riverside East DFAs, Soda Mountain Solar, Eagle Crest Pumped Storage, Silurian Wind, etc.

NPCA recommends that some guidance or triggers be added to DFA and Study Land language for development areas in proximity to National Park lands. This solution could be agreed upon through inter-agency meetings with National Park Service and could include processes to provide early notification, height limits for

towers within an agreed upon distance from park borders, or a process for additional internal coordination and public input when visual resources would be harmed.

NPCA does not believe sufficient analysis was done on visual resources as they affect National Park Service units and should be undertaken in a Supplemental Draft. This should include additional analysis from Key Observation Points (KOP) in remote areas favored by recreational users and a more complete analysis on Night Sky resources throughout the DRECP region and what affect, if any, proposed DFAs or other Study Lands would have on those important resources.

**Recommendation 13: Analyze impacts to National Park Service lands across all alternatives, as was done for the Department of Defense (DOD).**

NPCA appreciates that the Agency analyzed DOD concerns, priorities, and needs as a cross-reference for impacts that could occur to that Department's mission and actions across the California desert. We recommend that a similar analysis be conducted for the National Park Service. We believe this is a reasonable request as NPS, like DOD, is a major land manager in the California desert, and has a mission that could be either supported or harmed by decisions made within the DRECP process. The National Park Service and its lands are of deep importance to the American public and international visitors, and 2014 was the most visited year ever recorded<sup>21</sup>. Considering the support for and importance of National Park lands in the California desert and beyond, and the profound social and economic impact the parks have on desert communities, we request that a Supplemental EIS, or Final EIS if no supplemental is issued, include a full analysis of NPS lands, conflicts with visual resources, conflicts with NPS natural and cultural resources, conflicts with NPS units and trails be analyzed by alternative. This action would allow the many park supporters to choose actions and alternatives that best support National Parks in the California desert<sup>22</sup>.

**Recommendation 14: Protect landscape-scale connectivity corridors across the California desert to protect wildlife and support climate resiliency**

NPCA supports the agency determination to protect many of the vital connectivity corridors in the California desert. We support:

- The broader vision to connect Death Valley National Park, Mojave National Preserve, and Joshua Tree National Park through conservation designations.
- The broader vision to connect Joshua Tree National Park to Palen-McCoy Wilderness to the Chuckwalla Bench south to the Chocolate Mountains and the US/Mexico Border through conservation designations.
- The broader vision to connect the Southeast Mojave National Preserve south to the Big Maria Mountains Wilderness, Rice Valley, and Palen Wilderness through Conservation designations.

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<sup>21</sup> <http://www.cnn.com/2015/02/17/travel/feat-most-visited-national-parks-sites-2014/>

<sup>22</sup> Over 11,000 park supporters have already commented on the DRECP. This is a large and important constituency.

- The broader vision to connect Joshua Tree National Park to the San Bernardino Mountains, Bighorn Wilderness, Johnson Valley, and Ord Mountain through conservation designations.

NPCA recommends that the Agency refine the following:

- Remove or refine the Lucerne and Johnson Valley DFAs. Dr. Kristeen Penrod recently published a paper with recommendations for protecting critical tortoise, desert bighorn sheep, Mojave Ground Squirrel habitat and movement corridors in the Lucerne Valley DFA. NPCA recommends that the critical habitat in these DFAs be protected, and the important corridors between the San Bernardino Mountains and the Ord-Rodman Mountains be protected. This is also important for Golden Eagle populations as Granite Mountain is a hot spot. NPCA recommends that Juniper Flat and Granite Mountain be preserved as NCL.
- Protect South Soda Mountain as an ACEC to protect the most restorable desert bighorn sheep connectivity corridor in the Southeastern Mojave. See recommendation #4 for further discussion on this issue.
- Protect Silurian Valley as NCL to maintain important desert tortoise linkages, desert bighorn sheep linkages, and important habitat along a migratory pathway for birds.

**Recommendation 15: Protect NCL, ACEC, and LWC lands across the California desert to protect species, wildlands, and connect conservation lands together for climate resiliency and genetic flow:**

NPCA supports the thoughtful work and analysis done by The Wilderness Society and California Wilderness Coalition in their DEIS comments on February 23, 2015 to identify, analyze, and nominate lands for NCL, ACEC, and LWC designation. NPCA concurs with their nominations for lands meeting the criteria for additional designation. While supportive of appropriate lands being designated for conservation purposes, both as legislated in the 2009 Omnibus Public Lands Act, and as part of BLM's Land Use Plan Amendment, we recommend the following:

- That NCL lands receive durable designation consistent with other lands in the National Landscape Conservation System in the California desert and beyond. We support the identification and designation of these lands using the DRECP as an appropriate vehicle, but agree with our partners that these designations should be made permanent and not be subject to future land use plan updates or amendments. We also recognize that durable designations are critical for the DRECP to meet State NCCP standards, a fundamental measure for DRECP success.
- That NCL lands in the California desert be managed to NCLS standards as outlined in the BLM Handbook 6100.
- That BLM resource protective designations (ACEC, Wildlife Habitat Management Areas (WHMA), Research Natural Areas (RNA), Natural National Landmarks (NNL) be retained within the DRECP process as a layer to ensure that the protections conferred by the original management action are retained in DRECP.
- That the Eagle Mountains be protected as NCL (see NPCA Recommendations on Eagle Mountain).

- That the South Soda Mountains be protected as an ACEC (See NPCA recommendation #3 on Soda Mountains)
- That NCL and ACEC lands proposed adjacent to National Park lands proposed in recommendations 8-10 be adopted in order to connect together larger conservation landscapes and to provide additional habitat and resiliency for wildlife movement.
- That all NCL designations in the Amargosa watershed be adopted to protect the flows of the Wild and Scenic Amargosa River, its tributary waters, and wetlands in Eastern Death Valley National Park.

**Recommendation 16: Provide updated analysis on Covered Natural Communities:**

Current DRECP mapping does not identify all Joshua Tree Woodland and Microphyll Woodland within the DRECP planning area and needs to be updated to ensure sensitive lands are protected. The plan needs to set clear and quantifiable conservation goals for each community to allow analysis and substantive comment. The plan's CMA identifies actions for Joshua Tree Woodlands describe "dense" stands and is classified by canopy cover over 5%, greater than 1% and less than 1%. This is ambiguous as "dense" is a relative term. NPCA recommends that all Joshua Tree Woodland with 1% cover or more be preserved and that Joshua Tree Woodland below 1% cover be conserved to the extent possible, and be avoided in best management practices and CMAs.

NPCA recommends that all Unique Plant Assemblages (UPA) be protected. In addition we support the protection of clonal rings of creosote, yucca, and joshua tree. We further recommend that rare and unique natural communities such as desert grasslands, cactus gardens, yucca woodlands, crucifixion thorn communities, and blackbrush communities be protected as NCL/ACEC and be incorporated into avoidance BMP and CMA. NPCA recommends that these unique and often old growth communities be given a 200 foot setback from development or recreation.

**Recommendation 17: Undesignated Public lands should receive a designation to avoid future confusion about what lands are and are not appropriate for renewable energy development and what lands are important for conservation.**

NPCA recommends that all Undesignated public lands be given a designation. Many lands that are currently undesignated are high conflict locations that are subject to renewable energy or other application for industrialization. As such, this plan's intended purpose to designate appropriate lands for renewable energy and conservation is compromised by not making those decisions on lands within the planning area during this planning process. Examples of lands that require designation be made include South Soda Mountain, the Eagle Mountain cut-out, South Cadiz Valley, East Sacramento Mountains, and public lands in Lucerne Valley. NPCA recommends that further analysis be given to currently Undesignated lands so that stakeholders and the public can provide substantive comment on these lands and their appropriate designation.

**Recommendation 18: Updated figures from Acreage Calculator, megawatt**

**(MW) goals and assumptions, upated yield factors, and updated accounting for projects that have been approved, permitted, and developed are used to reduce DFA, SSA, and/or FFA acreage. Use new projections to reduce DFAs, study lands, and undesignated lands in high conflict areas.**

Refer to Sierra Club's acreage calculator and megawatt assumption DEIS comments for a full discussion of this issue.

Over 2 million acres of DFA, 1.3 million acres of undesignated lands, and 183,000 acres of study area lands exist within the preferred alternative. Many of these lands, including the Soda Mountain Solar project, the Silurian Valley Solar and Wind project, the Cadiz Dunes FAA, the western portion of the Eagle Mountain cut out lands, and the Lucerne Valley DFA are high conflict locations that could be removed from the development footprint based on updating the acreage calculator and properly accounting for existing projects.

The DRECP assumes that 166,000 acres of the 2 million acre DFA footprint will be developed to meet the existing MW goal, and that the larger acreage number for DFA and study area lands are being provided to maximize development flexibility. NPCA recommends that high conflict lands within DFAs and throughout the study area lands and undesignated lands be removed. In particular, the Soda Mountain Solar project, Silurian Valley Solar and Wind sites, and the Lucerne Valley DFA are highly contentious and their inclusion may hurt the DRECP as local groups, electeds, and communities continue to oppose the larger DRECP primarily because of these provisions. The overall reduction of DFAs based on current projects meeting a large percentage (up to 50%) of current 20,000 MW goal would be generally helpful to allow for a more focused conversation about conservation of important resources, protection of community values, and development in the most appropriate places. Updated yield factors should be performed as well to determine if the fixed rate of 7.1 acres to produce a MW of electricity has been reduced based on increased photovoltaic efficiency

It would also be helpful to have maps produced that identify the proposed footprint that Conservation Management Actions (CMA) will reduce in DFAs, study area lands, and undesignated lands to allow for a more substantive conversation about their values, and which lands are actually potentially developable.

**Recommendation 19: Increase distributed generation assumption from 2417MW (12% of total MW goal of 20323 MW) across all action alternatives to 4800MW (24%). Include rooftop solar as an appropriate and approved source for distributed generation within the DRECP plan area. Reduce acreage calculation to reflect this increase in distributed generation and consequently reduce acreage in high conflict DFAs, study areas, or undesignated lands.**

There has been a significant push from local communities to better incorporate rooftop solar into the DRECP as a possible solution to reduce harm to their communities. An increase of the distributed generation assumption would be a positive policy that incorporated local voices and comments and reduced harm to communities and sensitive wild lands.

**Recommendation 20: Utilize repowering and infill to the extent possible to reduce sprawl and unnecessary harm to communities and desert wildlands.**

NPCA recommends that Agencies prioritize the repowering of Wind technology in appropriate locations to immediate increase wind energy production without the environmental expense of creating new wind areas with unknown resources or impacts. We also recommend utilizing infill as an excellent strategy for reducing impacts and sprawl across the California desert. Prioritizing repower and infill is a positive strategy for ensuring that renewable energy is being produced in existing locations with known resources while supporting renewable energy goals utilizing disturbed lands.

**Recommendation 21: Continuity with California Desert Conservation and Recreation Act of 2015 (CDCRA) lands.**

NPCA appreciates that the Agency has mapped out and planned for the CDCRA within the DRECP planning area. We recommend that all CDCRA lands be tentatively designated as both NCL and LLPA lands to protect these high quality lands from inappropriate development and to protect their value as reserve design lands and as lands that continue to meet the plan BGOs. We recommend that current rule sets be maintained until such time as the lands are legislatively designated, or their land-use designation is amended through the DRECP.

**Recommendation 22: Catellus Lands should be managed for conservation.**

NPCA recommends that Catellus Lands be managed for conservation. These lands were purchased by the Wildlands Conservancy and through the use of Land and Water Conservation Fund dollars, and represent the largest conservation donation in the history of the California desert. The original intent of this purchase was to donate these lands to the Federal Government to be managed for conservation, and in some cases recreation. Allowing these lands to be used for development is contrary to the intention of the purchase and should not be allowed by the DRECP. Lands in the Cadiz FAA include Catellus lands, and they should be removed from this FAA.

**Recommendation 23: Monitoring and Mitigation Plan must be updated, properly funded, and employ adaptive management.**

It is clear from the draft Desert Renewable Energy Conservation Plan (DRECP) that the Bureau of Land Management (BLM) would be responsible for monitoring and mitigation strategies and implementation on its lands, but Section VI is extremely vague on how BLM will procure the resources needed to take on this enormous task. Even if renewable energy companies fund the monitoring and mitigation program, the document fails to specify how BLM will provide adequate oversight, compliance and enforcement for these programs. Specific issues that will need to be addressed are the staffing, structure and processes in state and California BLM offices that will guide policy and implementation and ensure that the monitoring and mitigation program is successful.

The draft DRECP states that, “At the federal level, neither NEPA nor BLM’s NEPA guidance require monitoring of a particular type.” This statement is cause

for concern as the success of monitoring hinges on whether it has a strong and consistent process and methodology. Regardless of BLM's mandates for NEPA guidance on monitoring, the agency should develop a best practices monitoring protocol for DRECP renewable energy projects that is based on the best and most recent available science on this topic. The bottom line is that if BLM and other REAT agencies truly want the DRECP to rely on adaptive management, they must develop a strong monitoring and mitigation plan that is designed by independent or agency scientists and guided by the latest scientific knowledge.

While the draft DRECP states that, "The project proponent is responsible for successfully implementing all of the adapted mitigation measures in the mitigation and monitoring program," this statement does not adequately address the funding structure for the collection of monitoring data, analysis of that data or the communication of that data in a timely fashion. We believe the monitoring program should be conducted by the BLM in conjunction with a team of independent scientists and made available for both peer review and review by the public. The aforementioned statement also does not address the costs of oversight and enforcement.

The DRECP Monitoring and Mitigation section also states that, "Some agencies deploy field staff to monitor and report regularly on activities observed and the implementation of mitigation measures; others rely on various levels of self-reporting and certification by the project proponent with some level of agency oversight and inspection." The problem with the latter approach is that it has been an inadequate procedure in a number of cases in the California desert to date, the best example being the monitoring of bird deaths at industrial scale solar facilities. More work needs to be done by the REAT agencies to develop sound monitoring procedures and not leave the "fox guarding the henhouse." This statement is far too vague and needs to be clarified in the final DRECP document.

Finally, we concur with the statement in the draft DRECP that, "A monitoring program may provide feedback to staff and decision makers regarding the effectiveness of mitigation actions," and that, "This information can be used by staff and decision makers to shape future mitigation measures," but this is only true if the monitoring and mitigation program is based on a strong scientific methodology; is timely; relies on accurate data and is evaluated correctly. Finally, one question that is not addressed in this section is how monitoring data from a single project could be integrated or influence monitoring and mitigation actions on other sites throughout the California desert. For example, how will the DRECP's monitoring program evaluate the local, regional and cumulative impacts of renewable energy development in the California desert.

**Recommendation 24: Provide further analysis on SRMA and ERMA recreational designations:**

The DEIS contains over 3 million acres of SRMA/ERMA designation on public land without sufficient analysis describing the impact this action on species conservation in specific locations, impacts to recreation, which existing uses would remain, and what "prioritized" use means.

NPCA is supportive of conservation designation for many of the locations

identified as SRMA/ERMA, and supportive of existing uses be protected in some cases. We also generally support designations which prioritize conservation and protect connectivity while supporting responsible recreation in appropriate locations. We cannot fully analyze the impacts and costs versus benefits of these designations without a more thoughtful and quantifiable analysis.

NPCA generally supports the designation of the Desert Discovery Center for recreation. We request that a supplemental draft do a more complete job of describing and analyzing SRMA/ERMA to allow the public to provide substantive comments on this issue and to more fully understand what is being proposed and how it will affect conservation and recreation on public lands.

In conclusion, NPCA appreciates the opportunity to comment on the DRECP DEIS. We request that the Agency carefully consider our comments and recommendations and improve the DRECP by removing harmful locations, provisions, and policies, while providing more data and analysis to allow public participation. We request durable conservation for this plan to allow it to meet state standards and we request that the acreage calculator, megawatt assumption, and overall remaining need be re-analyzed. We ask that Undesignated public lands like South Soda Mountain and Eagle Mountain be dealt with in this planning process.

Sincerely,



David Lamfrom  
Associate Director-California Desert  
National Parks Conservation Association

