

Comment Letter I41

Hingtgen, Robert J

From: Howard Cook <howwcook@yahoo.com>
Sent: Sunday, March 02, 2014 5:46 PM
To: Hingtgen, Robert J
Cc: Howard Cook; Danielle Thomas; Mark Ostrander; Donna Tisdale; Miriam Raftery; Jacob, Dianne; joe.marshall; paige@theabf.org
Subject: Soitec Solar Comments/response - Endangered Bighorn Sheep- Log no. 3910-12005
Attachments: 02-28-14 wildlife response.doc

Dear Robert,
 Please find attached my 02/28/2014 Comments/Response to the Soitec Solar PEIR dealing with Endangered Peninsular Big Horn Sheep. It is a four page WORD document. Please let me know if you have any problems opening the document.

I41-1
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Sincerely,
 Howard W Cook P.O. Box 486 Jacumba, CA 619-766-4640

Response to Comment Letter I41

Howard Cook
 March 2, 2014

I41-1

The article referenced in the comment has been reviewed. Unfortunately, the County cannot rely on unconfirmed, incidental sightings of special-status species. Instead, the County relies on the data contained within the U.S. Fish and Wildlife Service (USFWS) occurrence database and California Department of Fish and Game’s (CDFW) California Natural Diversity Database (CNDDDB). Both databases are maintained by each respective agency and are widely used to assist in the assessment of species’ potential to occur within a project area. Issues raised in this comment regarding the potential for Peninsular bighorn sheep to occur within the Proposed Project area are considered and addressed in the DPEIR. See Section 2.3.1.2 and 2.3.1.4 (see also response to comment I38-78). The photographer credited with the photo states that the sheep did not have GPS collars, contrary to the commenter’s assertion.

This letter expresses the commenter’s opposition to the Proposed Project. Ultimately, the decision makers must determine whether to approve the Proposed Project or any alternatives. The information in this letter will be in the FPEIR for review and consideration by the decision makers.

Soitec Solar PEIR Response, 02-28-2014 – Bighorn Sheep- - Log No. 3910-120005

The Soitec Solar PEIR only briefly mentions that the federally endangered Peninsular Bighorn Sheep habitat area is within 1.5 miles of Rugged and .8 miles for Lan East Project areas. Please access the following URL <http://www.eastcountymagazine.org/node/14666> the magazine article shows and describes a picture of two Bighorn Rams seen January 01, 2014 close to McCain Valley and Sacatone Roads. Please also note the GPS collars on the pictured Bighorns. The Soitec Solar PEIR also fails to directly discuss the impact of the following current information and scientific studies:

- October 2013 studies on essential Peninsular Bighorn Sheep habitat and migration routes between Baja and the US.
- Wildlife Corridors and adjacent Bighorn habitat.
- Soitec Construction and Operational phases have negative impacts on Bighorn Sheep grazing sites and essential drinking water.

October 2013 studies on essential Peninsular Bighorn Sheep habitat and migration between Baja and the US.

Why did the Soitec Solar PEIR fail to note the following November 18, 2013 San Diego Zoo Global article on the Peninsular Bighorn Sheep corridors and the new two year study on Bighorn Sheep Movements? Either Soitec or its consultants wanted to ignore this published information or they are not keeping up with the latest news about San Diego's and Anza Borrego's signature Endangered Peninsular Bighorn Sheep Species.

According to two San DIEGO Zoo Global articles one on November 18, 2013 and the other in March 2014 in "Zoonooz", a bi-national team of biologists and veterinarians, on October 31, 2013 started a two-day effort to capture over a dozen Peninsular bighorn sheep in the Sierra Juarez mountains just south of the US-Mexico border. The collaborative effort included the following scientific groups: the Universidad Autónoma de Baja California, various Mexican government agencies, The Nature Conservancy, The California Department of Fish and Game, University of California, Davis, The Wildlife Health Center, Native Range, Western Tracking Institute and San Diego Zoo Global with the goal of better understanding the movement, health status and genetics of the Sierra Juarez bighorn sheep populations on both sides of the border.

The November 18 article says, "The Peninsular bighorn sheep is an endangered species whose two major populations could be permanently separated unless we protect its habitat and key bottleneck connections throughout the Peninsular Range. Smaller, isolated populations are more susceptible to diseases and predation and are less resilient to climate change," said Bill Tippetts, San Diego Project Director with The Nature Conservancy. "This effort will provide us with critical information about how to improve the survival of this species and help manage its habitat now and as the climate changes".

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The County does not agree that the Proposed Project will affect bighorn sheep movement or lambing areas; see DPEIR Section 2.3.1.2. Therefore, the County disagrees with the commenter's assertion that the Rugged, LanEast, and LanWest solar farms should await conclusion of a Penninsular bighorn sheep study.

Soitec Solar PEIR Response, 02-28-2014 – Bighorn Sheep- - Log No. 3910-120005

The November 18 San Diego Zoo Global article continues “Bighorn sheep populations in southern California and northern Mexico have long been assumed to be isolated but recent field surveys carried out by San Diego Zoo Global and California Department of Fish and Wildlife have indicated that bighorn sheep do use the border areas and likely move between the two countries. However, to successfully move from north to south, sheep would have to cross four lanes of traffic on two major highways (I-8 in San Diego and MX-2 in Baja California)”.

“Roads are important barriers preventing the movement of many animal species including the bighorn sheep. With our data we hope to initiate a discussion on landscape connectivity and cross-border species conservation both in the US and in Mexico,” said Lisa Nordstrom, PHD scientist with San Diego Zoo Global”.

The November 18, 2013 article then says “For the next two years, bighorn sheep equipped with GPS collars will provide scientists with important data on the movement of the animals in relation to habitat features such as roads, human settlements, and oases. The biological samples collected by the team will also help to describe the genetic structure and connectivity of the population and will be used to test for different diseases”

The March 2014 “Zoonooz” article says, “One burning question is how US Interstate 8 and Mexico Highway 2 both of which bisect Bighorn habitat impact this population. Gene flow between groups of sheep is necessary to keep the populations robust and healthy.”

In Summary:

The Rugged, Lan West and The Lan East project sites will all further impede or stop Endangered Peninsular Bighorn movement by blocking wildlife corridors and or movement. These three project sites must await conclusion of this Bighorn Study before any construction or construction design approval goes forward. One of the purposes of posting this information in The Soitec PEIR Comment section is to give BAD and certain other Jacumba Hot Springs and Boulevard organizations legal standing in protecting The Endangered Peninsular Mountain Sheep habitat and wildlife corridors.

Wildlife Corridors and adjacent Bighorn Habitat

Included in the February 25, 2014 Soitec Solar PEIR letter from “The Nature Conservancy” are these statements on wildlife corridors and habitat. “An important regional conservation concern is what effects the project would have on animal movement in the area. The PEIR acknowledges that no specific movement studies were conducted (Page 2.3-140 et seq.) but states that there are no known or defined wildlife movement corridors on proposed project area and the proposed project as well as the other foreseeable project pose a cumulative impact that is less-than-significant to habitat linkages and wildlife corridors. We believe that this conclusion is not supported by the information in the documents. Wildlife tracking studies on the project site(s), as well as along Interstate 8 within the project area would

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I41-2

The County disagrees with the commenter’s assertion that the Proposed Project provides habitat for the Peninsular bighorn sheep. The commenter is referred to the response to comment O7-6 and to responses to comments I72-5 and I72-6. Issues raised in this comment regarding the potential for Peninsular bighorn sheep to occur within the Proposed Project area are considered and addressed in the DPEIR. See Section 2.3.1.2 and 2.3.1.4 (see also response to comment I38-78). The County acknowledges the commenter’s support for the No Project Alternative. The decision makers have the approval authority for the Proposed Project and will consider all information in the FPEIR and related documents before making a decision on the Proposed Project. The information in this comment will be in the FPEIR for review and consideration by the decision makers.

<p style="text-align: center;"><u>Soitec Solar PEIR Response, 02-28-2014 – Bighorn Sheep - Log No. 3910-120005</u></p> <p>provide the information necessary to determine whether- or where- the project would pose a significant potential impact to wildlife. <u>For example, if wildlife is using undercrossing within or near the project development sites, development may cause animals to avoid the project development areas and use other crossings that may be less safe or effective”.</u></p> <p>Mark Jorgensen retired Superintendent Anza Borrego State Park and official advisor to the “Bighorn Institute” in his Soitec Solar PEIR Comments provides <u>the following information about Bighorn habitat connectivity and the nearness of Soitec project sites to lands purchased and set aside for the listed wildlife. He says “ Wildlife which are key to the local habitat include the endangered Peninsular bighorn sheep, the golden eagle, which nests in this area, the endangered Quino checkerspot butterfly, the peregrine falcon and many other sensitive animal and plant species.</u> Construction of yet another group of solar projects will further impede the free movement of wildlife by reducing habitat connectivity and ruining wildlife corridors. Anza-Borrego Desert State Park and The Anza-Borrego Foundation own lands, which are adjacent to the proposed project in the area of Jacumba. These Park lands are on both sides of Interstate 8 and currently about one mile north of the border with Mexico”.</p> <p>California Department of Fish and Game in describing the range and habitat of the Endangered Peninsular Bighorn Sheep says the following about the geographic areas utilized by Bighorn;” Size of the home range depends on the juxtaposition of resources (water, forage, and escape terrain) and, therefore, varies geographically.</p> <p><u>Recommendations and Other Summaries:</u> In other words based on the pictures of Bighorn adjacent to the Soitec project sites, the comments by multiple Bighorn experts familiar with the area as well as the above statement by California Fish and Game, The Soitec project PEIR and Ibredola in its Tule Wind EIR assertions are wrong in saying that their sites <u>are not</u> habitat or corridors for the Bighorn. These three project sites and related sites must therefore await conclusion of The Bighorn Study discussed in the previous section before any construction or construction design approval goes forward. This same Bighorn habitat and corridor impact leads me to also recommend <u>NO PROJECT.</u></p> <p>In addition, the joint Soitec/Tule Wind Gen-tie line, which is planned to connect to the Boulevard Substation is in the same Bighorn habitat and corridor area. Therefore, all of the comments and recommendations shown in this document apply to it also.</p> <p>The County DPLU must also consider this Bighorn habitat and corridor information in approving or disapproving the following adjacent or close either pending or in process projects:</p> <ol style="list-style-type: none"> 1. Manzanita Wind Energy Project 2. SDG&E Master Special Use permit by USFS 3. Silverado Power 4. Rough Acres Foundation Campground Facility 5. Rough Acres Rock Crushing and Cement Plant facility 6. The Chapman Ranch McCain Valley Road Solar project 7. The Ewiiapaapaayp Tule Wind extension or interties requiring County approval <p style="text-align: center;">3</p>	<p>I41-3 See response to comment I41-2 with respect to the commenter’s assertions regarding Penninsular bighorn sheep habitat.</p> <p>The commenter is referred to the response to comment O7-13.</p> <p style="text-align: center;">I41-2 Cont.</p> <p style="text-align: center;">I41-3</p>
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Soitec Solar PEIR Response, 02-28-2014 – Bighorn Sheep- - Log No. 3910-120005

- 8. The use of any County permitted Special District (Jacumba, Padre Dam) water for the three Soitec project or related Tule Wind sub-projects in the Bighorn habitat and corridor areas.
- 9. Related SDG&E or Semptra interties not yet complete in the Bighorn habitat and corridor areas.
- 10. Soitec alternative sites including Los Robles Ranch in the Bighorn habitat and corridor areas.

We must also include the Recommendations of The Nature Conservancy in its 02/25/2014 Comment letter as follows: Based on the above concerns about the amount of information provided in the PEIR to assess regional conservation impacts, the alternatives analysis, and the groundwater mitigation and monitoring program, we recommend the County of San Diego consider the sufficiency of the PEIR and the need to recirculate the PEIR.

Soitec Construction and Operational phases have negative impacts on Bighorn Sheep grazing and essential drinking water.

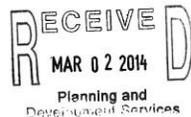
Mark Jorgensen retired Superintendent Anza Borrego State Park and official advisor to the “Bighorn Institute” says “The projects will have negative impacts to the groundwater in the Jacumba/Boulevard region. Consumption of huge amounts of groundwater from the headwaters of the Carrizo Creek Watershed will have negative impacts on the amount and quality of surface waters available to desert wildlife within Carrizo Gorge within Anza-Borrego Desert State Park”.

The Carrizo Band of Bighorn Sheep rely on Carrizo Creek Water and also on grasses that grow because of the water seeps close to or below the proposed Soitec developments. The heavy water draw down by these developments in the opinion of Paige Rogowski Executive Director of The Anza-Borrego Foundation will impact the Bighorn sheep band near and in Carrizo Gorge. These PEIR comments were included in her 02/13/2014 comment letter.

Mark Jorgensen also wrote in the Desert News about this endangered Carrizo Band as follows: “In Carrizo Gorge, we have documented a drop from about 120 sheep in 1972 to less than 40. Off-road vehicles, trespassing cattle, poaching in the 1960s and early '70s, drought, disease and Mountain Lion predation have worked together to push this population to the edge. We hope we can save this group before it is too late”.

Sincerely,

Howard W Cook P.O. Box 486 Jacumba Hot Springs, CA. 619-766-4640



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Cont.

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The comments made are reiterations of other comments. Therefore, the commenter is referred to the response to comments I72-4, O4-3, O4-5 and common response WR1.

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