
Appendix D
Comments Received on the Imperial Irrigation District's 230-kV "BN-BS"
Transmission Line Project NOP and NOI

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Public Employees for Environmental Responsibility

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BUREAU OF LAND MANAGEMENT

2001 S Street, NW • Suite 570 • Washington, D.C. 20009 • 202-265-PEER(7337)

e-mail: info@peer.org • website: http://www.peer.org

APR 11 11:25

PALM SPRINGS-SOUTH COAST
RESOURCE AREA

April 8, 2001

Mr. James G. Kenna
Field Office Manager
Bureau of Land Management
P.O. Box 581260
North Palm springs, CA 92258

Dear Mr. Kenna,

Public Employees for Environmental Responsibility (PEER) appreciates the opportunity to comment on scoping for the proposed IID powerline.

PEER is opposed to amendment of the Desert Plan to accommodate the IID proposal. PEER supports the use of utility corridors identified by the Desert Plan for new facilities under conditions that minimize impacts (e.g., shared use of access roads and construction corridors, and use of less invasive construction techniques than blading the surface).

Management of the terrain crossed by the proposed powerline route is in process of revision, and it crosses land (Chuckwalla Bench ACEC) that is among the most sensitive areas in NECO. NECO management is only in the draft stage now, and assessment of "consistency" of the powerline with NECO allows you to pick and choose which of the as-yet-unadopted alternatives to be "consistent" with. NECO is supposed to implement the recovery plan for the desert tortoise, among other goals. Therefore, a full assessment of impacts of the proposed powerline to the tortoise based on the U.S. Fish and Wildlife Service Recovery Plan is necessary.

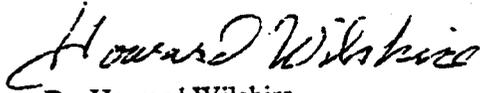
As your General Project Summary indicates, the proposed route, while occupied by an existing powerline, is not one of the 16 utility planning corridors identified in the Desert Plan. It is also not among the contingent corridors identified. The existing powerline was not considered to serve sufficient users to warrant designation as a planning corridor either at the time the Desert Plan was adopted or in the then-foreseeable future.

It is essential, therefore, that clear evidence of need for the new powerline be established. The comment that "IID is experiencing an increase in electrical demand at an estimated rate of 20 to 30 megawatts annually" is strange. Doesn't IID know how much power it is delivering and what the trends are over the past few years? Real numbers are in order, especially now that the energy crisis in California is resulting in reduced demand.

Establishment of need should be couched in (quantitative) terms of the existing distribution of power from the end point to the north, south, and center, and the trends of usage for each area. Since parts of both Riverside and San Diego Counties are served by the present powerline, other routes than the one proposed appear to be feasible (and environmentally preferable). These are routes K (I-10) and J-L (Blythe to Yuma, Yuma west) designated by the Desert Plan. These routes are feasible alternatives and must be treated as such as part of environmental review in the EIS/EIR. That means the routes must be assessed for costs and benefits along with the proposed route as separate alternatives.

The plan to greatly increase the power delivered to a low-use area certainly raises the question of whether that power is really intended for the local market or is to be shipped to San Diego. There are several entry points in the CDCA for power that can utilize identified utility corridors to supply the coastal populations. The proposed route is not one of them.

Sincerely,



Dr. Howard Wilshire
Chair, Board of Directors
Public Employees for Environmental Responsibility
3727 Burnside Rd.
Sebastopol, CA 95472

**Desert Tortoise Preserve
Committee, Inc.**

April 17, 2001

RECEIVED
BUREAU OF LAND MANAGEMENT

Mr. James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
P.O. Box 581260
North Palm Springs, California 92258-1260

01 APR 20 PM 1: 25

PALM SPRINGS-SOUTH COAST
RESOURCE AREA

REF: Imperial Irrigation District Proposed BN-BS Transmission Line
Scoping Comments

Dear Mr. Kenna:

The Desert Tortoise Preserve Committee has been devoted to promoting the welfare of the desert tortoise, *Gopherus agassizii*, in the wild since 1974. On behalf of the Committee and its more than 1,200 members and supporters, I thank you for providing this opportunity to submit scoping comments on the proposed construction by the Imperial Irrigation District (IID) of a 60 mile long power line along a 360 foot wide right-of-way from Blythe to Niland. This proposed power line would lie outside of the 16 existing utility corridors in the California Desert Conservation Area (CDCA) and therefore would require an amendment to the 1980 CDCA Plan.

The proposed power line will clearly impact on both the desert tortoise and on-habitat designated by the U.S. Fish and Wildlife Service as critical to desert tortoise conservation and recovery. Because of the potential severity of these impacts, the Committee has concerns outlined below that we expect to see fully addressed during the EIS process.

The new transmission lines should be laid along existing CDCA plan utility corridors.

The 1980 Plan identified 16 utility corridors in the California Desert Conservation Area, and mandated BLM management to encourage use of these designated corridors. The corridors were determined using 9 criteria specified in the plan and as stated "These criteria also will be used when evaluating future applications" [CDCA Plan 1980 as amended, page 93]. We are extremely concerned that the BLM is considering amending the CDCA Plan to add a new utility corridor that by crossing the Chuckwalla Bench Area of Critical Environmental Concern clearly fails criteria (4) "Avoid sensitive resources wherever possible."

Both Niland and Blythe are conveniently located near existing utility corridors. These utility corridors are 2 miles wide and should offer

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**Desert Tortoise Preserve
Committee, Inc.**

sufficient room along which the IID could construct the power line. We echo your own concern expressed in the 3/12/01 BLM news release that "We are trying to move quickly on this proposal due to the current energy situation..." If it is important to move quickly on this project then clearly the fastest way to get this project moving is simply to comply with the current CDCA Plan and use the existing utility corridors. Page 95 of the CDCA Plan 1980 as amended states it quite simply "Compliance with the Plan should speed the BLM approval process and all environmental impact reviews."

Impacts to the desert tortoise and to desert tortoise habitat (especially critical habitat) must be fully mitigated if they cannot be avoided.

The existing utility corridors in the area traverse lands designated as desert tortoise critical habitat, as well as other BLM desert tortoise category I, II and III habitat. Any disturbance to this habitat must be fully mitigated.

Potential impacts to desert tortoise recovery such as raven issues need to be addressed and mitigated.

Whatever the location of the power line, potential impacts such as increased raven depredation on tortoises through the provision of perch and nesting sites etc. must be mitigated for. In addition, increased visibility of power lines may result in increased vehicle traffic along the power line right-of-way. We expect the EIR/EIS to specify the mitigations required to remove such impacts.

The cumulative impacts of this proposal must be assessed with respect to the other components of the NECO plan.

The proposed power line route traverses the BLM's NECO planning area. The Bureau has just released a draft NECO plan/EIS after an eight-year incubation period. We are concerned that the proposed power line may seriously compromise the NECO preferred alternative. There is a need for a substantial review of the impacts of the proposed project on the NECO plan itself, not simply a review for "inconsistencies between the NECO and IID proposal." For example, if the CDCA Plan was amended to add a new utility corridor, how much of the 1% cap on ground disturbance proposed under the NECO preferred alternative would be consumed by the new 360 foot-wide right-of-way across the Chuckwalla DWMA? Will NECO's 5 to 1 mitigation ratio be used for this project? It is unfortunate that this project was not addressed through the NECO plan directly – presumably the EIS will explain why. The cumulative impacts of the proposed power line need to be assessed in the context of all other relevant components of the NECO plan such as the

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**Desert Tortoise Preserve
Committee, Inc.**

massive number of water developments proposed in the Chuckwalla
Desert Wildlife Management Area (DWMA).

Thank you again for the opportunity to comment on the proposed
power line. Please keep me notified of any developments relating to this
project. I can be reached by telephone at (909) 683-3872, by fax at (909)
683-6949 or by e-mail at <dtpc@pacbell.net>.

Sincerely,

Desert Tortoise Preserve Committee

Michael J. Connor

Michael J. Connor, Ph.D.
Executive Director

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RESOURCE AREA

Lee Snowberg
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April 24, 2001

Bureau of Land Management
Palm Springs-South Coast Field Office
690 West Garnet Ave.
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North Palm Springs, CA 92258-1260

Attn: Mr. James G. Kenna, Field Manager

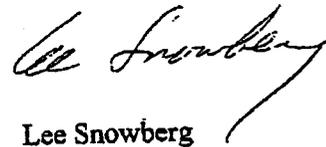
Dear Sir:

Subject: Notice of Intent to prepare a California Desert Conservation Area
(CDCA) Plan Amendment and joint EIS/EIR addressing a proposed
230-kV transmission line project.

Please put me on the mailing list for all future materials pertaining to the subject project.
I would also appreciate it if you would send me copies of material related to the subject
project that has already been distributed.

Thank you for your assistance.

Sincerely yours,


Lee Snowberg

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CENTER FOR BIOLOGICAL DIVERSITY

Protecting endangered species and wild places of western North America and the Pacific through science, policy, education, citizen activism and environmental law.

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RECEIVED
BUREAU OF LAND MANAGEMENT
APR 22 2001
PALM SPRINGS-SOUTH COAST
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April 16, 2001

Mr. James G. Kenna, Field Office Manager
U.S. Bureau of Land Management
690 Garnet Ave, POB 1260
Palm Springs CA 92258
fax 760.251.4899

Mr. Kenna,

The Center cannot support an amendment of the California Desert Conservation Area (CDCA) Plan to accommodate the Imperial Irrigation Project's (IID) Blythe-Niland powerline proposal. If the new powerlines are truly needed and this need can be justified with proper documentation, we support only the use of utility corridors identified by the CDCA plan for new facilities under conditions that minimize environmental impacts: shared use of existing access roads and construction corridors; use of less invasive construction techniques than blading the surface; raptor safe measures consistent with the guidelines set forth in the CDCA lawsuit settlement; and strong compensation, habitat avoidance and restoration requirements, etc..

Management of the public lands proposed to be crossed by the powerline route is in process of revision under the Northern and Eastern Colorado Desert (NECO) Plan. The IID proposal cuts through habitat (Chuckwalla Bench designated tortoise critical habitat and ACEC and Chocolate Mountains rare plant habitat) that is among the most sensitive areas within the NECO plan area. The NECO plan is only in the draft stage now, and assessment of "consistency" of the powerline with NECO allows you to pick and choose which of the as-yet-unadopted alternatives to be "consistent" with. NECO is supposed to implement the recovery plan for the desert tortoise, among other goals. Therefore, a full assessment of impacts of the proposed powerline to the tortoise based on the U.S. Fish and Wildlife Service Recovery Plan, through formal consultation with USFWS, is necessary.

Consultation with USFWS on the IID powerline, as required under section 7 of the Endangered Species Act, should be a part of the bigger NECO consultation. BLM must consider the full cumulative effects to listed species and critical habitat NECO area-wide. The loss of habitat, increased raven and raptor perch sites, roads, on-going powerline maintenance, etc. should be considered in the same biological evaluation and opinion as NECO.

BLMs past failures to analyze cumulative affects were a central part of the Center's successful CDCA lawsuit. The IID proposal must be considered along with all other land uses as described in the NECO draft.

Will BLM formally consult with FWS on the IID proposal as a part of the NECO consultation? If no, specifically why not? Failure to do so could result in our call for judicial reviews to compel a broader opinion and stop BLMs "death by 1000 cuts" style of wildlife & habitat management which fails to see the bigger picture of recovery.

As your General Project Summary indicates, the proposed route, while occupied by an existing smaller powerline, is not one of the 16 utility planning corridors identified in the CDCA Plan. It is also not among the contingent corridors identified. The existing powerline was not considered to serve sufficient users to warrant designation as a planning corridor either at the time the CDCA Plan was adopted or in the then-foreseeable future.

It is essential, therefore, that clear evidence of need for the new powerline be established. The comment that "IID is experiencing an increase in electrical demand at an estimated rate of 20 to 30 megawatts annually" is strange. How much power is IID currently delivering and what the trends are over the past few years? Real numbers are in order, especially now that the energy situation in California is resulting in reduced demand.

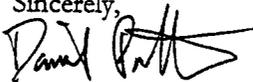
Establishment of need should be couched in (quantitative) terms of the existing distribution of power from the end point to the north, south, and center, and the trends of usage for each area. Since parts of both Riverside and San Diego

Counties are served by the present powerline, other routes than the one proposed appear to be feasible (and environmentally preferable). These are routes K (I-10) and J-L (Blythe to Yuma, Yuma west) designated by the CDCA Plan. Specifically, and only if the project can show convincing purpose and need, The Center prefers the I-10 route located as close to the road as possible with as little new ground disturbance as possible. Although we are very concerned about the excessive 2-4 mile width, these routes are feasible alternatives and must be treated as such under the preferred alternative of environmental review in the EIS/R. These already designated corridors must be assessed for costs and benefits along with the proposed route as separate alternatives.

The plan to greatly increase the power delivered to a low-use area certainly raises the question of whether that power is really intended for the local market or is to be shipped to San Diego. There are several entry points in the CDCA for power that can utilize identified utility corridors to supply the coastal populations. The proposed route is not one of them. We look forward to working with BLM to ensure this powerline, if justified and built, will use established routes and absolutely minimize its damage to the environment.

Please keep us and the rest of the public fully involved and formed at every step of this process.

Sincerely,



Daniel Patterson
Desert Ecologist

520.623.5252 x 306



THE DESERT PROTECTIVE COUNCIL INC.

A NON-PROFIT ORGANIZATION
BUREAU OF LAND MANAGEMENT

P.O. BOX 3635 • SAN DIEGO - CALIFORNIA 92163-1635
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RESOURCE AREA

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BETTY FORGEY
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MICHAEL FROME
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LARRY IWERKS
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WILBUR MAYHEW
Professor of Zoology

ART MONTANA
Professor of Earth Sciences

ALLAN MUTH
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KAREN SALISMAN
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FRANK WHEAT
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HOWARD WILSHIRE
Geologist

Mr. James G. Kenna, Field Office Manager
U.S. Bureau of Land Management
690 Garnet Ave, POB 1260
Palm Springs CA 92258
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Mr. Kenna,

The Desert Protective Council is opposed to an amendment of the California Desert Conservation Area (CDCA) Plan to accommodate the Imperial Irrigation Project's (IID) Blythe-Niland powerline proposal. If the new powerlines are truly needed and this need can be justified with proper documentation, we support only the use of utility corridors identified by the CDCA plan for new facilities under conditions that minimize environmental impacts: shared use of existing access roads and construction corridors; use of less invasive construction techniques than blading the surface; raptor safe measures consistent with the guidelines set forth in the CDCA lawsuit settlement; and strong compensation, habitat avoidance and restoration requirements.

The IID proposal cuts through habitat (Chuckwalla Bench designated tortoise critical habitat and ACEC and Chocolate Mountains rare plant habitat) that is among the most sensitive areas within the NECO plan area. NECO is supposed to implement the recovery plan for the desert tortoise, among other goals. Therefore, a full assessment of impacts of the proposed powerline to the tortoise based on the U.S. Fish and Wildlife Service Recovery Plan, through formal consultation with USFWS, is necessary.

Consultation with USFWS on the IID powerline, as required under section 7 of the Endangered Species Act, should be a part of the bigger NECO consultation. BLM must consider the full cumulative effects to listed species and critical habitat NECO area-wide. The loss of habitat, increased raven and raptor perch sites, roads, on-going powerline maintenance, etc. should be considered in the same biological evaluation and opinion as NECO.

As your General Project Summary indicates, the proposed route, while occupied by an existing smaller powerline, is not one of the 16 utility planning corridors identified in the CDCA Plan. It is also not among the contingent corridors identified. The existing powerline was not considered to serve sufficient users to warrant designation as a planning corridor either at the time the CDCA Plan was adopted or in the then-foreseeable future.

To safeguard for wise and reverent use by this and succeeding generations those desert areas of unique scenic, scientific, historical, spiritual and recreational value, and, to educate children and adults to a better understanding of the deserts.

It is essential, therefore, that clear evidence of need for the new powerline be established. Real numbers are in order, especially now that the energy situation in California is resulting in reduced demand.

Since the NECO plan is only in the draft stage at this point, we encourage the BLM to carefully choose the alternative which best supports your mandate to protect endangered species. We look forward to working with the BLM

on forming the best management plan for protection of our beautiful Southern California Desert.

Sincerely,



Terry Weiner, Conservation Coordinator
Desert Protective Council, Inc.

The mission of Desert Survivors is to experience, share and protect beautiful, fragile and threatened environment deserving of respect and requiring constant vigilance!



Mr. James G. Kenna
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Bureau of Land Management
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bobellisds@earthlink.net
4/4/01

RE: **Imperial Irrigation District Proposed BN-BS
Transmission Line Scoping Comments**

Dear Sir:

Thank you for the opportunity to make scoping comments on the Imperial Irrigation District's proposal to construct a 360 foot wide 60 mile long 230,000 volt transmission line from Blythe to Niland outside of existing California Desert Conservation Area utility corridors.

Desert Survivors is an environmentally-oriented organization of people interested in the conservation of desert and arid areas in California and Nevada. Our focus is to educate people about desert and arid area protection issues by leading trips, publishing informational materials and working with public land managers and advocates to protect and conserve our rapidly vanishing natural areas.

We have long been involved in California desert protection issues working for passage of the California Desert Protection Act and commenting on numerous management actions in the various BLM resource areas. We have led hikes across the Chuckwalla Bench ACEC, in the Chuckwalla Wilderness Area, and driven the Bradshaw Trail. The BLM's California Desert Conservation Area lands are very important to our group. We have walked the ground, we have beheld the views, we have been awed by the vast open spaces of this complex of desert valleys and surrounding mountains. We are an interested party in area management and a staunch defender of its natural values.

I would like to thank you and your staff for the helpful information you provided when I attended the scoping meeting at the Imperial Irrigation District (IID) Office in La Quinta 3/28/01. Some of my concerns were satisfied and others became better crystalized as a result of the session.

Desert Survivors is quite concerned with this proposal. We are in the midst of gathering our comments on the recently released NECO Plan and here is a large impact proposed right in the middle of one of the most sensitive areas covered by the plan. If the first thing that comes along is allowed to plow right through an area you have pledged to protect, how can we be confident of your other efforts for desert protection?

DESERT SURVIVORS SUPPORTS THE USE OF EXISTING CDCA UTILITY CORRIDORS FOR ALL NEW POWERLINE PROJECTS

There are two existing CDCA utility corridors available to the IID for use in building an increased power transmission capability into Imperial County. The I-10 corridor from Blythe to the Coachella Valley is available for power destined for the northern portion of the IID's customer base. The Route 78/Ogilby Road corridor is available for power destined for the southern portion of the IID's customer base. The proposal to bring power directly from Blythe to Niland not only bypasses existing approved corridors but deposits the power in the center of the IID's service area where little increase in power consumption will occur.

DESERT SURVIVORS REQUESTS THAT A FULL ANALYSIS BE MADE OF AN ALTERNATIVE THAT USES EXISTING UTILITY CORRIDORS

The scoping letter describes the No Action Alternative as the one in which the IID would be obliged to use the existing corridors. The purpose of an environmental impact analysis and the comparison of alternative courses of action is to provide decision makers and the public with a complete picture of the impacts of all realistic alternatives. It is realistic to expect that the existing corridors should be used. We are not given that chance here. Please include this in your analysis.

Two general areas of concern have emerged from our initial look at this proposal: issues involving the true purpose and the need for this line on this route; and issues involving the natural resources which this route would impact.

PURPOSE AND NEED ISSUES

DESERT SURVIVORS REQUESTS THAT A COMPLETE STUDY OF THE PURPOSE AND NEED FOR THIS POWERLINE USING THIS ROUTE BE INCLUDED IN THE EIR - By a complete study we mean disclosure by IID of the current usage patterns of power in their service area - how much in the north, how much in the south, how much in the center? What are the rates of increase of usage in the north, south, and center? What is the split of usage and projected increase between residential, industrial, and agricultural? Of the current usage where does the power come from for the north, the south, and the center? Where will the projected increased power come from for each separate area of increase in the service district? What are the projections regarding other sources of energy rather than Blythe? What about Mexico? What about from Yuma? How do possible increases in generation within the IID district fit into their projections? How do existing power transmission lines fit into these projections? If more power is truly needed within the service district

why can't existing corridors be utilized? Is the current IID line through the Chocolate Mountains used to capacity and how often and at what times of day?

This information is most likely available within from IID. If they are to be granted an exemption from the utility corridor requirement which protect public lands, they must make a full disclosure which shows why this route is necessary.

DESERT SURVIVORS REQUESTS THAT A COMPLETE DISCLOSURE OF THE EFFORTS AND THE PERCENTAGE EXPENDITURES OF IID FOR CONSERVATION BE INCLUDED IN THE EIR - One of the potential environmental impacts of the construction of additional capacity for the delivery of power to an area is the growth-inducing potential of this new energy. Rather than contribute to the growth of an area a utility can encourage conservation of the energy resources available. What has IID done to date as a percentage of revenue to promote conservation rather than general growth?

DESERT SURVIVORS REQUESTS THAT UPDATED POWER USAGE AND TRANSMISSION REQUIREMENT PROJECTIONS BE MADE TAKING INTO ACCOUNT THE REDUCTION IN USAGE BY IID CUSTOMERS BECAUSE OF THE POWER CRISIS - Now that we are in the full throes of the energy crisis and people are paying significantly more for just basic energy needs, we can be sure that measurable reductions in usage will occur. The IID staff stated that they have sufficient power transmission capacity for several more years at the current rate of increased usage. Well now those projections are obsolete. The current usage rates are falling and will fall further. Power costs are not likely to fall and so usage will not increase again as fast. I assume that this would push out your need for this added transmission capacity for a few more years. This should be quantified and put in the EIR.

DESERT SURVIVORS REQUESTS THAT THE EIR INCLUDE A PROJECTION OF THE REVENUE THAT IID COULD POTENTIALLY RECEIVE USING THE PROPOSED LINE TO WHEEL POWER DIRECTLY TO SAN DIEGO RATHER THAN FOR USAGE BY THEIR OWN CUSTOMERS - At the scoping meeting the IID staff stated their main purpose for the new powerline was to provide power for the IID service area. However it could be used as a shorter route for power generated in Blythe to be sold to customers in San Diego, not in the IID's service district. Please include in your EIR figures which project the revenue to be derived by IID for wheeling power through their district to customers outside their district. Also include what percentage of the time this use would be likely and what the impact would be on the existing power transmission line owners who might lose business to IID in this case.

NATURAL RESOURCE IMPACT ISSUES

DESERT SURVIVORS REQUESTS THAT A COMPLETE ANALYSIS OF IMPACTS TO THE DESERT TORTOISE BE CONDUCTED BASED ON THE US FISH & WILDLIFE SERVICE RECOVERY PLAN - For the purposes of the IID's proposal, NECO does not yet exist. The impacts which a new powerline will have on tortoises must be analyzed with the current plan as a basis. The critical habitat as indicated by the US Fish &

Wildlife Service covers a significant part of the powerline right-of-way. Please indicate what measures will be taken to prevent take of the tortoise. This would include measures during construction as well as on-going measures during operation.

DESERT SURVIVORS REQUESTS THAT A FULL VISUAL IMPACT ANALYSIS BE CONDUCTED USING THE COMPLETE BLM VISUAL GUIDELINES - The existing powerline is an eyesore; a composite of two different materials presenting a haphazard appearance marring the aesthetic of this scenic desert landscape. The addition of another parallel powerline must be considered for its impact on this already designated sensitive and limited use area. BLM promotes this area as a Backcountry Byway; beauty counts.

DESERT SURVIVORS REQUESTS THAT A FULL ANALYSIS OF THE IMPACTS ON RARE AND SENSITIVE PLANTS BE CONDUCTED, ESPECIALLY INCLUDING THOSE PLANTS ENDEMIC TO THE CHOCOLATE MOUNTAINS - The BLM has some administrative responsibility for the natural resources of the Chocolate Mountains. Several species are only present in these mountains. Please perform a complete survey of the impacts on these and other sensitive plants. Part of the area through which the powerline travels is occupied by microphyll woodland, a sensitive habitat. Please determine how this plant community can be protected as well.

DESERT SURVIVORS REQUESTS THAT A FULL ANALYSIS BE CONDUCTED TO DETERMINE THAT THE OBJECTIVES OF THE CHUCKWALLA ACEC ARE NOT IMPACTED BY THIS PROJECT - Please include the complete natural resource objectives of this ACEC. How has the BLM managed this area to date to meet these goals and how will they be affected by this project?

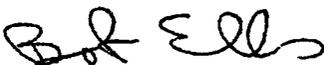
DESERT SURVIVORS REQUESTS THAT POWERLINE CONSTRUCTION TECHNIQUES BE UTILIZED WHICH ENTAIL MINIMAL SURFACE IMPACT - This means no new bladed routes, use of existing routes, any new routes created by crushing vegetation without grading, breaking up existing poleline connector routes so as to discourage future OHV use, and other techniques which will restore construction-only routes to non-route status.

DESERT SURVIVORS REQUESTS THAT FULL RAVEN AND RAPTOR-PROOFING BE DONE ON THESE POWERLINES, BOTH ON THE NEW AND RETRO-FITTED ON THE EXISTING LINE - The single tower design could be used as it would have no cross-bars to allow perching ravens to view young tortoises below. Whatever design choice is made should have the latest, most effective predator bird discouragement and it should be retro-fitted onto the existing powerline.

The Chuckwalla Bench is one of the natural treasures of the California Desert. Precedence must be given here to preservation of undeveloped natural landscapes with emphasis on the special environmental and cultural resources. Management here is for sustainable low-impact public recreation. This is NOT a Moderate or Intensive Use area. NO MORE QUICK DECISIONS WITHOUT FULL STUDY!

Thanks for your time and attention. Please keep us informed of any new information about these issues. I would be happy to discuss any questions you have regarding these comments.

Sincerely yours,



Bob Ellis
Utility Corridor Working Group Chair
Desert Survivors

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RECEIVED

The mission of Desert Survivors is to experience, share and protect the desert, a beautiful, fragile and threatened environment deserving of respect and requiring constant vigilance.

01 APR 31 PM 1: 15



PALM SPRINGS-SOUTH COAST
RESOURCE AREA

Bob Ellis
Utility Corridor Working Group Chair
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bobellisds@earthlink.net
4/26/01

Mr. James G. Kenna
Field Office Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
P.O. Box 581260
North Palm Springs, California 92258-1260

RE: **Imperial Irrigation District Proposed BN-BS
Transmission Line Rare Plant Discovery**

Dear Sir:

Desert Survivors sent in scoping comments on the proposed powerline which I assume you received before the April 19th scoping deadline. However since those were written, on a subsequent trip to the Chuckwalla Bench, **my wife and I discovered a fairly significant population of the BLM Special Status plant, *Koeberlinia spinosa ssp. tenuispina*, right next to the existing powerline.** I hope things have not progressed so fast as to preclude your taking this into account as you begin the development of the EIR. This letter contains our documentation of the finding and what we have done so far in beginning a confirmation process. This letter also raises our concerns regarding this discovery in two other issues under your responsibility: **Updating the Chuckwalla Bench ACEC Management Plan in compliance with the Center for Biological Diversity lawsuit and; Replacing the ACEC with a DWMA in the current Draft NECO Plan process.**

On April 11th, 12th, and 13th we drove, hiked, and camped in the Chuckwalla Bench ACEC enjoying the robust plant growth this Spring. Our focus was on the Bradshaw Trail and IID powerline corridor; generally in the area of the *Opuntia munzii* populations. On the 11th, driving the powerline route to the east, we discovered the first group of *Koeberlinia*, six plants about ten feet north of the route. On the 13th, returning to the area, we found nine more *Koeberlinia* groups within a quarter mile of the first for a total of approximately forty individuals. This seems to be a range extension based upon the Draft NECO Map 3-7c. Judging again from the NECO Route Map 2-32 it appears that all the *Koeberlinia* we found are on BLM land rather than private land.

We were lucky enough to see the dry remnants of numerous flowers along with plentiful new fruits on many of the plants. The Jepson Manual is very clear regarding the keying, the descriptions, and the drawings of *Koeberlinia spinosa* so we are able to be quite confident of our identification. I have enclosed a map, an aerial photograph, and a couple photos to allow you to exactly locate the *Koeberlinia*. The UC Berkeley Jepson Herbarium has requested that I make a collection next Spring when they are in bloom.

At the 3/28 public hearing on the powerline project, your staff showed me a diagram of a consultant's preliminary rare plant survey along the proposed powerline right-of-way. Small bubbles indicated the sensitive species they had noted which included *Opuntia munzii*, *Castela emoryi* in two places, but no *Koeberlinia spinosa*. In addition to the locally abundant *O. munzii*, we noticed one individual *Castela emoryi* slightly north of the powerline and .7 miles East of the *Koeberlinia*, but did not locate the other population indicated by your surveyors.

POWERLINE IMPACT - Your scoping statement for the powerline describes a 360 foot wide powerline right-of-way generally parallel to and adjacent to the existing right-of-way. I did not learn from the public meeting which side of the current route your proposal goes. If it is on the north side, it will certainly impact these BLM Special Status Plants. Even if it is routed south of the current path, construction work could easily impair several of the plant groups.

One of the acknowledged impacts of powerlines, especially in this case where it parallels a well-developed route like the Bradshaw Trail, is the use by OHV users of the powerline maintenance route. At this point there is not a great deal of use on the current powerline route where it goes south of the Bradshaw and west to the Gunnery Range. However especially in this sensitive area, with several Special Status species, and especially with a well-used parallel road nearby to the north going to Surveyors Pass, **NO THROUGH MAINTENANCE ROUTE SHOULD REMAIN**. The current route should be broken up with access if needed from the existing north-south section-line roads.

I assume that your survey staff will return for a more thorough rare plant survey, given the presence of at least three Special Status Plants in an ACEC designated in part to preserve these species.

CHUCKWALLA BENCH ACEC MANAGEMENT PLAN REVIEW - One of the stipulations that your agency agreed to in the settlement of the Center for Biological Diversity lawsuit is the formal review and updating of all management plans for ACEC's in critical desert tortoise habitat. The Chuckwalla Bench ACEC falls into this category and is explicitly mentioned in the settlement. I contacted Debora Sebesta, botanist in the El Centro BLM office regarding the presence of *Koeberlinia* in the Chuckwalla Bench ACEC. She was not aware of any documented populations in the southern ACEC, but was not too surprised at the finding. I have looked in the CalFlora on-line distribution database and have not found any reported specimens in this area either. Not a lot is written about this plant in California largely because it is generally believed to be found solely in the Chocolate Mountains Gunnery Range.

I will contact other resources regarding collection records in the Chuckwalla Bench ACEC, but so far I have only seen a report from the north near the Red Cloud Mine (NECO Special Status Map 3-7c). It is quite possible that more populations will be found in the ACEC and I would like to be sure the updated management plan adds this information. Please add my name to the list of those interested in the Chuckwalla Bench ACEC so that I will be contacted on as the ACEC management review proceeds and for other issues which arise.

PROPOSED ROUTE CLOSURE - The two-track route, not shown on the NECO route maps, which heads south from the Indian Well Road passing the windmill and ending at the powerline maintenance road, should be closed to traffic after it leaves the windmill area. This route passes right next to the largest *Koeberlinia* populations and is not a necessary access route. Travelers heading south can continue west on the Indian Well - Surveyors Pass road and turn south in one mile on the section-line road. This keeps impacts away from the rare plants and discourages the use of the powerline maintenance route for use un-related to maintenance. Please see the enclosed *Koeberlinia* documentation for the location of the suggested route closure.

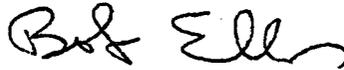
WASH CLOSURE ENFORCEMENT - As I understand it, the current ACEC management precludes driving in the washes of the Chuckwalla Bench. For the most part we saw this being observed, however in the powerline area south of the Bradshaw Trail, many of the washes were traveled with recent tracks. There is no posted sign that we saw asking people to stay out of the washes since the initial sign for the ACEC way over at the turnoff south of the Orocopias. How are people to know what the rules are? What is the present policy? What is the enforcement presence?

NECO DRAFT PLAN CONCERNS -The comment period is in progress on the NECO plan. All alternatives except for No Action propose replacing the current Chuckwalla Bench ACEC with the Chuckwalla Bench DWMA. BLM ACEC's in general have a specific management plan or guidance document. It is not clear from the NECO draft how a DWMA will be managed. Will you adopt the former ACEC plan and amend it? I would like to get the presence of *Koeberlinia* (both present and possible future populations) acknowledged in the DWMA. I would like to get the proposed route closure entered for consideration as well. What will make the DWMA a better deal both for the tortoise and the rare plants? So far I don't see any difference proposed from current ACEC policy.

DESERT SURVIVORS SUPPORTS USE OF EXISTING UTILITY CORRIDORS - In making the above comments regarding the presence of *Koeberlinia* in the proposed powerline right-of-way, we in no way are suggesting support for this route. The California Desert Plan is very clear. The existing corridors are to be used. Lets stick to this established procedure and this area will not have to worry about rare plant impacts from this proposal.

Thanks for your time and attention. Please keep us informed of any new information about these issues. I would be happy to discuss any questions you have regarding these comments.

Sincerely yours,



Bob Ellis
Utility Corridor Working Group Chair
Desert Survivors

cc:

Steve Hartman, California Native Plant Society
Ileene Anderson, California Native Plant Society
Howard Wilshire, Public Employees for Environmental Responsibility
Michael Conner, Desert Tortoise Preserve Committee
Daniel Patterson, Center for Biological Diversity

***Koeberlinia spinosa* Zucc. ssp. *tenuispina* (Kearney & Peebles) E. Greene**
(Koeberliniaceae)

Common names: crown-of-thorns [Hrusa], Allthorn [USFS]

Related names: Munz: *Koeberlinia spinosa* Zucc.

Plant communities: Creosote Bush Scrub, Riparian woodland [Lum/Walker, CNPS]
Habitat: described by Walker and/or CNPS as occurring in riparian habitats [Walker and/or CNPS Inventory 1994]

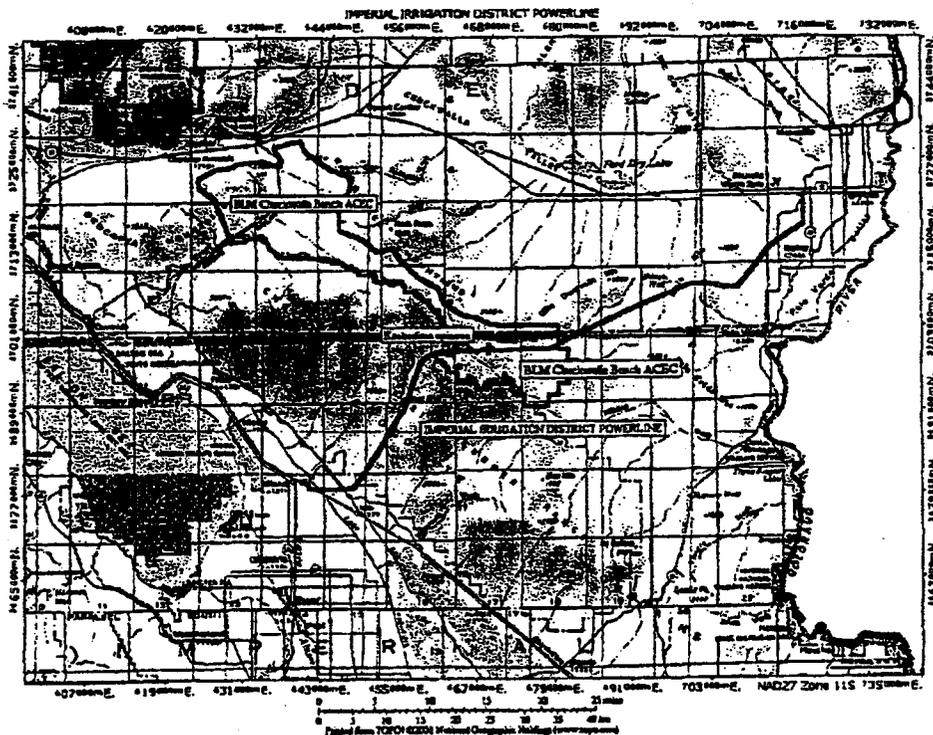
Wetlands: occurs in wetlands in another region, but occurs almost always under natural conditions in non wetlands in California [U.S. Fish & Wildlife Svc.]

Koeberlinia spinosa ssp. *tenuispina*, a dicot in the family Koeberliniaceae, is a shrub that is native to California [Hrusa] and is also found outside of California, but is confined to western North America [Lum/Walker]. It is ranked by CNPS as extremely rare [1997].

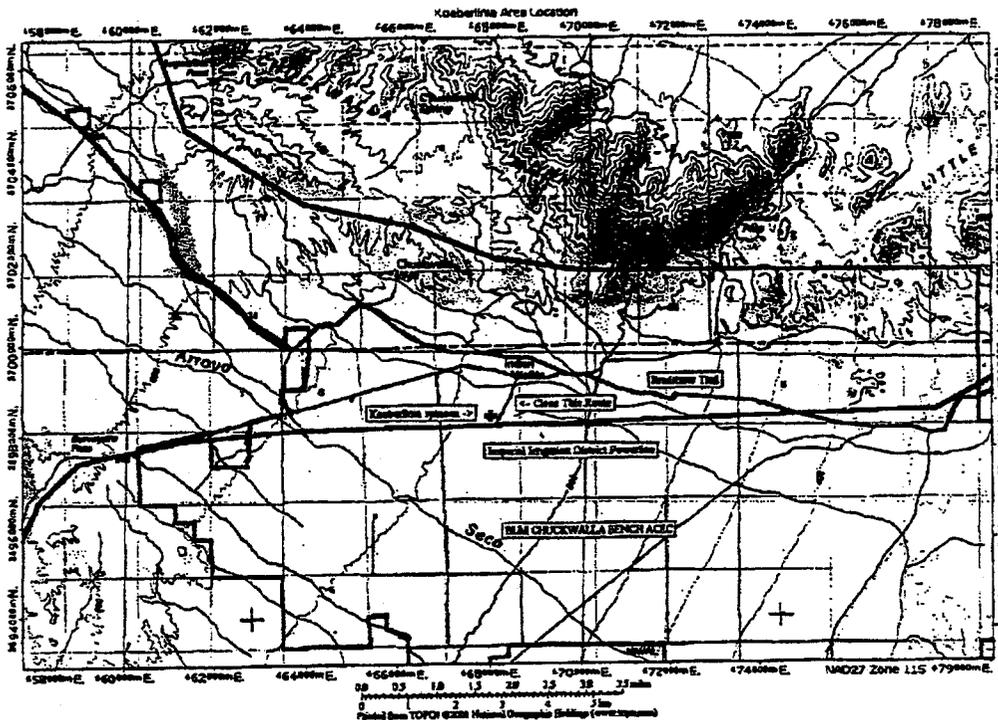
Distribution according to the CalFlora Occurrence Database
10 observation records.

NEW LOCATION DISCOVERED 4/11 - 4/13/01
IMPERIAL COUNTY, BLM CHUCKWALLA BENCH ACEC
BOB ELLIS AND INGRID CRICKMORE -
1290 Hopkins St. #37 Berkeley, CA 94702
510 525-8742 bobellisds@earthlink.net

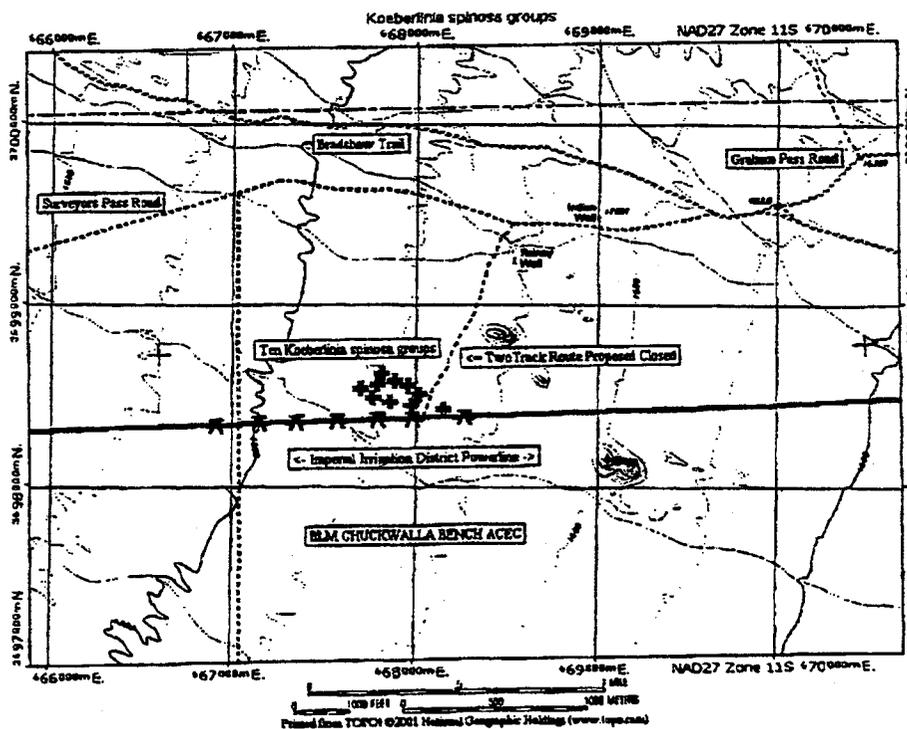
REGIONAL MAP



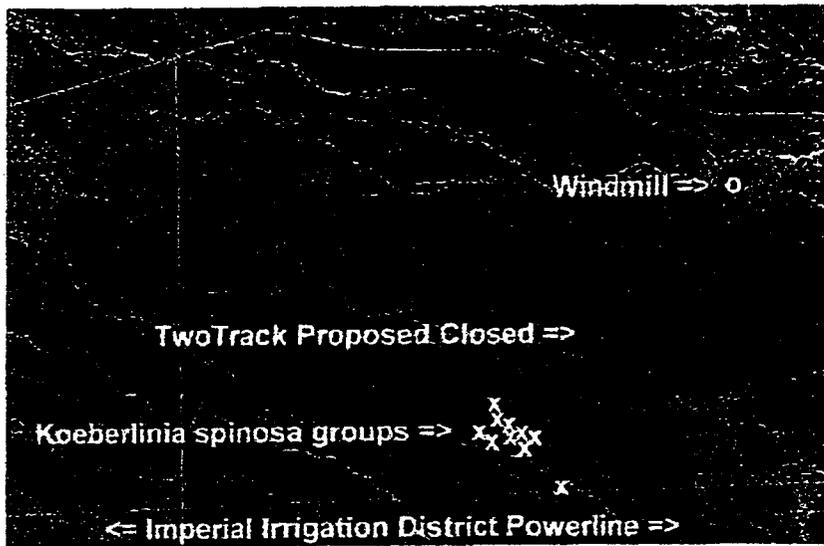
AREA MAP



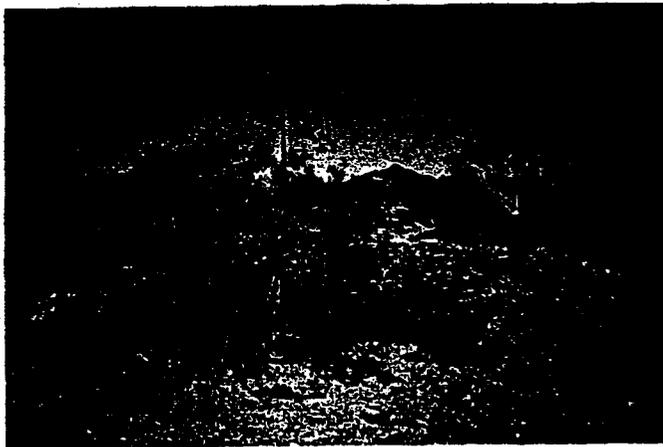
POPULATION LOCATION MAP PROPOSED ROUTE CLOSURE



AERIAL PHOTO OF POPULATION LOCATION PROPOSED ROUTE CLOSURE



POWERLINE AND KOEBERLINIA PHOTO





KOEBERLINIA FLOWER REMNANTS
AND FRUITS



OLD THICK-TRUNKED PLANT



TYPICAL KOEBERLINIA PLANT GROUP