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Monisha Gangopadhyay/Tom Hurshman
CPUC/BLM
Eldorado-Ivanpah Transmission Project
c/o Environment and Ecology, Inc.
130 Battery Street, 4th Floor
San Francisco, CA 94111

Re: Draft Environmental Impact Report/Environmental Impact Statement – Southern California Edison's Eldorado-Ivanpah Transmission Line Project (DEIS)

Dear Ms. Gandopadhyay and Mr. Hurshman:

The Nevada Department of Wildlife (Department) appreciates this opportunity for providing review. Overall, the Department supports the preferred alternative for the Nevada portion of the transmission upgrade. Mindful of this, certain aspects of the proposed project are deserving of additional comment.

Department biologists evaluated the proposed project's effects on desert bighorn sheep. The situation poses two biologically important considerations. The first is disruption of lambing activity at a known site in McCullough Pass to which mitigation measure MM-BIO 13 addresses. The second consideration is that of summer habitat use patterns. Summer is the most critical period for desert bighorn utilizing the McCullough Pass area as their movements become spatially restricted by their dependence on water at the wildlife water development north of the pass (35°46'42.38"N / 115° 09'24.98"W) and, at times, the natural water pocket south of the pass (35°43'21.50"N / 115° 8'3.13"W). In this case, avoiding added stress to bighorn sheep during the critical summer season assumes priority. We believe sufficiently remote, precipitous terrain is available both north and south of the McCullough Pass affording short-term alternative lambing locations. And because of the nature and duration of the proposed construction activities presented, there is little chance of long term negative impacts to lambing habitat use. The Department's request is for no helicopter work taking place in McCullough Pass during the summer season, June 1st through September 30th.

Another aspect regarding bighorn sheep is that the hunting season will take place from November 20, 2010, through December 20, 2010. In view of the once in a lifetime opportunity for hunters, the Department requests:

- The Pass's southern right-of-way road remain open for public access during construction; and,
- The Department is apprised in timely fashion of road closures during the hunting season, so hunt tag-holders may be notified for their trip planning needs and conflicts avoided.

Desert tortoise mitigation measures contained in the DEIS should also provide adequate protection with perhaps one outstanding consideration. To lesson indirect negative effects to the desert tortoise and other wildlife populations from artificially enhanced avian predation, the Department requests that this project and future transmission projects incorporate non-lattice tower designs. In view that the ROW already contains lattice transmission structures, installing additional such structures only broadens choices for birds to select loafing or nesting sites. Tubular structures such as a monopole, H or V tubular design is preferred when horizontal features include effective perching discouragers or deterrents. Lattice style structures provide too many perching and nesting opportunities for effective elimination. Expanded discussion may benefit the DEIS.

Rationale for this request come from industry assertions and conservation research related to the influences of transmission structures on wildlife resources. It is widely noted that birds of prey and opportunists like the common raven have benefited from transmission structures when designs minimize or eliminate collision and electrocution potentials. The result is safe perching, roosting and nesting sites enabling opportunity for these birds to expand their distribution, especially into areas where natural structure is scarce. Additional to these physical attributes, transmission structures allow adoption of an energy saving foraging habit; avoiding the rigors of flight while searching for prey from a high-vantage point in an open landscape. The energetic economy provided by artificial structure contributes positively to an individual bird's self-maintenance and reproductive potential; albeit a consequence is increased predation pressure on local species. It is well documented that raptors and the common raven prey on young desert tortoises.

Should the benefits of tubular designs not become incorporated into project design, two mitigation actions would need to be put into effect to provide protection for desert tortoise and similarly vulnerable wildlife.

- Raven nests would need to be removed during the nesting season to prevent production of a successful nest and brood. This action will need to be coordinated with the U.S. Fish and Wildlife Service and may require the application and use of a depredation permit.
- In order to offset structure use for roosting and perching, the project proponent would contribute annually to an existing account used by Wildlife Services to provide for raven control. Removal of ravens compensates for use of the powerline for as long as the line is present or until such time that it can be determined to no longer present a concern. Control efforts would need to occur during tortoise nesting and when young are present.

Lastly, incorporation of the Department's protocols for encounters with the Gila monster should be incorporated into worker education and project monitoring. The protocols can be found online at http://www.ndow.org/wild/conservation/reptile/07Gila_Protocol.pdf.

Thank you again for this input opportunity. The Department looks forward to gaining further insights and engaging in additional productive discussion on the proposed gather prior to finalization of the EA. Please contact Craig Stevenson 486-5127 x3614 (e-mail: cstevenson@ndow.org) to address this review or for further assistance.

Sincerely,



D. Bradford Hardenbrook
Supervisory Habitat Biologist

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Cc: NDOW, Files
Nevada State Clearinghouse

References

- American Bird Conservancy. 2007. *American Bird Conservancy's Wind Energy Policy*. Online at: http://www.abcbirds.org/abcprograms/policy/wind/wind_policy.html
- Avian Power Line Interaction Committee [APLIC]. 1996. Suggested Practices for Raptor Protection on Powerlines: The State-of-the-Art in 1996. Edison Electric Institute/Raptor Foundation, 701 Pennsylvania Ave. NW, Washington, D.C.
- _____. 2006. Suggested Practices for Raptor Protection on Powerlines: The State-of-the-Art in 1996. Edison Electric Institute/Raptor Foundation, 701 Pennsylvania Ave. NW, Washington, D.C.
- _____ and United States Fish & Wildlife Service (APLIC & USFWS). 2005. Avian Protection Guidelines. April 2005
- Boarman, W. 2003. Managing a subsidized predator population: reducing common raven predation on desert tortoise. *Environmental Management* 32:205-217.
- Kristan, W.B. III, and W. Boarman. 2007. Effects of anthropogenic developments on common raven nesting biology in the western Mojave Desert. *Ecological Applications*, 17(6): 1703-1713.
- Eedholm, 2010. Wind Energy Protects Wildlife Populations. *National Wind* blog, April 1, 2010. Online at <http://nationalwind.wordpress.com/2010/04/01/wildlife/>.
- Electric Power Research Institute 1988. A joint utility investigation of unexplained transmission line outages. EPRI EL-5735.
- Prather, P.R. and T.A. Messmer. 2010. Raptor and corvid responses to power distribution line perch deterrents in Utah. *J. Wildlife Mgt.* 74(4): 796-800.
- S. Siegel 2001. Safe Nesting, Protected Power Lines - Use of Alternate Nesting Platforms for Raptors, in Avian Interactions With Utility and Communication Structures, Workshop Proceedings. EPRI Technical Report # 1005180.
- University of Nevada, Reno - Department of Natural Resources and Environmental Science. 2002-2009. *Dynamics of Greater Sage-grouse (Centrocercus urophasianus) Populations in Response to Transmission Lines in Central Nevada*. Series of progress reports for the Falcon to Gonder 345kV Project.