Dr. Jerry Pell, NEPA Document Manager
Office of Electricity Delivery and Energy Reliability, OE-20
U.S. Department of Energy
Washington, DC 20585

Via email: Jerry.Pell@hq.doe.gov

Dear Dr. Pell,

SUBJECT: Comments on Energia Sierra Juarez U.S. Transmission Line Project DEIS (DOE/EIS-0414)

The San Diego Audubon Society is supportive of the intention to increase the use of alternative energy sources such as solar and wind, but is concerned that the proposed project does not adequately consider impacts to wildlife as well as the cumulative impacts resulting from the various energy projects listed in Section 5 of the Draft Environmental Impact Statement. Specifically, we are concerned about impacts to migratory birds including raptors, neo-tropic migrants, and winter season avian visitors that may result from the construction of this transmission line and the construction and operation of the wind power facilities and power lines in Mexico that will be facilitated by this transmission line.

Insufficient Biological Data
We would like to see information detailing the survey methodology included in the final EIS and expect that a comprehensive survey approach is utilized including radar monitoring to assess nighttime migration and monitoring at different times of the year and day to capture seasonal variability in avian populations.

There is also a concern that this project site is located within an inland avian flyway. Because the transmission line project site is located between two important bird areas (Laguna Mountains and the Sierra de Juarez) that are characterized by high ridgelines, foraging raptors and other migrants may be severely impacted. Indeed, the project location is a potential and presumed avian corridor of birds moving from north to south along the cross-border ridgeline. In fact, according to observations by local ornithologists (SD Birds Yahoo Group), Jacumba and In-ko-pah villages are locally recognized migrant traps due to the presence of seasonal water resources, agricultural influences, and springtime wildflowers. For these reasons, we'd like the data that informed the determination that the project site is not located within a known migratory corridor or flyway to be made available in the Final EIS.

Impacts to Golden Eagles & Other Raptors

We are concerned with impacts to raptors and specifically, Golden Eagles, since this project site is located within a known wintering location and is immediately adjacent (located within one mile) to at least one confirmed breeding location for this species (Unitt, 2004, San Diego County Bird Atlas). The Golden Eagle has the largest territory and the lowest population density of any San Diego County bird. Currently, electrocution on power lines is the largest source of mortality for this species. This project also encroaches onto foraging habitat and results in the loss of ten acres of foraging habitat that will not be re-vegetated after construction. Furthermore, this habitat loss will directly impact San Diego black-tailed jackrabbit populations, the principal prey of the eagles and whose numbers are already suppressed due to drought. Impacts to the Golden Eagle and appropriate mitigation are not mentioned in this document and we would therefore like to see detailed information on how these impacts will be mitigated in the final review document.

Connected Actions & Impacts to Migrating Wildlife

We consider the Energia Sierra Juarez wind project to be an indirect impact of this project. We are concerned that construction of the proposed ESJ wind project and the associated transmission line will result in large numbers of deaths of raptors and migratory birds in Mexico. These birds migrate and/or forage on both sides of the border. Thus these losses in Mexico are likely to significantly impact local populations. For instance, studies show that Golden Eagle and Condor juveniles are often attracted to novel items placed in their range. Once these birds reach maturity their hunting patterns are fixed, but they are more likely to roam into unknown areas when they're young. For these reasons among others, the USFWS has recommended a minimum 6-mile buffer between Golden Eagle nests and turbines (USFWS Comments on Summit Ridge Wind project).

The transmission line project and the connected Energia Sierra Juarez wind project may impede use by Condors, who may re-colonize the area. According to the San Diego County Bird Atlas (Unitt, 2004), Condors could be seen regularly in San Diego County in the 1800s and nested in the County's foothills and mountains. The transmission line and the wind power projects are located within the historical breeding and foraging range of the California Condor and so there is a concern that these wind and transmission line projects would kill Condors that are and will be re-colonizing the area.

Cumulative Impacts Need to be Addressed

The ESJ Transmission Line Project is one of seven (this number includes the ESJ wind project which is not included in this cumulative analysis but should be since it is a connected action that will have a significant effect on migratory wildlife) energy projects that have been developed or are proposed for development in the region of influence for migratory birds. This fact, coupled with the fact that we are still learning about the real

costs and impacts to wildlife that are caused by these industrial-scaled energy projects, necessitates the need for a rigorous analysis, monitoring program, and information sharing mechanism among projects. Therefore, we would like to see a protocol in place that would facilitate the sharing of monitoring data among projects considered in the cumulative effects analysis so that any cumulative impacts can be identified and addressed in a timely and effective manner. We are very concerned with the inadequate analysis that is being performed for the wind project on the Mexican side. Since the projects are interdependent, analysis of those impacts need to be fully identified as Indirect and Cumulative impacts of this project.

Mitigation

Mitigation measures for biological resources are inadequate and inadequately described in the draft review document. A worker training that includes "protection measures for sensitive resources" will be carried out, but the DEIR does not identify what these measures of protection are – an implementation plan for these protection measures needs to be included in a final review document. Also, this document solely addresses mitigation measures to be taken during the construction phase and does not include any measures that would be taken during the operational phase of the project. For instance, if the line is found to significantly negatively impact raptors and other avian populations in the area, how will these impacts be reduced? A plan for minimizing risks to wildlife and biological resources throughout the life span of this project must be added to this document. There must be a protocol in place that monitors and identifies losses and ensures additional and adaptive mitigation measures will be devised and implemented should avian and other wildlife populations be negatively impacted during project operations. Quantitative thresholds should be identified for implementing those measures, reducing operations, or for removing the project if those thresholds cannot be met.

Alternatives

Lastly, we urge that the Department of Energy fully considered the array of project alternatives that exist, on both sides of the border. It may make more sense economically, environmentally, and politically to re-string the Mexican 'Path 45' transmission line that runs from Mexicali to Tijuana with sufficient capacity to support current demands.

We also urge that the location of the wind turbines in Mexico be based on minimizing impacts to wildlife during construction and operation and not just on wind speed and ease of construction.

While we are very much in favor of alternative energy projects that lessen our dependence on fossil fuel sources and reduce greenhouse gas emissions, we are not supportive of fast-track projects that place our wildlife and shared natural heritage at risk.

We hope that the final EIR will more fully consider these risks and if approved, utilize this project as a model for minimizing risks to wildlife.

Sincerely,

Shannon Dougherty
Conservation Coordinator