SOSC-81

Rebuttal Testimony

Presented by Sean Wirth

Adaptive Management

- Adaptive Management is now the industry standard.
- Doesn't work so well if the inputs are political rather than scientific - 2002 salmonid die-off on the Klamath.

Transmission lines are still a problem

- No AMM offered to protect birds flushed by construction disturbance.
- A no net take strategy was employed for Greater Sandhill Crane which is a CA Fully Protected Species.

Flight Diverters Provide Limited Protection

- Reduction of 60% of strikes means strikes are still occurring.
- Delta is much foggier than study area where a 60% reduction was determined.

How effective are flight diverters?

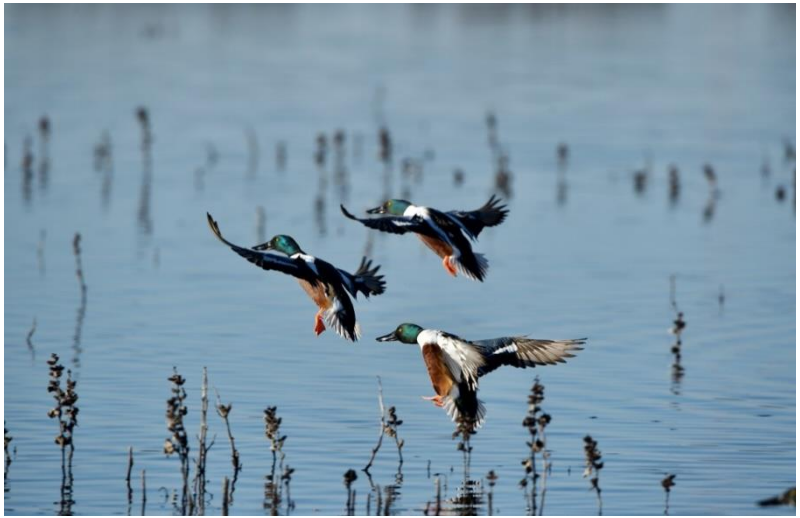
- Effectiveness likely exaggerated.
- Carcasses often scavenged.
- Crippled but not killed birds can move away and end up not being counted.

No “take” is an absolute and this standard was not met

- Effectiveness in literature ranges from 10% - 81%.
- Need more studies to determine what actual mortality rates are for Greater Sandhill Cranes.
- Absent such studies, the actual severity of the impact is unknown but all indications suggest that it is far worse than presented in the FEIR.

Locating transmission lines along existing rights-of-ways will be ineffectual

Adding new lines above existing lines increases the hazard



- Now birds trying to fly over old lines have new lines higher up to also avoid.
- Dr. Earle suggested that this could be argued to increase visibility.
- But is in low to no visibility situations where strikes are most likely.

Underground All Transmission Lines

And as has already been discussed, flight diverters on existing lines constitute a mandatory effort to avoid "take" of California Fully Protected Species that are flushed off of their roosting or foraging habitats because of construction disturbances, and it is inappropriate to consider flight diverters on existing lines as a way to offset "take" of sandhill cranes from strikes on new transmission lines.

Habitat Mitigation

Is losing almost 5,000 acres of Greater Sandhill Habitat and mitigating at a 1:1 ratio better than the status quo?

Uncertain at best

The Delta has low probability of urbanizing.

Are we really on track to loose 50% of the available Greater Sandhill Crane habitat?

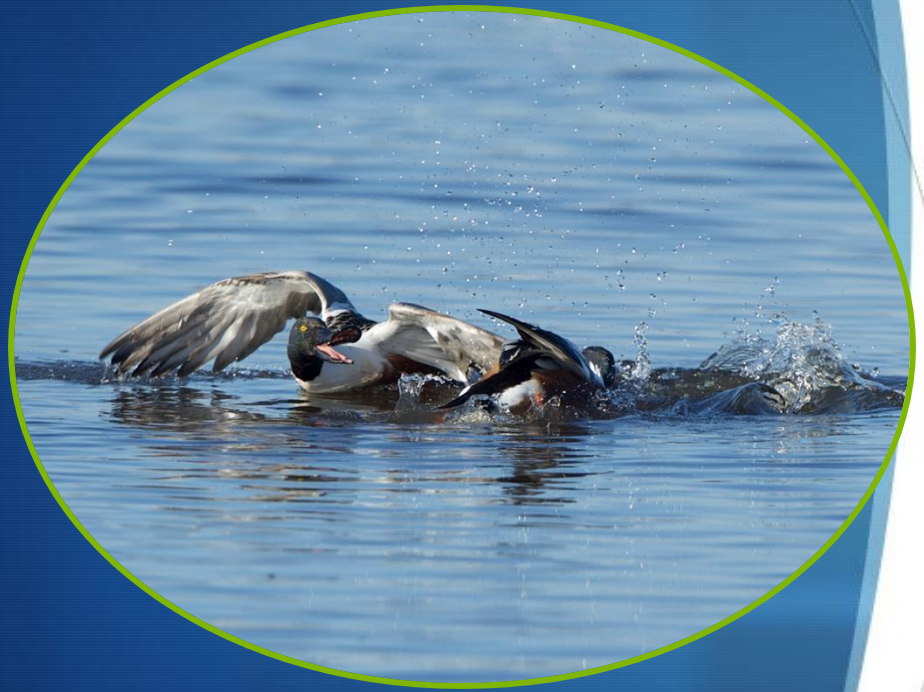
A confident opinion either way is more of a divination than a substantiated consideration.

Changes in ADSEIR/S

The idea that a reduced footprint of impact is inherently less damaging and therefore needs no additional analysis does not properly consider that the project area is not a homogeneous landscape and that moving structures and facilities to new locations, even though the overall number of those structures or facilities might be reduced, may result in increased impacts that merit analysis.

Moving the shaft location/s on Staten Island

The northern shaft has been moved further south, the northern safe haven work area has been moved north, the southern safe harbor work area has been moved to the west, and a proposed temporary surface impact area has been added a bit north of where the southern shaft location was originally located.

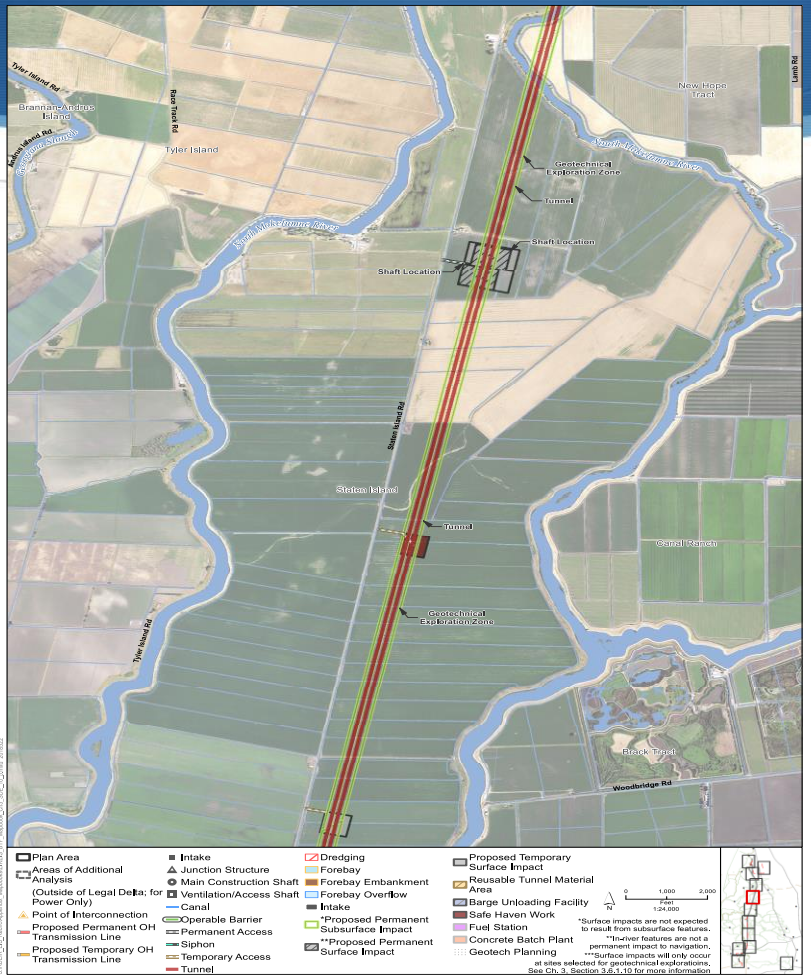


No consideration or analysis of loss of temporary roosting and forage habit due to having poor sight lines as a result of the new northern shaft placement.

The shaft structure is huge.

Cranes like long sight lines.

The area to the north of the shaft will be unusable.



Sources: DWR CWF Engineering (rev 1e 2018); NAIP 2016

Figure M3-4: Sheet 5 of 12
Proposed Project

DRAFT: 29 May 2018

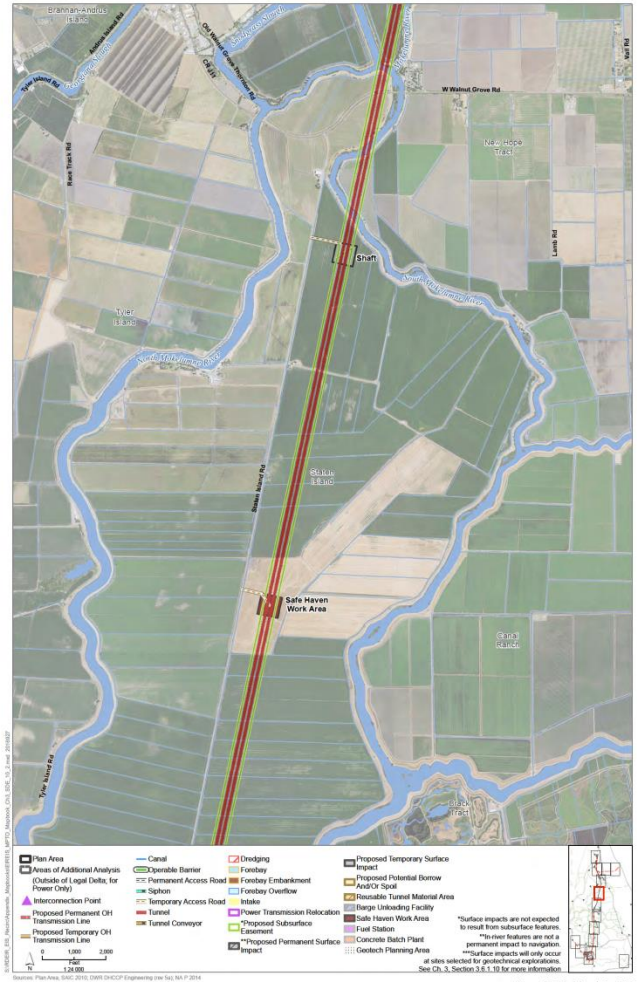


Figure M3-4: Sheet 6 of 15
Modified Pipeline/Tunnel Alignment (Alternative 4, 4A)

Noise Impacts of Project Changes in ADEIS/R Not Analyzed

The ADSEIR/S does not address any new or different noise impacts on wildlife from changes to the proposed project footprint.

Impacts to Wetlands are Still Huge and Unreasonable

The project changes in the ADSEIR/S do not include an appreciable reduction in the impacts to natural wetland habitats or habitats established to provide the ecological values of wetlands.