APPENDIX H
PUBLIC SCOPING REPORT

PUBLIC SCOPING REPORT

Environmental Impact Statement
Desert Quartzite Solar Project

Lead Agency:

Bureau of Land Management
Contact: Cedric Perry, 951-697-5388
22835 Calle San Juan De Los Lagos
Moreno Valley, California 92553-9046

MAY 2015

TABLE OF CONTENTS

APPENDICES

TABLE

FIGURE

Abbreviations and Acronyms Used in this Report

AC	Alternating Current
ARPA	Archaeological Resources Protection Act
AVSR	Antelope Valley Solar Ranch
BBCS	Bird and Bat Conservation Strategy.
BLM	Bureau of Land Management
CDCA	California Desert Conservation Area
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CRIT	Colorado River Indian Tribes
CFR	Code of Federal Regulations
DEIR	Draft Environmental Impact Report
DEIS	Draft Environmental Impact Statement
DRECP	Desert Renewable Energy Conservation Plan
EIS	Environmental Impact Statement
gen-tie	Generation-intertie
GHG	greenhouse gas
I-10	Interstate 10
kV	kilovolt
Metropolitan	The Metropolitan Water District of Southern California
MW	megawatt
NEPA	National Environmental Policy Act
NOI	Notice of Intent
PV	photovoltaic
ROW	right-of-way
SCE	Southern California Edison
SEZ	Solar Energy Zone
USFWS	U.S. Fish and Wildlife Service

1.0 OVERVIEW OF NEPA SCOPING PROCESS

1.1 Introduction

First Solar has applied to the Bureau of Land Management (BLM) for a right-of-way (ROW) on public lands in Riverside County to develop the Desert Quartzite Solar Project, a photo-voltaic (PV) generating facility with a footprint of approximately 4,853 acres of public land and 160 acres of private land. The project site is located approximately 8 miles southwest of Blythe, in Riverside County, California. The overall site layout and generalized land uses would include a project substation, access road, realignment of an existing route, operations and maintenance buildings, temporary construction lay down areas, and a 3-mile 230-kilovolt (kV) generation-intertie (gen-tie) line. The project would interconnect to the regional electric grid via the 230/500-kV Southern California Edison (SCE) Colorado River Substation. The proposed site consists of lands administered by BLM and subject to the California Desert Conservation Area (CDCA) Plan. Authorization of the ROW by BLM would require an amendment of the CDCA Plan.

This public scoping report documents the BLM's National Environmental Policy Act (NEPA) scoping process and the comments received for the proposed project. Specifically, this report describes the scoping activities and summarizes the written comments received on the BLM's Notice of Intent (NOI). This report serves as an information source to the BLM in its determination of the range of issues and alternatives to be addressed in the Environmental Impact Statement (EIS). The BLM will use the comments received during the scoping period to:

1) Identify key issues to focus the analysis
2) Identify reasonable alternatives for analysis
3) Present environmental impacts of the project and alternatives
4) Identify ways to avoid or reduce environmental impacts
5) Inform the agency decision-making process

1.2 Summary of NEPA Scoping Process

The NEPA scoping process provides government agencies, public and private organizations, and the general public the opportunity to identify environmental issues and alternatives for consideration in the EIS. The scoping process and results are an initial step in the NEPA process.

To comply with the Council on Environmental Quality's regulations regarding the scoping process under NEPA (40 CFR 1501.7), the BLM published the NOI in the Federal Register to prepare an EIS for the Desert Quartzite Solar Project (FR Vol. 80, No. 44, page 12195, March 6, 2015). The NOI serves as the official legal notice that a federal agency is commencing preparation of an EIS.

The Federal Register serves as the U.S. Government's official noticing and reporting publication. The NOI initiates the public scoping period for the EIS, provides information about the proposed project, and serves as an invitation for other federal agencies granted cooperating agency status to provide comments on the scope and content of the EIS. The NOI is included as Appendix A.

The BLM published notices, included as Appendix B, to announce the publication of the NOI, initiate the environmental review, and announce public scoping meetings for the proposed Desert Quartzite Solar Project on March 18, 2015. The notices announced a public scoping meeting in Parker, Arizona on March 23, 2015 and in Blythe, California on March 24, 2015.

The NOI and scoping meeting announcements were also made available to the public on BLM's website for the Desert Quartzite Solar Project at:

http://www.blm.gov/ca/st/en/fo/palmsprings/Desert_Quartzite.html

During the NOI comment period, the BLM held public scoping meetings on March 23, 2015 at the Parker Community Senior Center (1115 12th Street, Parker, Arizona 85344) from 6:30 to 8:30 PM, and on March 24, 2015 at the City of Blythe Multi-Purpose Room (235 North Broadway, Blythe, California 92225) from 6:30 to 8:30 PM.

The scoping meetings provided the public and government agencies the opportunity to receive information on the NEPA process and on the proposed project and to provide verbal and written comments.

Comment cards were provided as handouts at the public scoping meetings (Appendix C-1). Additional materials provided to the public at the scoping meetings are contained within Appendix C and include the following:

1) Appendix C-1 – Written Comment Card
2) Appendix C-2 – Speaker Registration Cards
3) Appendix C-3 – Scoping Meeting Presentation

Appendix D includes the scoping meeting sign-in sheets for the two meetings.

The comment period for the NOI ended on April 13, 2015 (originally scheduled for April 6, 2015). In total, 12 letters were received, as shown in Table 1 below. A total of 6 individuals made verbal comments at the scoping meetings, as shown in Table 2. These comments are incorporated into the EIS project record and are documented and summarized in this public scoping report. Finally, one written comment was addressed to the County of Riverside regarding the California Environmental Quality Act (CEQA), as shown in Table 3.

1.3 Agencies, Organizations, and Persons Providing Scoping Comments

Table 1 below identifies eleven organizations (Federal, State, and Local governments, Indian Tribes, environmental organizations, and other organizations) who provided written comments during the public scoping period. Written comments received in response to the NOI are included in Appendix E. Table 1 presents the agencies and organizations that provided written comments during the NEPA scoping process organized in the order they were issued.

Table 1
Written Comments Received During Public Scoping Period

Federal, State, and Local Agencies and Organizations	
Commenter	**Date**
Mr. Alfredo A. Figueroa, Elder/Historian/Chemehuevi Tribe Monitor for the La Cuna de Aztlan Sacred Sites Protection Circle, Blythe, CA	March 24, 2015
La Cuna de Aztlan Sacred Sites Protection Circle, Alfredo Acosta Figueroa, Elder/Historian/Chemehuevi Tribe Monitor, and Patricia Robles, President of La Cuna de Aztlan Sacred Sites Protection Circle, Blythe, CA	April 3, 2015
Basin and Range Watch, Kevin Emmerich and Laura Cunningham, Beatty, NV	April 5, 2015
U.S. Environmental Protection Agency (EPA), Region IX, Tom Plenys, Environmental Review Section, San Francisco, CA	April 6, 2015
Center for Biological Diversity, Ileene Anderson, Biologist/Public Lands Desert Director, Los Angeles, CA	April 6, 2015
U.S. Fish & Wildlife Service (USFWS), Assistant Field Office Supervisor (name?), Palm Springs Fish and Wildlife Office, Palm Springs, CA,	April 8, 2015
The Metropolitan Water District of Southern California (Metropolitan) – Office of the General Manager, Deirdre West, Manager, Environmental Planning Team, Los Angeles, CA	April 9, 2015
California Native Plant Society, Greg Suba, Conservation Program Director, Sacramento, CA	April 13, 2015
Defenders of Wildlife, Jeff Aardahl, California Representative, Natural Resources Defense Council, Helen O'Shea, and Sierra Club, Sarah K. Friedman	April 13, 2015
The Wilderness Society – BLM Action Center, Alex Daue, Assistant Director, Renewable Energy, Denver, CO, and CALWild (California Wilderness Coalition), Ryan Henson, Senior Policy Director, Anderson, CA	April 13, 2015
Colorado River Indian Tribes (CRIT), Chairman Dennis Patch, CRIT Tribal Council, Parker, AZ	April 13, 2015

Table 2 presents the individuals who provided verbal comments at the scoping meetings organized in the order they were presented.

Table 2
Verbal Comments Received at the Public Scoping Meetings

Federal, State, and Local Agencies and Organizations	
Commenter	**Date**
Mr. Keith R. Nopah, Sr., Tribal Monitor	March 23, 2015
Ms. Daphne Hill-Poolaw	March 23, 2015
Ms. Amanda Barrera, Chemehuevi Tribal Secretary, member of Colorado River Indian Tribes	March 23, 2015
Ms. Cheryl Esquerra, member of Colorado River Indian Tribes, elder	March 23, 2015
Mr. Juan Gonzalez	March 24, 2015
Mr. Alfredo A. Figueroa, Elder/Historian/Chemehuevi Tribe Monitor for the La Cuna de Aztlan Sacred Sites Protection Circle, Blythe, CA	March 24, 2015

Table 3 presents the agencies and organizations that provided written comments during the scoping period regarding the CEQA process being followed by Riverside County.

Table 3
Written Comments Received During Public Scoping Period Regarding the CEQA Process

Federal, State, and Local Agencies and Organizations	
Commenter	**Date**
Riverside County Airport Land Use Commission	April 13, 2015

1.4 Scoping Report Organization

This public scoping report summarizes the comments and issues identified through the Project's scoping period, including the public scoping meetings. The BLM will review and consider the comments received in preparing the EIS for the proposed project.

Section 2 provides summary information on First Solar's stated project objectives and a description of the project.

Section 3 provides an overall summary of the comments received and issues raised during the project's public review period.

Section 4 provides a summary of future steps in the planning process and indicates opportunities for further public participation in the environmental review process.

Section 5 includes a list of references used in preparation of this scoping report.

Following is the list of appendices that includes public scoping notices, scoping meeting materials, and public comments received during the public review period.

A. Notice of Intent (Federal Register, March 6, 2015)
B. Public Notices
   B-1 – Public Notice (Parker Pioneer, March 18, 2015)
   B-2 – Public Notice (Desert Sun, March 18, 2015)
   B-3 – Public Notice (Palo Verde Times, March 18, 2015)
C. Scoping Meeting Materials
   C-1 Written Comment Form
   C-2 Speaker Comment Card
   C-3 Scoping Meeting Presentation
D. Scoping Meeting Sign-In Sheets (March 23 and 24, 2015 Meetings)
E. Written Comments Received During Scoping Period
F. Court Reporter Transcripts of the Scoping Meetings

2.0 SUMMARY OF PROPOSED PROJECT

This section provides an overview of the Desert Quartzite Solar Project, which is located in Riverside County, approximately 8 miles southwest of the City of Blythe, California.

2.1 APPLICANT'S OBJECTIVES

The Applicant's fundamental objective for the proposed action is to construct, operate, maintain, and eventually decommission a 300 megawatt (MW) alternating current (AC) solar PV energy generating facility along with associated interconnection transmission infrastructure to provide renewable electric power to California's existing transmission grid to help meet federal and state renewable energy supply and greenhouse gas (GHG) emissions reduction requirements. Recent national and regional forecasts project an increase in consumption of electrical energy continuing into the foreseeable future. Renewable energy, including solar generation, is expected to provide a larger component of the electrical supply in the future. Continued increased consumption requires development of new generation facilities to satisfy demand.

2.2 PROJECT DESCRIPTION

First Solar has applied to the BLM for a ROW on public lands in Riverside County to develop the Desert Quartzite Solar Project, a PV generating facility with a footprint of approximately 4,845 acres of public land and 160 acres of private land. The proposed Desert Quartzite Solar Project consists of a 300 MW AC solar photovoltaic energy generating facility along with necessary ancillary facilities including a project substation, access road, transmission lines, realignment of an existing route, operations and maintenance buildings, and lay down areas. The project is proposed on land within the Riverside East Solar Energy Zone (SEZ), near Blythe, California (see Figure 1 – Project Vicinity Map, Figure 2 – Project Map, and Figure 3 – Aerial Project Map).

The project includes a 3-mile 230-kV generation-intertie (gen-tie) line. The project would interconnect to the regional electric grid via the 230/500-kV SCE Colorado River Substation. The proposed project would include the use of either single axis or fixed-tilt tables, supported on driven steel posts or other embedded foundations. The proposed project would be built in two phases, with construction of the first 150 MW AC phase expected to begin in late 2016. The proposed site consists of lands administered by BLM and subject to the CDCA Plan. Authorization of the ROW by BLM may require an amendment of the CDCA Plan.

Figure 1 – Project Vicinity Map

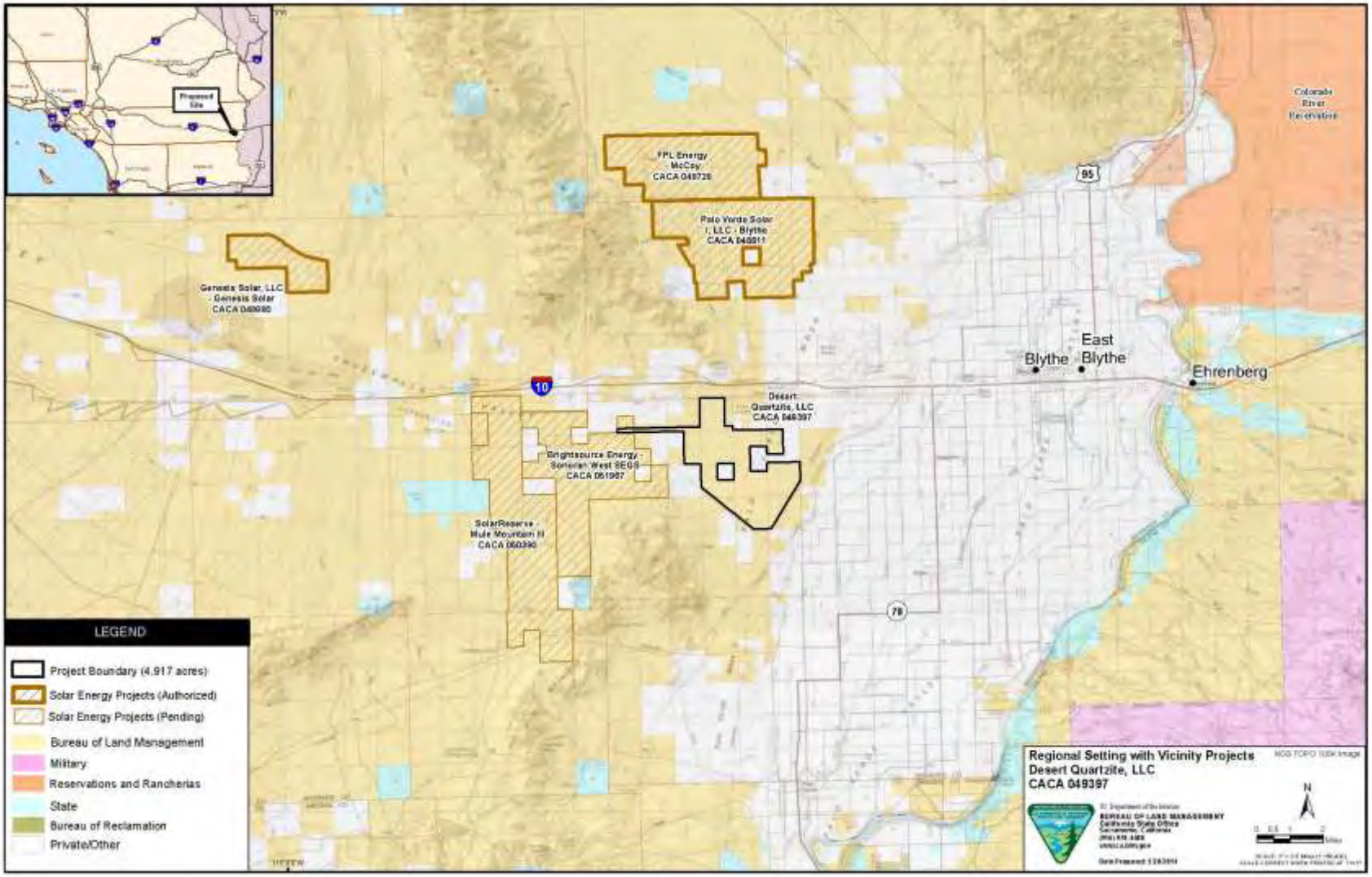


Figure 2 – Project Map

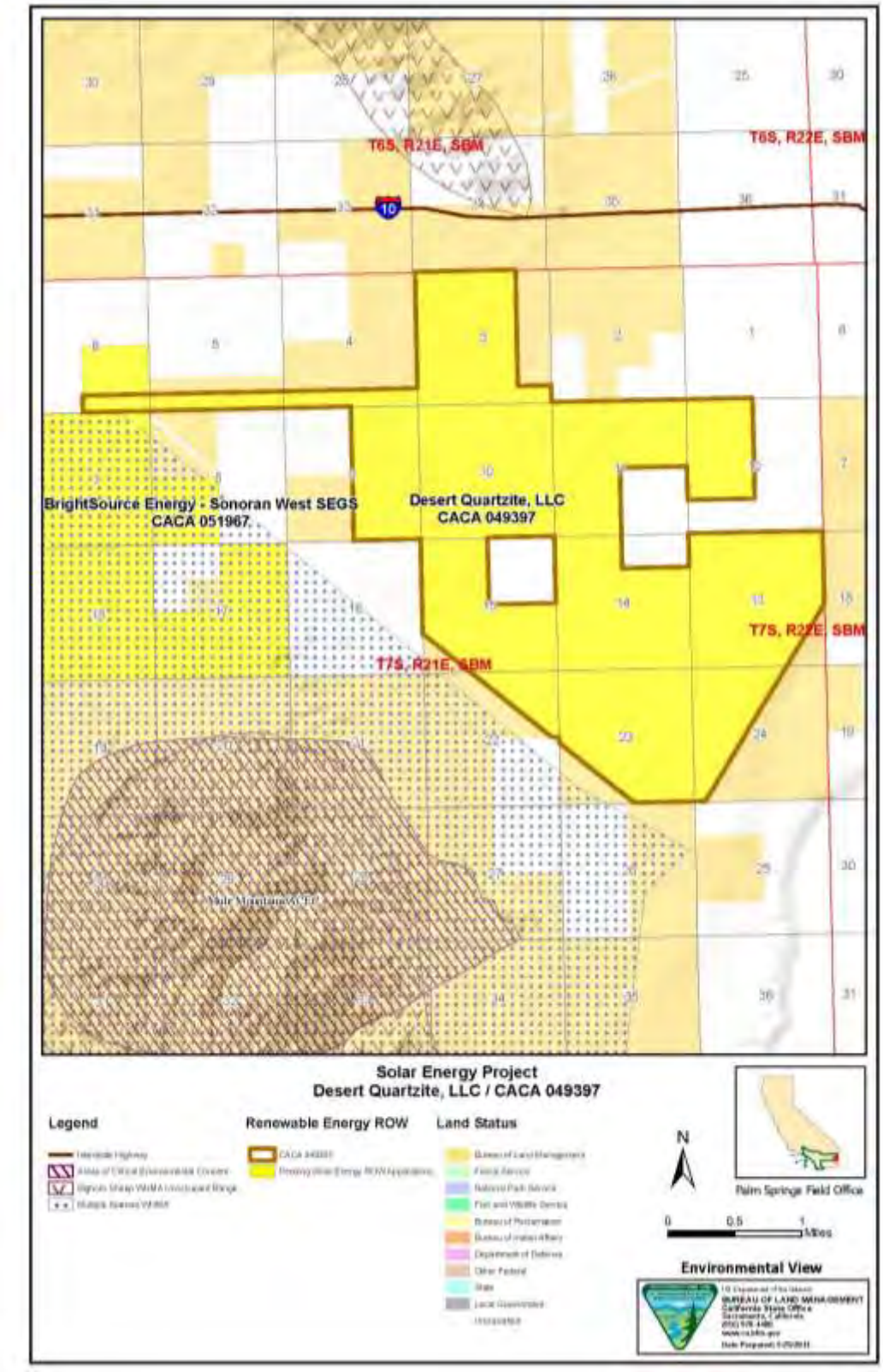
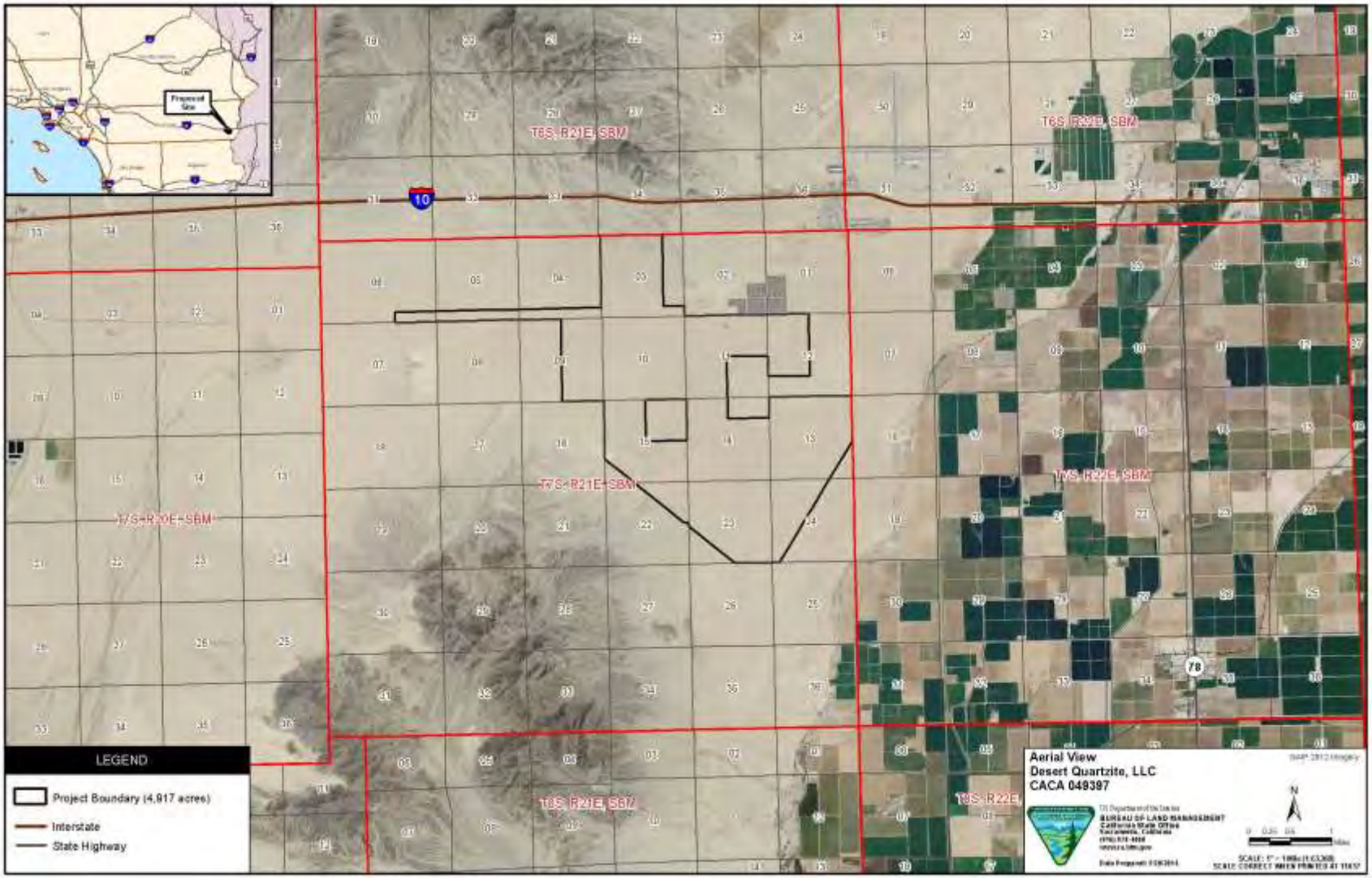


Figure 3 – Aerial Project Map



3.0 SUMMARY OF SCOPING COMMENTS

This section of the report summarizes the comments raised by agencies and organizations during the scoping process. This summary is based upon written comments that were received during the NOI public scoping period. Table 1 provides a list of commenters including federal, State, and local agencies, Tribes, and other organizations that provided written comments during the public review period. The scoping report summarizes the comments received according to the following major themes:

1. BLM Procedures
2. Statement of Purpose and Need
3. Human environment issues
4. Natural environment issues
5. Indirect and cumulative impacts

3.1 BLM Procedures

- The tribes had less than seven days' notice regarding the public scoping meetings because the local papers published the notice on Wednesday or late Tuesday before the meeting on the following Monday, so many people were not informed until the last minute.

- The Desert Quartzite Project should include a full 90 day EIS review period, and a protest period should be provided due to the pending DRECP Land Use Amendment.

- The DEIS should discuss the applicability of the DRECP and the Solar PEIS to the development of the project.

- BLM should follow the mitigation hierarchy of avoiding, minimizing, and mitigating impacts through compensatory, off-site mitigation.

- BLM should follow guidance in Secretarial Order 3330 on mitigation and BLM's Regional Mitigation Manual in establishing mitigation requirements.

- BLM should follow Section 201 of the Federal Lands Policy Management Act, which requires BLM to maintain an inventory of all public lands and their resources and other values, including lands with wilderness characteristics, and IM 2011-154 and Manuals 6310 and 6320, which set forth the agency's policy for implementing this requirement.

- The Energy Production and Utility Corridors section of the CDCA Plan requires at a minimum that the following resource issues be addressed: 1) Consistency with the Desert Plan; 2) protection of air quality; 3) impact on adjacent wilderness and sensitive resources;

4) visual quality; 5) cooling-water source(s); 6) waste disposal; 7) seismic hazards; and 8) regional equity.

3.2 Statement of Purpose and Need

- The project is not needed in the project area, but instead where the demand is, i.e., in Los Angeles, and that this need could be met by providing solar generation facilities on roof tops in Los Angeles.

- The purpose and need statement should include mandates to protect sensitive biological, hydrological, cultural and visual resources, maintain access to public lands, and preserve the CDCA.

- The purpose and need statement should also include a need to protect the public health, quality of life, property values, and socio-economics in the adjacent communities of Blythe, Mesa Verde, and Ripley.

- The purpose and need statement should look beyond the initial boom of construction jobs and consider the long-term impacts that a project of this size would have on local communities.

- Responsible, well-planned and sited renewable energy development, on appropriate public lands is supported. Such renewable energy facilities should avoid areas with important and sensitive resources and values, and should instead utilized previously disturbed and degraded lands.

- BLM received a comment strongly supportive of the development of renewable energy production, and the generation of electricity from solar power. The comment also said that proposed solar power projects should be thoughtfully planned to minimize impacts to the environment. Particularly renewable energy projects should avoid impacts to sensitive species and habitat, and should be sited in proximity to areas of electricity end-use in order to reduce the need for extensive new transmission corridors and efficiency loss associated with extended energy transmission.

- A guided development approach established in BLM's Solar Programmatic EIS (Western Solar Plan) is supported, including development within appropriate areas such as SEZs.

3.3 Human Environment Issues

ALTERNATIVES

- A comment was received that the Draft Environmental Impact Statement / Draft Environmental Impact Report (DEIS/DEIR) should consider alternatives that utilize degraded brownfields and distributed generation. Under NEPA, agencies are required to consider alternatives outside of their jurisdiction.

- A no large-scale energy alternative can be justified with the California Energy Efficiency Strategic Plan, this plan prioritizes implementing rooftop solar and energy efficiency prior to developing large scale, remote solar and wind projects.

- The DEIS/DEIR should properly consider an adequate range of alternatives.

- The DEIS/DEIR must include a robust analysis of alternatives, including a private lands alternative and alternatives using other technologies including distribution generation.

- The objectives of the project must not unreasonably constrain the range of feasible alternatives evaluated in the DEIS/DEIR.

- At a minimum, alternatives including the no-action alternative, an environmentally preferred alternative which avoids all rare sand habitat and other significant impacts to resources (including cultural resources), and an alternative where power generation is site adjacent to power consumption need to be included.

CULTURAL RESOURCES

- In the desert there are many pristine geoglyphs and petroglyphs that are precious to the tribes in the project vicinity and in the surrounding valleys. These features should be protected from project activities. There is also a concern regarding construction and the safety of the cultural sites.

- A cultural survey showed a mining area, agricultural areas, and a military camp were found in the area and should be considered as factors in the project.

- The project is located adjacent to the Mule Mountain Area of Critical Environmental Concern which was protected for cultural resources.

- This area is rich in cultural resources and has trade trails, and the desert pavement preserve artifacts in situ for thousands of years.

- Nearly all the site recorded in the area have been described as having potential for subsurface manifestation. These sites could be considered as part of a complex archaeological district.

- One comment expressed grave concerns about the project's potential for significant cultural resource impacts.

- The project is located in an especially sensitive cultural resource areas-these artifacts are both sacred and finite.

- NEPA guidelines specify that EISs must address impacts to "historic and cultural resources" thus requiring a more expansive analysis than the one required by the National Historic Preservation Act. Such resources include viewsheds and landscapes, plants and animals used in and /or central to cultural and religious practices and creations stories. By using the correct definition of cultural resources for this Project, BLM will ensure that impacts to a host of important tangible and intangible resources are properly considered.

- The DEIS/DEIR must ensure that potential impacts to known and unknown cultural artifacts are analyzed and avoided.

- A programmatic agreement is not appropriate for this Project, as effects on historic properties can, and must, be fully determined prior to Project approval.

- The May 2014 Plan of Development states that the project will need a cultural resource use permit under the Archaeological Resources Protection Act (ARPA) "based on planned cultural resources investigations". The ARPA only requires a permit where individuals are planning to excavate, remove, damage or otherwise alter archaeological resources-none of which would be necessary for a Class III survey. The comment requested that the BLM pursue a policy of cultural resource avoidance whenever possible.

- BLM should clarify and revise its position with respect to the ARPA permit and allow reburial of any artifacts that cannot be avoided.

HAZARDOUS MATERIALS/HAZARDOUS WASTE/SOLID WASTE

- One comment requests that the DEIS/DEIR address potential direct, indirect and cumulative impacts of hazardous waste from construction and operation of the proposed facility, and appropriate mitigation should be evaluated including measures to minimize the generation of hazardous wastes. Additional requests are to include a requirement for a decommissioning and site restoration plan.

LAND USE

- BLM must analyze potential impacts to lands with wilderness characteristics from the Desert Quartzite project, using the updated inventory information, either using inventories completed from the Desert Renewable Energy Conservation Plan (DRECP) or by conducting new inventories. Impacts to wilderness characteristics should be avoided, or wherever unavoidable should be off-set with compensatory mitigation.

- BLM should use the Western Solar Plan for its measures for avoiding, minimizing, and mitigating impacts to lands with wilderness characteristics.

- BLM received a comment expressing concern with potential direct or indirect impacts that may result in construction and operation of any proposed solar energy project on or near

Metropolitan Water District of Southern California (Metropolitan) facilities (e.g. Metropolitan-owned agricultural lands in the Palo Verde Valley, other facilities, real estate interests, and fee-owned rights-of-way, easements, transmission facilities, and other properties). An assessment of potential impacts to Metropolitan facilities with measures to avoid or mitigate significant impacts should be included in the DEIS/DEIR.

PUBLIC HEALTH

- BLM received a comment regarding the increase in the incidences of Valley Fever (*Coccidiodomycosis*). A request was made to identify whether any ground disturbing activities may result in the dispersal of *Coccidiodes* spores, if so include measures to prevent or minimize the risk to workers and local residents.

- Potential for Valley Fever is high. We are seeing this problem with several of the recently approved large energy projects. In San Luis Obispo County, 28 workers were sent home with Valley fever they worked at two large solar power constructions sites.

TRIBAL GOVERNMENTS

- The DEIS/DEIR should provide a summary of all coordination with Tribes and with the State Historic Preservation Office / Tribal Historic Preservation Office , including identification of National Register of Historic Places eligible sites, and the development of a Cultural Resource Management Plan.

- The DEIS/DEIR should address the existence of Native American sacred sites in the project area, and discuss how the BLM will avoid adversely affecting the physical integrity, accessibility, or use of sacred sites, if they exist, including:
    - The Quechan Trail that runs from an area near the project site to the Cibola Refuge and to Yuma.
    - The Aztec calendar, which is based on an area of the Colorado River in the project region and was a reason why the Mohave tribe opposed the Rio Mesa project at Mule Mountain.
    - Mule Mountain, which is called "calli" by local tribes, and is the origin of the name California.
    - Effects of the project on "tezcalticoca," or conscience.
    - The project's potential effects on the mountain in the Big Maria Mountains called "Kwikumalt" on the Quechan Trail.
    - Effects on the ability for the Chemehuevi to connect with their past wanderings in the area, their songs, the bird song and the salt song, and the trail ways that are there.

- Even though laws exist to project sacred sites, they have not been effective in doing so. As a result, if these sites are liquidated by the project, tribal children are never going to know about them.

- The DEIS/DEIR should describe the process and outcome of the government-to-government consultation between the BLM and each of the tribal governments within the project area, the issues that were raised and how these issues were addressed.

- The BLM should consult with the Cahuilla, Chemehuevi, Mojave and Serrano nations to address their concerns.

- A request has been put forward for the BLM to promptly engage with the Tribes on a meaningful government-to-government level consultation, and to include a summary of all consultation with affiliated tribal entities.

ENVIRONMENTAL JUSTICE AND IMPACTED COMMUNITIES

- BLM received comments expressing concerns about the potential impact of the proposed project on communities in the area, including:
    - Adverse effect on lands recently gained by the tribes in the area near Interstate 10 (I-10).
    - The potential for terrorists to hide under the solar panels.
    - The potential for destruction of property.

- BLM should include an evaluation of environmental justice populations within the geographic scope of the project. If such population exists, the DEIS should address the potential for disproportionate adverse impacts to minority and low-income populations, as well as approaches used to foster public participation by these populations.

- The DEIS should describe outreach conducted to all other communities that could be affected by the project.

- The vast transformation of an entire cultural landscape has significant environmental justice implications. The renewable energy benefits of the Project will flow to energy customers in southern California; whereas, the impacts will be felt by those whose interests in this area extend beyond economics to its cultural and spiritual value.

VISUAL RESOURCES

- A comment was received regarding potential hazards of glint and glare from solar power plants. Hazards from glint and glare include the potential for permanent eye injury and/or temporary disability or distractions, which could impact people working nearby, pilots flying overhead or motorists. Recommend evaluating the potential hazards of glint and glare to motorists on I-10 as well as to pilots flying overhead and include the results of this analysis in the DEIS as well as any measures that would eliminate or reduces these problems.

- Visual impacts of the project should be evaluated as a threat to the "cultural landscape" of the region.
- Large solar projects are creating a polarized glare or lake effect which causes birds and insects to be deceived and collide with solar panels or simply dehydrate. We would like to see a more proactive approach to protecting wildlife from this visual impact than just a report after the fact.

- This project will be visible from residential areas as well as from the McCoy Mountains Wilderness Area. Due to the immense size of the project, visual impacts should be analyzed in the DEIS/DEIR.

3.4 Natural Environment Issues

AIR QUALITY /GREENHOUSE GASES

- BLM should consider the potential for fugitive dust that could impact local residents in a negative way.

- The development of renewable energy would reduce GHG emissions, avoid the worst consequences of global warming, and to assist California in meeting emission reductions.

- Solar developments should be placed on previously disturbed lands not on desert riparian woodlands due to the loss of sequestered carbon dioxide (CO2).

- Additional comments were received regarding using the newly released revised draft guidance for greenhouse gas emissions and climate change, they recommended estimating the greenhouse gas emissions that would result from implementation of the project as well as each alternative, and include discussion of the impacts from climate change on the environmentally resources affected by the project.

- First Solar has had several air quality issues with existing project, some of which were approved and overlooked by BLM. The project has the potential to impact public health in the nearby communities of Blythe, Mesa Verde and Ripely.

- First Solar had had difficult times previously controlling fugitive dust for their Antelope Valley Solar Ranch (AVSR). They have been shut down 3 times for the AVSR for dust violations.

- If you build roads, transmission, large scale renewable projects you will have fugitive dust.

- The DEIS/DEIR should provide a detailed discussion of ambient air conditions and discuss the timeframe for release of these emissions over the lifespan of the project.

- The construction and operation of the proposed project will increase GHG emissions and those emissions should be quantified and off-set. The DEIS/DEIR should evaluate specific mitigation measures to reduce greenhouse gas emissions from mobile sources.

BIOLOGICAL RESOURCES

- It appears the project site is proposed on an ecologically functional desert landscape that may host a suite of rare species.

- Careful documentation of the current site resources is imperative in order to analyze how best to site the project to avoid and minimize impacts and then mitigate any unavoidable impacts.

- Thorough, seasonal surveys should be performed for sensitive plant species and vegetation communities, and animal species under the direction and supervision of the BLM, USFWS, and California Department of Fish and Wildlife (CDFW). Full disclosure of survey methods and results to the public and other agencies is important to assure NEPA and Endangered Species Act (ESA) compliance.

- Confidentiality agreements or non-disclosure agreements regarding environmental resources must not be required of any biologists participating in surveys for the proposed project.

- Surveys for plants and plant communities should follow California Native Plant Society and CDFW floristic survey guidelines.

- Vegetation maps should be at a large enough scale to be useful for evaluating impacts.

- Adequate surveys must be implemented, not just single season of surveys, in order to evaluate the existing on-site conditions. The project application should be put on hold and not proceed if key surveys have not been completed due to low rainfall or other factors.

- A number of rare species have a high potential to occur on the project site. All of the rare species that have been identified as occurring in the general vicinity of the project site must be adequately addressed in the DEIS/DEIR. The DEIS/DEIR must adequately address the impacts and propose effective ways to avoid, minimize, and mitigate the impacts of these resources through alternatives including alternative siting and alternative on-site configurations.

- The BLM should address:

    - The safe relocation of species and their habitat, including snakes and lizards that may be affected by earth moving equipment.
        - Effects on an eagle's nest in the area, less than ten miles from the site.

  - Adverse effects on the many plants in the area that are used as medicine or tea by Native Americans.
  - Destruction of wildlife and land on which Native Americans live off of.
  - Adverse effects on animals in the desert that for many years represent meanings to Native Americans.

- There are known desert washes that support microphyll woodlands, and it is not clear the extent this community occurs on site.

- The vegetation on the Project site is very low density and low in overall height, recommend not grading entire site but leaving vegetation in place between roads.

- The project lies within connectivity corridors. Many desert sensitive species of plants and animals are dependent on this natural feature.

- Concern over the rare plant surveys. The surveys were performed in years with unfavorable conditions for germination of desert annual plants.

- Concern for Mojave fringe-toed lizard habitat, and the possibility of "lake effect" because of the proximity of the Project to the Colorado River since this is a known migratory bird flyway.

- A recommendation that the DEIS/DEIR should explain how it will meet the requirements of Executive Order 13112 Invasive Species.

- The DEIS/DEIR should also describe the invasive plant management plan, and also describe post-construction activities that will be required such as surveying for invasive species following restoration site, and measures to be taken in the case of an infestation being found.

- Threats posed to birds and bats from construction and particularly the operation of renewable energy projects is not new. A recommendation to include a discussion on the occurrence of avian mortality at utility scale solar sites. Also recommend in consultation with USFWS and CDFW determine the need for a comprehensive monitoring protocol to catalog and analyze occurrences of avian mortality. If the need for a comprehensive protocol is deemed warranted, please include the draft of the protocol in the DEIS/DEIR.

- Identify all petitioned and listed threatened and endangered species and critical habitat that might occur within the project area. The DEIS/DEIR should identify and quantify which species or critical habitat might be directly, indirectly, or cumulatively affected by each alternative and mitigate impacts to these species.

- Concern specifically about this project regarding potential impacts to foraging and nesting habitat for a variety of species including but not limited to: Desert tortoise, fringe toed lizards, burrowing owls, migratory birds and raptors.

- A recommendation that the BLM consult with USFWS and prepare a biological opinion under Section 7 of the ESA, if deemed not necessary then provide information on how the determination was made within the DEIS/DEIR.

- Recommendation that the following documents as applicable be included in the DEIS/DEIR: Avian Protection Plan, a Raven Monitoring, Management and Control Plan, Burrowing Owl Mitigation Monitoring and Translocation Plan, Desert Tortoise Relocation/Translocation Plan, Desert Tortoise Compensatory Mitigation Plan, Special-Status Plant Impact Avoidance and Mitigation Plan, and Management Plan for Sand Due/Fringed-Toed Lizard.

- Another concern was the habitat fragmentation and obstructions for wildlife movement resulting from the project. They encourage habitat conservation alternatives that avoid and protect high value habitat and create or preserve linkages between habitat areas to better conserve the covered species.

- A comment that the DEIS/DEIR should discuss impacts associated with an increase of shade in the desert environment on vegetation and/or species.

- The project will impact habitat for the desert tortoise, burrowing owl, several rare plants, Mojave fringe-toed lizards, kit foxes and several migrating bird species.

- Development of the project will have direct impacts to the Mojave fringe-toed lizard

- The area contains wildlife habitat linkage that has been identified as being critical for burro deer, and could desert bighorn sheep.

- The DEIS/DEIR should consider impacts to the endangered Gila woodpecker and the elf owl.

- When deserts are scraped, biological soil crust, desert pavement, and old growth vegetation will be lost.

<u>Mojave Desert Tortoise</u>

- Desert tortoise are present on the site. This project will impact individual animals as well as connectivity habitat.

- Although pre-project surveys show the area serves as available habitat for desert tortoise. The proposed project would eliminate low density/linkage habitats that may be important for population and habitat connectivity for this and other desert species.

- Construction and operation of the proposed project would result in permanent and long-term elimination or degradation of 5,003 acres of desert tortoise habitat, and therefore it is

recommended the BLM and Riverside County require a suite of avoidance, minimization, and mitigation measures be implemented to offset any adverse effects to the species.

- The construction and operation of the proposed project would likely lead to an increase in the number of common ravens in project area. Common ravens prey on desert tortoises, and therefore an increase in ravens at the project site would have detrimental effects on desert tortoise both near and distant from the project site.

- To address impacts on desert tortoise from common ravens that may be attracted to the site, it is recommended that BLM and the County of Riverside require on-site measures to eliminate or minimize the availability of subsidies and potential for common ravens to occupy the project site during all phases of the project.

- The BLM and the County of Riverside should require the project contribute to the Regional Common Raven Management Program.

- The DEIS/DEIR must clearly address alternative proposals for avoiding, minimizing, and mitigating impacts to the desert tortoise and any occupied habitat.

- The DEIS/DEIR must first look for ways to avoid impacts to desert tortoise, for example, by identifying and analyzing alternative sites outside of desert tortoise occupied habitat or in areas that have already been severely disturbed by other prior land use as well as alternative project configurations that would avoid or significantly reduce impacts.

- The DEIS/DEIR must look for ways to minimize any impacts to desert tortoise that it finds are unavoidable.

- Acquisition of lands that will be managed in perpetuity for conservation must be included as of part of the strategy to mitigate impacts to desert tortoise.

- Translocation as a long-term strategy for minimizing and mitigating impacts to desert tortoise may be a tool for augmenting conservation of the desert tortoise, but it cannot substitute for other mitigation such as preservation of habitat.

- An aggressive raven prevention plan needs to be developed as part of the DEIS/DEIR and followed during project development and implementation.

<u>Yuma Ridgway's Rail</u>

- Relatively few Yuma Ridgeway's rails are known in the project vicinity. Although few, available data suggests the solar technologies deployed by the proposed project pose a hazard to which various rail species and other water-associated birds are particularly vulnerable. The mortality risk to Yuma Ridgeway rails (and other rails) may be caused by project-related facilities such as gen-tie lines, solar panels, and perimeter fencing.

- There is concern that utility-scale solar and transmission projects may result in fatalities to Yuma Ridgway's Rail during the life-span of the project, especially given the large cumulative disturbance footprint of all existing and planned projects.

- The DEIS/DEIR should address the direct, indirect, and cumulative effects of the project on the Yuma Ridgway's rail, and include a range of avoidance, minimization, and mitigation measures.

- Because solar PV projects, like the proposed project, are attractive to water birds, including the Yuma Ridgeway's rail, the proposed project could imperil Yuma Ridgeway's rail. Therefore, the DEIS/DEIR needs to evaluate the potential impacts to these birds.

Burrowing Owl

- If burrowing owls are identified on the project site, at least one alternative should evaluate the reduction of impacts to this rare species by moving the project away from the nesting burrows. Also, acquisition lands may be required as part of the mitigation and will be managed in perpetuity for conservation.

Other Bird Species

- BLM received a comment expressing concern about potential fatality events to other listed, rare, and/or sensitive bird species (e.g. willow flycatcher and yellow-billed cuckoo), which are known to breed and migrate through the Lower Colorado River Valley.

- An assessment and analysis of project impacts on these species that improves the level of rigor and adequacy for determining the different degrees of vulnerability across all avian taxa and risk assessment that includes the quantification for take of listed and rare species is warranted. Impact avoidance, minimization, and mitigation measures should be proposed to minimize impact of incidental take.

Migratory Birds

- There is growing evidence of what is referred to as a "lake effect" or "polarized light pollution", which presents a particularly hazard to water-associated birds and other species seeking migratory stopover habitat typically found along rivers and lakeshores.

- It is recommended that the Draft DEIS/DEIR thoroughly address the potential significance for bird collisions on project specific and cumulative scales.

- It is recommended the BLM and County of Riverside require the development and implementation of avian and bat mortality and injury monitoring program as a component of

a project-specific Bird and Bat Conservation Strategy (BBCS). The Draft BBCS and monitoring program should be analyzed as part of the Draft DEIS/DEIR.

- Bird carcasses should be collected to facilitate the monitoring efforts; to avoid attracting scavengers, such as common ravens (which prey on desert tortoise), and to reduce the potential for human health issues. A Special Purpose Utility Permit would be required from USFWS for this collection of bird carcasses.

- Due to the project's adjacency to the proposed Blythe Mesa project, an opportunity exists to generate important information regarding the effects of different technologies on various bird species and mortality rates. It is recommended that the BLM and County of Riverside consider requiring the proposed project to evaluate some potential design considerations. It is recommended that the BLM, County of Riverside, and the applicant discuss the applicant designing a framework under which various technologies can be used for adaptive management purposes.

- To reduce the potential for electrocution of birds, it is recommended the BLM and County of Riverside require the applicant to design and construct any aboveground electrical lines to reduce likelihood of electrocution of large birds, such as raptors.

- It is recommended that the BLM and County of Riverside include a requirement that each respective permit for the proposed project to mitigate for the project's effects on habitat and populations of migratory birds. Appropriate mitigation should be developed and implemented.

- BLM received a comment expressing concern about migratory birds, both rare and common. Because large-scale PV projects pose a significant hazard to migratory birds and especially water birds, the DEIS/DEIR needs to discuss these potential impacts and propose alternatives to avoid and minimize impacts, as well as identify and release as part of the DEIS/DEIR, a robust monitoring scheme to collect data.

<u>Desert Kit Fox and Badgers</u>

- The DEIS/DEIR must estimate the number of desert kit fox or badgers on the project site, and analyze impacts to them from the proposed project. The comment provided multiple recommended measures that should be included in the American Badger and Desert Kit Fox Monitoring and Management Plan.

<u>Mojave Fringe-Toed Lizard</u>

- The Mojave Fringe-toed Lizard is specifically adapted to blowsand habitats, such as sand sheets/fields, which characterize portions of the project site, and across which sands are transported to larger accumulations, such as sand dunes and sand hummocks that accumulate around shrubs and other obstructions.

- The DEIS/DEIR should include a thorough analysis that quantifies the direct loss of lizard habitat and the indirect effects on-site and off-site to lizard habitat. An analysis of avoidance and minimization measures to reduce direct effects to the lizard, should be included in the document.

- Indirect effects to lizard would be caused by disruption of eolian sand transport processes to blowsand habitat downwind of the project site. To minimize direct and indirect impacts to lizard and downwind habitats, it is recommended that the project be reconfigured to avoid areas of active and stabilized sand in the northern portion of the proposed project site. If the project is not reconfigured to avoid impacts to the sand transport process, it is recommended that the BLM and the County of Riverside require habitat onsite and downwind of the project be quantified and mitigated by the acquisition of suitable habitat within the Chuckwalla Valley sand transport corridor. Direct and indirect habitat losses should be mitigated at 3:1 loss to replacement ratio.

- The DEIS/DEIR needs to include a comprehensive analysis of the sand transport corridor and a thorough impact analysis from the proposed project.

- The DEIS/DEIR alternatives should all prioritize avoidance and conservation of the sand transport corridor and sand dune areas.

- The DEIS/DEIR needs to require avoidance of all habitat areas and stronger minimization measures to prevent any additional mortalities to the lizard from the proposed project.

Aquatic Insects

- Solar panels can act as ecological traps to organisms that use polarized light as behavioral cue. The design of solar panels and collectors and their placement relative to aquatic habitats will likely affect populations of aquatic insects directly. Decreases in the number of insects may indirectly affect other species because they provide food for fish, birds, and other species.

- To minimize the effect on aquatic insects, it is recommended that BLM and the County of Riverside require the project to use solar panels with reduced reflectivity and polarized light pollution or panels with white borders and grids of white strips that criss-cross the panels.

Other Rare Species

- The BLM must clearly address proposals for avoiding, minimizing and mitigating the impacts to all of the rare species that utilize the project site for all or part of their life cycle.

- Acquisition of lands that will be managed in perpetuity for conservation must be included as part of the strategy to avoid, minimize and mitigate impacts to these other rare species as well.

- For the rare plants, avoidance is preferable because of the general lack of success in transplanting rare plants. If transplantation is to be part of the mitigation strategy, a detailed final plan must be included in the DEIS/DEIR methodology for determination of appropriate conservation area where plants may be transplanted, when/how plant are to be transplanted and identification of success criteria for transplantation.

Locally Rare Species

- The DEIS/DEIR should evaluate the impact of the proposed project on locally rare species (not merely federal- and state-listed threatened and endangered species). All species found at the edge of their ranges or that occur in disjunct locations should be evaluated for impacts by the proposed project.

Non-Native Plants

- The DEIS/DEIR must identify and evaluate impacts to species and ecosystems from invasive exotics species. The projects effects contributing to potential wildland weed invasions must be evaluated in the DEIS/DEIR.

Wildlife Movement

- A thorough and independent evaluation of the project's impacts on wildlife movement is essential. The DEIS/DEIR must evaluate all direct, indirect, and cumulative impacts to wildlife movement corridors.

FIRE

- Because any industrial project increases the potential for human-caused fire to occur on the site, fire prevention including best management practices must be addressed and clearly identified in the DEIS/DEIR, not only on-site protection of resources, but also preventing fire from moving into adjacent lands.

WATER RESOURCES

- BLM received comments expressing concern about the potential detrimental effects from runoff washes, water from the Colorado River, and water from the McCoy riverbed on the proposed project. An additional comment was received regarding the use of local groundwater to support the construction and operation of the Project-is there another viable source of water.

- Include a discussion of the amount of water needed and where this water will be obtained
- Discuss the availability of groundwater within the basin, annual recharge rates and whether water rights have been over-allocated
- Include an analysis of different types of technology that can be used to minimize or recycle water including alternative methods of cleaning PV panels.
- Discuss whether it would be feasible to use other sources of water, including potable water, irrigation canal water or wastewater.
- Altering the drainage at such a large scale will impact groundwater, and cause flooding in unexpected places.
- Large solar and wind developers often underestimate the amount of water needed for these projects-several projects have asked for additional water.
- A comment was received expressing concern about the proposed project's potential direct and cumulative impacts on water supplies, specifically potential impacts on Colorado River and local groundwater supplies.
- A comment was received that if the proposed project would use groundwater from on-site wells, then there would be concern that the wells would draw water from a groundwater basin that is hydro-geologically connected to the Colorado River, within an area that is referred to as the "accounting surface." To the extent the proposed project uses Colorado River water, it must have a documented right to do so.
- The proposed project would be required to obtain water from the existing junior priority holder, the Metropolitan, which has the authority to sell water for power plant use. Metropolitan is willing to discuss the exchange of a portion of its water entitlement, subject to any required approvals by Metropolitan's Board of Directors, through an agreement with Metropolitan.
- The project appears to impact on-site drainages on the project site. The DEIS/DEIR must clarify the impacts to the jurisdictional Waters of the U.S. and Waters of the State of California, and surface hydrology across the site. The project must avoid, minimize, and mitigate any impacts to surface water and surface hydrology.
- An evaluation of the effect of water use by the proposed project during construction and operations needs to be detailed and include alternatives and its impact the Colorado River Basin. Any groundwater pumping proposed for the project, must be analyzed in terms of groundwater resources and its effect on native plant and animal species and their habitats need to be included in the DEIS/DEIR.

3.5 Indirect and Cumulative Impacts

Commenters expressed concerned about the potential cumulative impacts of multiple large-scale renewable energy projects in the western Mojave desert/Tehachapi area on various resources. Cumulative projects and effects that should be considered include:

- Blythe, Genesis, and McCoy Southern projects, and the cumulative cultural effects on the McCoy Valley, the main valley "where the spirits descend."
- The Salton Sea, Diamond Lake in Perris, and Lake Mead, and the cumulative effects of water use, storage, and draught in the area.
- The Blythe Project, its removal of orchards, and the potential cumulative loss of local employment.
- Construction of a recent highway in the Palo Verde Valley area, and the cumulative effects on the mountains Kokopilli and Cicmitl, considered to be the Twin Group of the Creator.
- Additional comments regarding cumulative impacts assessments include the recommendation of focusing on resources of concern or resources that are "at risk" and/or are significantly impacted by the proposed project, before mitigation. The BLM should conduct assessment of the cumulative impacts to air quality, aquatic and biological resources including impacts to desert washes and desert tortoise. The DEIS should consider the cumulative impacts associated with multiple renewable energy and other development projects, and the DEIS should also describe the methodology used to assess cumulative project impacts.
- The BLM must take a hard look at cumulative impacts to cultural resources.
- The BLM and County should also assess the potential cumulative impacts of the use of scarce Colorado River and local groundwater basin resources in light of other pending renewable energy projects within the Colorado River Basin and the local groundwater basins. The DEIS/DEIR should address the proposed project's water supply and any potential direct or cumulative impacts from this use.
- Given the extent of renewable energy projects in the project vicinity, it is recommended the BLM, State, and local agencies conduct a thorough analysis identifying all cumulative, direct, and indirect effects that are expected from the proposed projects and associated infrastructure.
- There is a particular concern with impacts to Mojave Desert tortoise habitat connectivity and potential loss of gene flow within and among designated critical habitat units across the species' range. Consequently, the DEIS/DEIR should examine potential impacts to the population connectivity requirements of desert tortoise and other plant and wildlife species

throughout the project area and alternative project sites to avoid any significant adverse effects.

- The following specific measures were recommended relative to potential cumulative impacts to biological resources.
    - The project should include a range of alternatives to the project as currently proposed, including alternative sites for project outside the Lower Colorado River Valley; a reduced-footprint alternative; alternative technologies and project configurations that would reduce adverse effects to avian and wildlife species.
    - Eliminate any water features such as evaporation ponds.
    - Consider undergrounding on-site distribution lines.
    - Consider undergrounding or using monopoles for any above-ground distribution lines and gen-tie lines.
    - For any above-ground distribution and gen-tie lines, deploy visual deterrents designed to minimize avian collisions.
    - Use tracking devices so that panels may be offset to break-up any illusion of a large water body.
    - Implement deterrent testing program in the interest of adaptive management.
    - Build perimeter fence with a gap in the bottom to evaluate wildlife use of the site after construction.
    - Mark fences to determine if this reduces avian collisions with newly constructed fences.
    - Avoid use of lattice-type structures or placing external ladders and platforms on any infrastructure to minimize perching and nesting.
    - Avoid use of meteorological towers that require use of guy wires.
    - Avoid using lighting to extent possible; where lighting is necessary, facility lighting should be focused downward to reduce sky illumination.
    - Minimize permanent disturbance area by minimizing creation of roads, avoidance of excessive clearing of vegetation, and grading wherever possible.
    - A Nesting Bird Plan should be developed that articulates methods and timing for clearing of vegetation and conserving active nests; any variances from the plan should be approved by the agencies.
    - Surveys for golden eagle nests should be conducted during each year during construction activities within the nesting season.
    - Clearance surveys for burrowing owls should be completed in each construction unit; buffer areas should be determined in consultation with the wildlife agencies.
    - Mandatory site training for all construction personnel regarding avoidance of bird nests and bat colonies and other biological resources should be conducted.

- The EIS must evaluate all direct, indirect, and cumulative impacts to sensitive habitats, including impacts associated with the establishment of unpermitted recreational activities, the introduction of non-native plants, the introduction of lighting, noise, and the loss and disruption of essential habitat due to edge effects.

- A thorough analysis of the cumulative impacts from all of the permitted and proposed solar projects, within the region, and the CDCA, needs to be included in the EIS/EIR. Emphasis on cumulative impacts on migratory birds in this key thread of the Pacific flyway needs to be included.

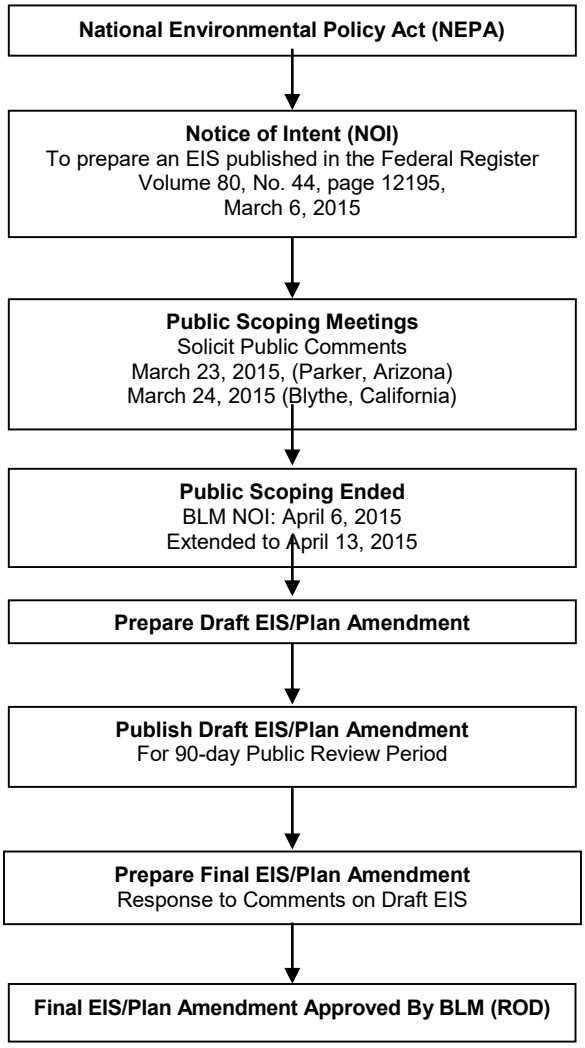
3.6 Written Comments Received During Public Scoping Period Regarding the CEQA Process

- A comment was received for Riverside County regarding the Blythe Airport, that it could ultimately be surrounded by solar projects with consequent impacts on flight safety due to glint/glare and proliferation of aboveground electrical transmission lines. The commenter reserves the right to issue additional comments as the project moves forward, in order to ensure that all potentially significant impacts upon the safety of air safety are mitigated.

4.0 SUMMARY OF FUTURE STEPS IN THE PLANNING PROCESS

The project would be located on land classified as a SEZ within the CDCA Plan. The project may require a Land Use Plan Amendment to the CDCA Plan which would occur concurrently with the NEPA process. The EIS process requires a team of interdisciplinary resource specialists to complete each step. An important part of the environmental planning process is engaging the public and relevant agencies from the earliest stages of and throughout the planning process to address issues, comments, and concerns. The steps of the NEPA planning process and decisions to be made are described as follows. Figure 1 provides a summary of the EIS (NEPA) process.

Figure 4 - NEPA Process Flowchart



Identification of Issues

Issues associated with the project were identified through the scoping period, which initiated the planning process. The scoping process and the issues identified through the scoping process are documented in this scoping report.

Data Information and Collection

Much of the necessary resource data and information will be compiled from existing studies prepared for the project or through other local agencies. Additional data and information will be obtained from available sources to update and/or supplement existing data.

Preparing Draft EIS

Based on collected data, including public comments, a description of the project and alternatives (including no action) will be developed. Only alternatives that meet NEPA screening criteria will be considered in detail. Impacts that could result from implementing the project and alternatives will be analyzed and measures to mitigate those impacts will be identified where appropriate.

Draft EIS and Public Comment Period

The next official public comment period will begin upon publication of the Draft EIS, which is anticipated to be in late 2015. This document will evaluate a range of project alternatives including a "No Action" alternative and a "Preferred" alternative and will generally include the following:

1) Executive summary
2) Introduction/overview (including purpose and need for the project)
3) Description of project and alternatives
4) Environmental analysis (including impacts and mitigation measures to minimize impacts)
5) Comparison of alternatives
6) Other NEPA considerations

Upon completion of the Draft EIS, BLM will publish a Notice of Availability in the Federal Register and a 90-day public comment period will follow. Copies of the Draft EIS will be distributed to elected officials, regulatory agencies, and interested members of the public. The document will also be available online at the BLM project website:

http://www.blm.gov/ca/st/en/fo/palmsprings/Desert_Quartzite.html

During this time, public comment on the Draft EIS will be received.

Response to Comments, Preparation of Final EIS, Notice of Determination, and Record of Decision

After the public comment period, the BLM will respond to comments and prepare a Final EIS. The availability of the Final EIS will be announced in the Federal Register, and a 30-day public protest period will follow. Copies of the Final EIS will be distributed to elected officials, regulatory agencies, and interested members of the public. The document will also be available online at the BLM website, as described previously.

For NEPA, following a 30-day Protest Period and concurrent 60-day Governor's Review, the BLM will resolve valid protests and prepare the Record of Decision. The Notice of Availability for the Record of Decision will be announced in the Federal Register.

5.0 REFERENCES CITED

40 CFR 1501.1–1501.8. NEPA and Agency Planning.

Federal Register, Volume 80, No. 44, page 12195, March 6, 2015.

APPENDIX A

NOTICE OF INTENT
(FEDERAL REGISTER MARCH 6, 2015)

• maintenance of access for various types of recreational, scientific and other uses;
• access to private lands;
• trespass;
• regional connectivity;
• improving GIS and on-the-ground information for the public; and
• other implementation strategies such as signing, monitoring and law enforcement.

In addition, a substantial number of comments indicated issues and needs associated with specific routes and route areas in the WEMO transportation system, and included recommendations on the designation of specific routes. A few comments were also received on grazing issues and the scope of the supplemental grazing program analysis.

In response to court concerns and on-the-ground changes since 2006, NEPA considerations focused on cumulative effects of the transportation system alternatives to resource values, particularly air quality, soils, cultural resources, certain biological resources, and certain sensitive species, cumulative effects of grazing, and potential cumulative loss of recreational access opportunities. In response to public input, access considerations focused on maintaining a viable transportation network, diverse recreational opportunities, providing access for specific users, (including rock-hounders, motorcyclists, scientific and educational activities, and non-motorized users), dealing with conflicts between users, and maintaining commercial access needs.

Plan amendments would address specific CDCA Plan inconsistencies with regulation and BLM policies in the WEMO Planning Area; including amending language that limits the route network to routes that existed in 1980 and travel management guidance for route designations. Changes are proposed to the existing land-use plan to address stopping, parking, and camping adjacent to routes in Limited Access Areas within the WEMO Planning Area, and to establish a regional minimization strategy for the travel route network. Changes are also proposed to the grazing program that would reallocate forage from livestock use to wildlife use and ecosystem function in desert tortoise habitat for inactive allotments or allotments that become vacant. In addition, the Draft considers plan level decisions modifying motorized use on four specific lakebeds, including Cuddeback Lake and competitive motorized use of routes. The Draft also considers various travel management implementation frameworks. Four alternatives are evaluated, including a No Action alternative.

Finally, the Draft includes activity-level specific route designation alternatives, based on the 43CFR 8342.1 criteria and different thresholds for minimization or closure. The preferred alternative would designate approximately 10,300 miles of routes within the WEMO Planning Area as available for motorized use, approximately130 miles of routes would be available for either non-motorized or non-mechanized use, and approximately 4,400 miles of routes would be closed.

The preferred alternative also includes a regional mitigation strategy that would limit the extent of off-route stopping and parking throughout the planning area to minimize impacts to undisturbed habitat, enhance watersheds, and protect adjacent sensitive resources. Other measures are based on proximity to sensitive resources, such as riparian systems, that would enhance these resources throughout the planning area.

The preferred alternative provides for a limited number of designated camping and staging areas to direct intensive use to manageable locations. Finally, the preferred alternative proposes an integrated, community-based implementation strategy that addresses outreach, compliance and enforcement strategy in which partnerships with adjacent communities, users, local Friends and other interest groups, national and State recreational and conservation coalitions, and other interested citizens are a central component.

Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request to withhold your personal identifying information from public review, BLM cannot guarantee that we will be able to do so.

Authority: 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2.

Thomas Pogacnik,

Deputy State Director, Natural Resources.

[FR Doc. 2015–05127 Filed 3–5–15; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CACA 049397, LLCAD06000. L51010000.ER0000.LVRWB09B2920.15X]

Notice of Intent To Prepare an Environmental Impact Statement for the Desert Quartzite Solar Project and a Possible Amendment to the California Desert Conservation Area Plan, Riverside County, California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Palm Springs/South Coast Field Office, Palm Springs, California, together with Riverside County, California, intend to prepare a joint Environmental Impact Statement (EIS) and Environmental Impact Report (EIR), which may include an amendment to the California Desert Conservation Area (CDCA) Plan, for the Desert Quartzite Solar Project (Project). By this notice, the BLM is announcing the beginning of the scoping process to solicit public comments and identify issues related to the EIS/EIR and Plan Amendment (PA).

DATES: This notice initiates the public scoping process for the EIS/EIR and PA. Comments on issues may be submitted in writing until April 6, 2015. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local news media, newspapers and the BLM Web site at: *http://www.blm.gov/ca/st/en/fo/cdd.html.* In order to be included in the analysis, all comments must be received prior to the close of the 30-day scoping period or 15 days after the last public meeting, whichever is later. We will provide additional opportunities for public participation as appropriate.

ADDRESSES: You may submit comments on issues and planning criteria related to the Project by any of the following methods:

• email: *blm_ca_desert_quartzite_solar_project@blm.gov.*
• fax: (951) 697–5299.

• mail: ATTN: Cedric C. Perry, Project Manager, BLM California Desert District Office, 22835 Calle San Juan de Los Lagos, Moreno Valley, California 92553–9046

Documents pertinent to this project may be examined at the BLM California Desert District Office at the above address Monday through Friday 8:30 a.m. to 4:30 p.m.

FOR FURTHER INFORMATION CONTACT: Cedric C. Perry; telephone—(951) 697–5388; address—BLM California Desert District Office, 22835 Calle San Juan de Los Lagos, Moreno Valley, CA 92553–9046; Email—*blm_ca_desert_quartzite_solar_project@blm.gov.*

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–(800)–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The applicant, Desert Quartzite Solar, LLC has requested a right-of-way (ROW) authorization to construct, operate, maintain and decommission a 300 MW alternating current (AC) solar photovoltaic energy-generating facility along with the necessary ancillary facilities including a project substation, access road, transmission lines, realignment of an existing route, operations and maintenance buildings, and lay down areas. The project is proposed on 4,845 acres of public land with the solar field occupying approximately 2,453 acres on lands within the Riverside East Solar Energy Zone (SEZ), southwest of Blythe, California.

This document provides notice that the BLM Palm Springs/South Coast Field Office and the County of Riverside California intend to jointly prepare an EIS/EIR, which may include a potential CDCA Plan Amendment, for the Project. It also announces the beginning of the scoping process for this effort and seeks public input on environmental issues and potential planning criteria relevant to the Project and any potential plan amendments. The purpose of the public scoping process is to guide the planning process and determine the relevant issues that will influence the scope of the environmental analysis, including alternatives and mitigation measures.

Preliminary issues for the environmental analysis and potential plan amendment have been identified by BLM; Federal, State, and local agencies; and, other stakeholders. These issues include: Air quality and greenhouse gas emissions; biological resources, including special status species; cultural resources; geology and soils; hazards and hazardous materials; hydrology and water quality; land use; lands with wilderness characteristics; noise; recreation; traffic; visual resources; cumulative effects; areas with high potential for renewable energy development; and, identification of opportunities to apply mitigation hierarchy strategies for on-site, regional, and compensatory mitigation, and, appropriate to the size of the project, landscape-level conservation and management actions to achieve resource objectives.

You may submit comments on issues and planning criteria in writing to the BLM at any public scoping meeting, or by using one of the methods listed in the **ADDRESSES** section above. To be most helpful, you should submit comments by the close of the 30-day scoping period or within 15 days after the last public meeting, whichever is later.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. The minutes and list of attendees for each scoping meeting will be available to the public and open for 30 days after the meeting to any participant who wishes to clarify the views he or she expressed.

The BLM withdrew public lands, including those where the proposed Project is located, in the State of California on July 5, 2013, under Public Land Order 7818 for a period of 20 years for future solar energy development, subject to valid existing rights, from location and entry under the United States mining laws. The lands are open to mineral and geothermal leasing, and mineral material sales.

The BLM will utilize and coordinate the NEPA scoping process to help fulfill the public involvement process under the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources. The BLM will also consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the proposed action that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

With respect to the potential land use plan amendment, the BLM will evaluate identified issues to be addressed in any potential plan amendment, and will place those issues into one of three categories:

1. Issues to be resolved in the plan amendment;

2. Issues to be resolved through policy or administrative action; or

3. Issues beyond the scope of this plan amendment.

The BLM will provide an explanation in the Draft EIS and PA as to why an issue was placed in category two or three. The public is also encouraged to help identify any management questions and concerns that should be addressed in the plan. The BLM will work collaboratively with interested parties to identify the management decisions that are best suited to local, regional, and national needs and concerns.

The BLM will use an interdisciplinary approach to develop the potential plan amendment in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in the planning process: Rangeland management, minerals and geology, outdoor recreation, archaeology, paleontology, wildlife, lands and realty, hydrology, soils, sociology and economics.

Authority: 40 CFR 1501.7 and 43 CFR 1610.2.

Thomas Pogacnik,

Deputy State Director, Natural Resources.

[FR Doc. 2015–05290 Filed 3–5–15; 8:45 am]

BILLING CODE 4310–40–P

APPENDIX B

PUBLIC NOTICES

B-1 – PUBLIC NOTICE (PARKER PIONEER MARCH 18, 2015)
B-2 – PUBLIC NOTICE (DESERT SUN MARCH 18, 2015)
B-3 – PUBLIC NOTICE (PALO VERDE TIMES MARCH 18, 2015)

APPENDIX B-1

PUBLIC NOTICE (PARKER PIONEER MARCH 18, 2015)

Chrismer golf tournament in March

The Poston Rotary Club will be hosting its 25th annual Bill Chrismer Memorial Golf Tournament March 27 and 28, 2015 at the Emerald Canyon Golf Course.

This tournament is usually held the first weekend of April. That was changed for this year as Easter Sunday is that weekend.

This is a four-person scramble and golfers may enter as a pair or as singles and a team will be formed based on handicaps.

Entry forms will be available at the Golf Course, the Parker Area Chamber of Commerce, Wilbur-Ellis Company in Ehrenberg, Crop Production Services in Poston, and at the Parker Elks Lodge (BPOE 1929) at Eighth Street and Laguna Avenue. They can also be requested by phone at (928) 669-0556 or by email at sharongriffin88@yahoo.com

The requested donation to enter is $80.00 and includes cart, refreshments and lunch as well as prizes for longest drive and closest to the pin. As usual, there will be a Calcutta at the Elks lodge at 6 p.m. on Friday before the tournament.

Funds raised through this tournament will support scholarships for deserving Parker students enrolling in college. Your support is very much appreciated. The Emerald Canyon Golf Course is located seven miles north of Parker on Riverside Drive.

Meeting on solar project slated

STAFF REPORTS

Desert Quartzite Solar Project EIS public scoping meeting will be held Monday, March 23, at the Parker Community-Senior Center, 1115 12th Street, Parker, from

6:30 to 8:30 p.m. The Bureau of Land Management published a Notice of Intent to prepare an Environmental Impact Statement, for the Desert Quartzite Solar Project March 6.

Desert Quartzite, LLC proposes to construct, operate, maintain and decommission an up to 300 megawatt alternating current solar photovoltaic energy-generation facility along with the necessary ancillary facilities including a project substation, access road, realignment of an existing route, operations and maintenance buildings and lay down areas, on BLM land.

The project is proposed on 4,843 acres with the solar field occupying approximately 2,453 acres. The proposed project would be located in Riverside County, California, approximately eight-miles southwest of the center of Blythe, 45 miles east of Desert Center and south of Interstate 10.

This public scoping meeting is being held to aid the public's understanding of the project and to solicit scoping comments, aimed at identifying environmental resource topics and issues that should be considered in the EIS.

For further information contact: Cedric Perry, BLM Project Manager; telephone 951-697-5388 and Email: blm_ca_desert_quartzite_solar_project@blm.gov

BRIEFS

SPRING MUSIC FEST ON SATURDAY

Spring Music Fest & Off-Road Expo, presented by Soroptimists International of Parker, will be held Saturday, March 21, at La Paz County Park, noon to 6 p.m. Two bands will be playing Catfish Junction, which features blues and rock; and Chuck E. Bumps and the Crocodiles, featuring rockabilly, classic rock, swing and R & B.

Parker Motor Co. Ford trucks and Parker Yamaha off-road vehicles will be featured at the Off-Road Expo.

Other activities include a swap meet, balloon "rides" (the balloon will be tethered) for $20. An exhibition of a "Jeep Stack" will be held at 2 p.m., by Parker 4 Wheelers. There will also be a beer/appetizer tasting.

Free admission and Bounce House for kids 10 and under. General admission is $5; including beer/appetizer tasting, admission is $10.

All proceeds benefit Soroptimists' community projects for women and children.

FISHING REPORT

Flagstaff

APPENDIX B-2

PUBLIC NOTICE (DESERT SUN MARCH 18, 2015)

Desert Quartzite Solar Project EIS

Public Scoping Meeting

Tuesday, March 24, 2015

Place: City of Blythe Multi-Purpose Room
Address: 235 North Broadway,
Blythe, CA 92225
Time: 6:30 PM to 8:30 PM

The Bureau of Land Management (BLM) published a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS), for the Desert Quartzite Solar Project (DQSP), on March 6, 2015.

Desert Quartzite, LLC proposes to construct, operate, maintain and decommission an up to 300 megawatt (MW) alternating current (AC) solar photovoltaic energy-generation facility along with the necessary ancillary facilities including a project substation, access road, realignment of an existing route, operations and maintenance buildings and lay down areas, on BLM land. The project is proposed on 4,843 acres with the solar field occupying approximately 2,453 acres. The proposed project would be located in Riverside County, California, approximately 8 miles southwest of the center of Blythe, 45 miles east of Desert Center, and south of Interstate 10.

This public scoping meeting is being held to aid the public's understanding of the project and to solicit scoping comments, aimed at identifying environmental resource topics and issues that should be considered in the EIS.

For further information contact:
Cedric Perry, BLM Project Manager;
Telephone: (951) 697-5388
Email:
blm_ca_desert_quartzite_solar_project@blm.gov
Website: http://www.blm.gov/ca/st/en/fo/cdd.html

DS-2000575864-01

☐ PROOF O.K. BY: _____ ☐ O.K. WITH CORRECTIONS BY: _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

ADVERTISER: TRC SOLUTIONS SALES PERSON: Charlene Moeller PUBLICATION: DS-DAILY SIZE: 3 col X 6.25 in	PROOF CREATED AT: 3/16/2015 2:22 PM PROOF DUE: - NEXT RUN DATE: 03/18/15	DS-2000575864-01.INDD

APPENDIX B-3

PUBLIC NOTICE (PALO VERDE TIMES MARCH 18, 2015)

Desert Quartzite Solar Project EIS

Public Scoping Meeting

Tuesday, March 24, 2015

Place: City of Blythe Multi-Purpose Room

Address: 235 North Broadway, Blythe, CA 92225

Time: 6:30 PM to 8:30 PM

The Bureau of Land Management (BLM) published a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS), for the Desert Quartzite Solar Project (DQSP), on March 6, 2015.

Desert Quartzite, LLC proposes to construct, operate, maintain and decommission an up to 300 megawatt (MW) alternating current (AC) solar photovoltaic energy-generation facility along with the necessary ancillary facilities including a project substation, access road, realignment of an existing route, operations and maintenance buildings and lay down areas, on BLM land. The project is proposed on 4,843 acres with the solar field occupying approximately 2,453 acres. The proposed project would be located in Riverside County, California, approximately 8 miles southwest of the center of Blythe, 45 miles east of Desert Center, and south of Interstate 10.

This public scoping meeting is being held to aid the public's understanding of the project and to solicit scoping comments, aimed at identifying environmental resource topics and issues that should be considered in the EIS.

For further information contact:

Cedric Perry, BLM Project Manager;
Telephone: (951) 697–5388
Email: blm_ca_desert_quartzite_solar_project@blm.gov
Website: http://www.blm.gov/ca/st/en/fo/cdd.html

Published: Palo Verde Valley Times / Quartzsite Times
March 18, 2015

APPENDIX C

SCOPING MEETING MATERIALS

C-1 – WRITTEN COMMENT FORM
C-2 – SPEAKER COMMENT CARD
C-3 – SCOPING MEETING PRESENTATION

APPENDIX C-1

WRITTEN COMMENT FORM

DESERT QUARTZITE SOLAR PROJECT
MARCH 23, 2015 - PUBLIC SCOPING MEETING
Parker Community Senior Center, 1115 12th Street, Parker, Arizona 85344
COMMENT CARD

Name:

Address:

Phone Number & Email Address:

Comments:

Comments may be handed in at the Public Scoping Meeting (March 23, 2015), or may be provided to BLM via email or fax at the following prior to the close of the public comment period on April 6, 2015:
Email: blm_ca_blm_ca_desert_quartzite_solar_project@blm.gov
Fax: (951) 697-5299

DESERT QUARTZITE SOLAR PROJECT
MARCH 24, 2015 - PUBLIC SCOPING MEETING
City of Blythe Multipurpose Room, 235 North Broadway, Blythe, CA 92225
COMMENT CARD

Name:

Address:

Phone Number & Email Address:

Comments:

Comments may be handed in at the Public Scoping Meeting (March 24, 2015), or may be provided to BLM via email or fax at the following prior to the close of the public comment period on April 6, 2015:
Email: blm_ca_blm_ca_desert_quartzite_solar_project@blm.gov
Fax: (951) 697-5299

APPENDIX C-2

SPEAKER COMMENT CARD

March 23, 2015

Desert Quartzite Solar Project

Bureau of Land Management

Parker Community Senior Center

1115 12th Street

Parker, Arizona 85344

Public Meeting

Speaker Registration Card

Please complete and return to staff

_____

Name (Print)

_____

Agency/Affiliation

_____

Address **City** **Zip Code**

_____ _____

Phone Number **Email**

March 23, 2015

Desert Quartzite Solar Project

Bureau of Land Management

Parker Community Senior Center

1115 12th Street

Parker, Arizona 85344

Public Meeting

Speaker Registration Card

Please complete and return to staff

_____

Name (Print)

_____

Agency/Affiliation

_____

Address City Zip Code

_____ _____

Phone Number Email

March 24, 2015

Desert Quartzite Solar Project

Bureau of Land Management

City of Blythe Multipurpose Room
235 North Broadway
Blythe, California 92225

Public Meeting

Speaker Registration Card

Please complete and return to staff

_____

Name (Print)

_____

Agency/Affiliation

_____

Address **City** **Zip Code**

_____ _____

Phone Number **Email**

March 24, 2015

Desert Quartzite Solar Project

Bureau of Land Management

City of Blythe Multipurpose Room
235 North Broadway
Blythe, California 92225

Public Meeting

Speaker Registration Card

Please complete and return to staff

_____

Name (Print)

_____

Agency/Affiliation

_____

Address City Zip Code

_____ _____

Phone Number Email

APPENDIX C-3

SCOPING MEETING PRESENTATION

Desert Quartzite Project
Scoping Meeting

First Solar, Inc.
Bureau of Land Management
March 2015

Meeting Format

- Opening – Cedric C. Perry – Project Manager
- Welcoming Remarks – John Kalish – Field Manager
- Meeting Organization & Introductions - Cedric Perry
- BLM Presentation – Cedric Perry & Lynnette Elser
- County of Riverside Presentation – Larry Ross
- First Solar Project Presentation – James F. Cook
- Process For Public Comments – Cedric Perry
- Public Comments – Members of the Public
- Public Open House
- Meeting Adjourns at 8:30 PM

Processing and Administration

- BLM:
  - Regulations: 43 CFR 2800
  - Right-of-Way Toolkit Information:
    - General ROW http://www.blm.gov/wo/st/en/prog/energy/cost_recovery_regulations.html
    - Solar ROW http://www.blm.gov/wo/st/en/prog/energy/solar_energy.html
    - NEPA http://www.blm.gov/ca/st/en/prog/planning/guidance.html

National Environmental Policy Act

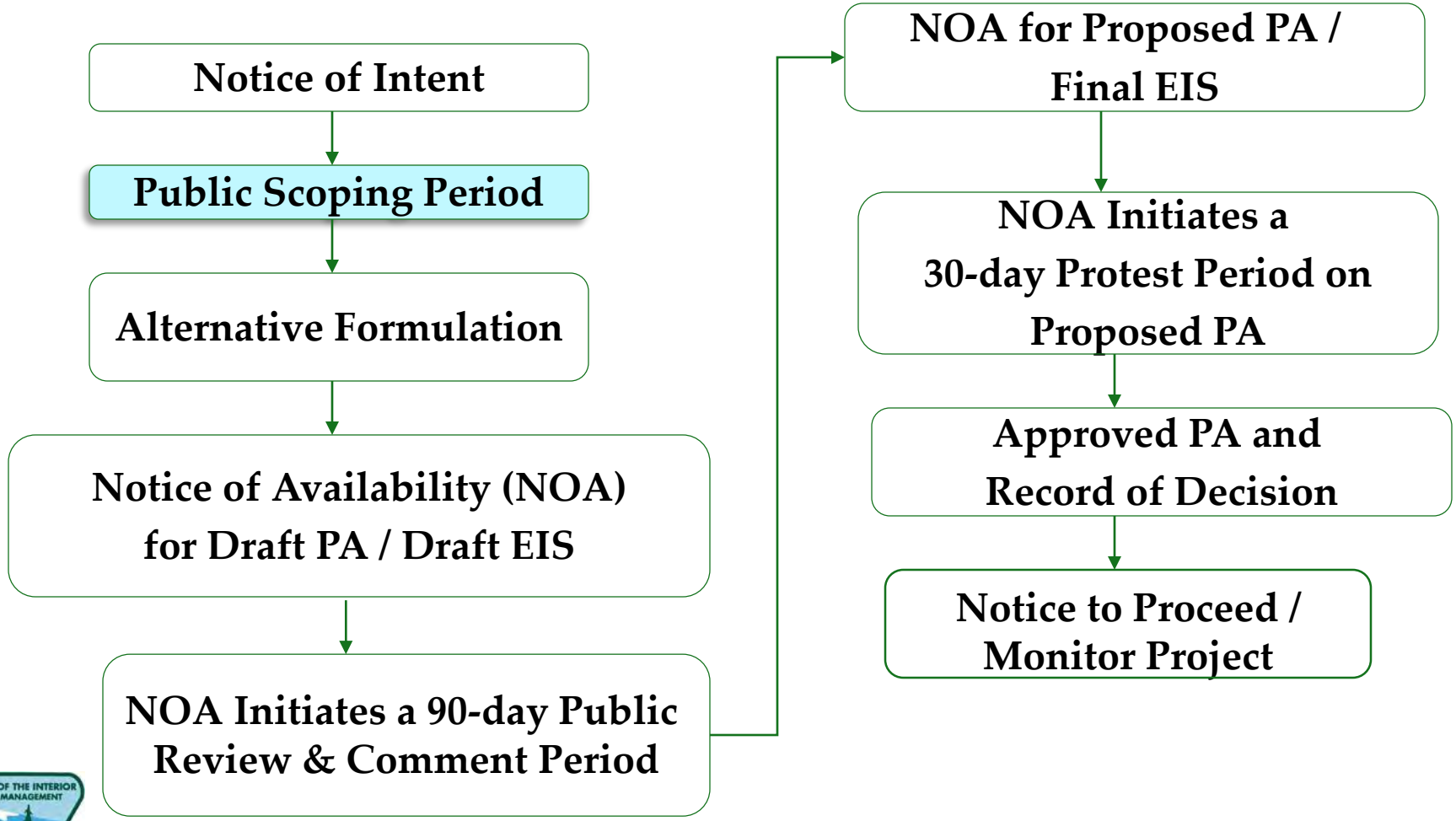
NEPA

- Purpose of this Meeting
- Required environmental analysis documents includes Environmental Impact Statement (EIS)

NEPA
Environmental Issue Areas

- Air Resources
- Vegetation
- Wildlife
- Cultural Resources
- Environmental Justice
- Geology and Soils Resources
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Lands and Realty
- Mineral Resources
- Recreation and Public Access
- Social and Economic Effects
- Special Designations and Wilderness
- Transportation and Traffic
- Utilities and Service Systems
- Visual Resources
- Water Resources
- Wildland Fire Ecology

BLM LUP Amendment / NEPA Process (PA / EIS)



Public Participation Opportunities

- Provide comments at this and other public meetings
- Provide written comments on the Draft EIS
- Become informed by viewing the Draft EIS and the BLM webpage at:
- http://www.blm.gov/ca/st/en/fo/desertquartzite_solar_project.html

BLM Contacts and Comment Website

- **Cedric Perry, Project Manager**
  - Phone: (951) 697–5388
  - e-mail: cperry@blm.gov

- **BLM Web Page:**
  http://www.blm.gov/ca/st/en/fo

- **Send comments to:**

  Desert Quartzite Solar Project– Public Comments
  c/o Cedric Perry, Project Manager
  Bureau of Land Management
  California Desert District Office
  22835 Calle San Juan de Los Lagos
  Moreno Valley, CA 9255

  Or email comments to:
  blm_ca_desert_quartzite_solar_project@blm.gov

Riverside County's Role

Larry Ross

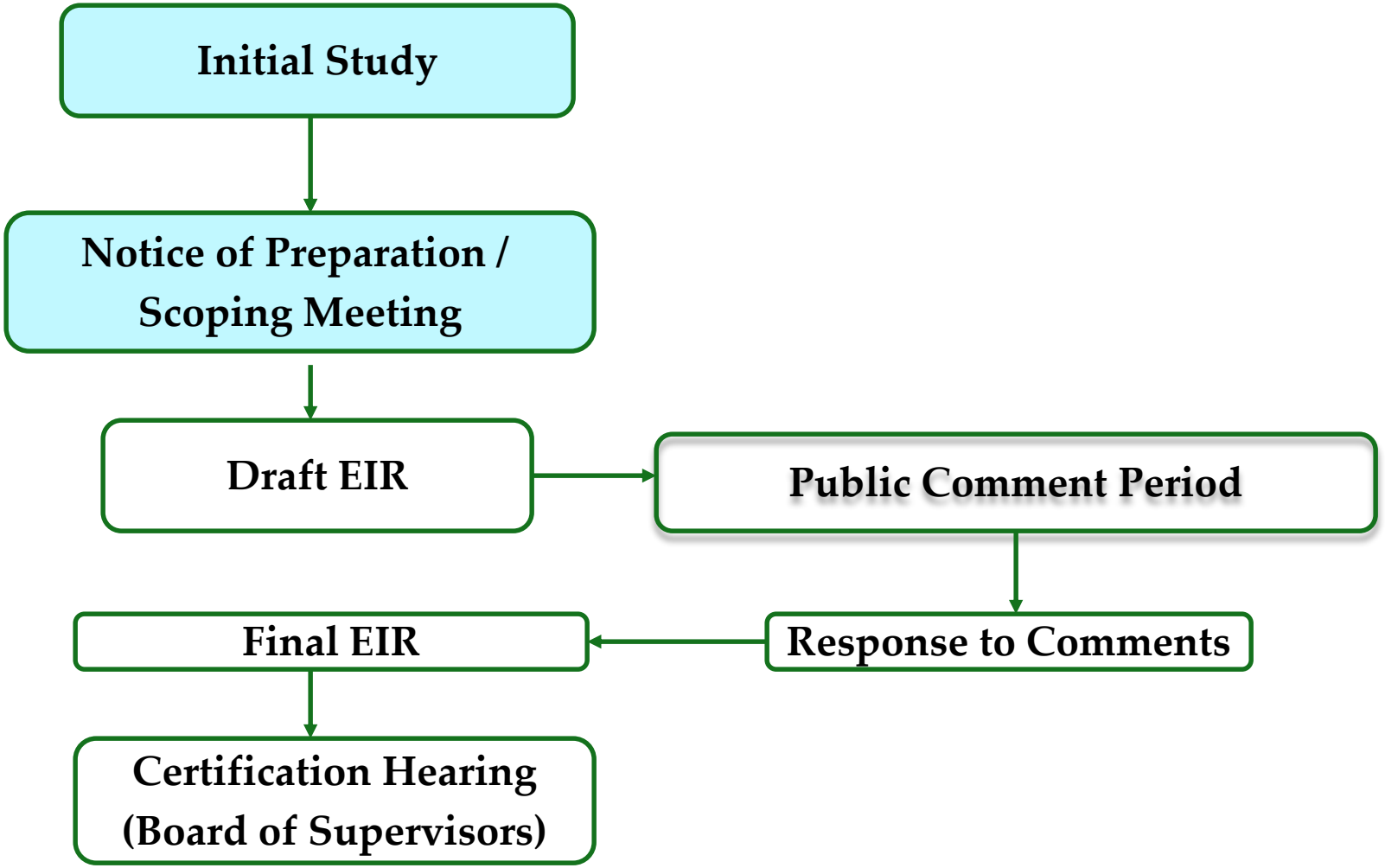
Principal Planner

Riverside County Planning Department

Riverside County's Role

- Approval of project elements on non-federal land
- Lead agency for the California Environmental Quality Act (CEQA)
  - Preparation of Environmental Impact Report

County Environmental Impact Report (EIR) Process



Public Participation Opportunities

- Submit written comments or statements
- Provide comments at public meetings
- Provide written comments on the Draft EIR/EIS and Final EIR/EIS

Scoping/NOP comment period for Riverside County ends on **Monday, April 13, 2015.**

Applicant's Presentation

James F. Cook

First Solar, Inc.

applicant for the
Desert Quartzite Solar Project

First Solar®

Desert Quartzite Solar Project
BLM Scoping Meetings- – Parker, AZ and Blythe, CA

March 23 & 24, 2015

First Solar at a Glance

Over 10GW installed worldwide and over 3GW contracted pipeline

Cost competitive with conventional energy sources today

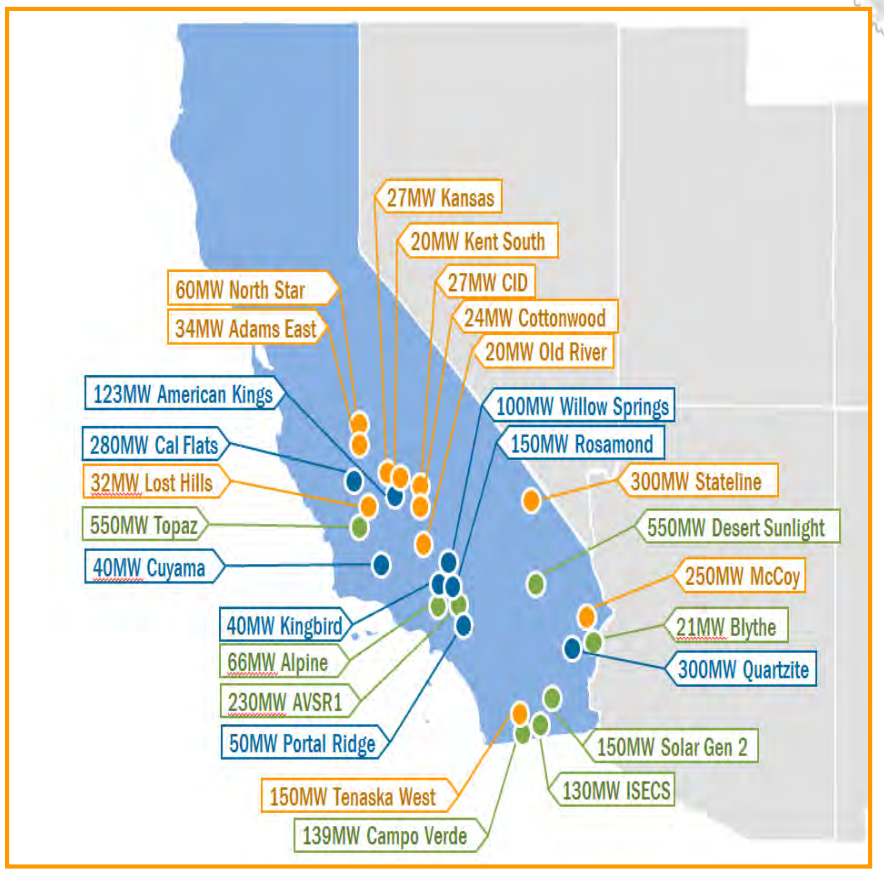
Partner of choice for leading utilities and global power buyers

Driving innovation across entire value chain and plant solution

Strongest financial stability & bankability in the industry

Founded in 1999 and publicly traded on Nasdaq (FSLR)

First Solar in California – Over 4,000 MW



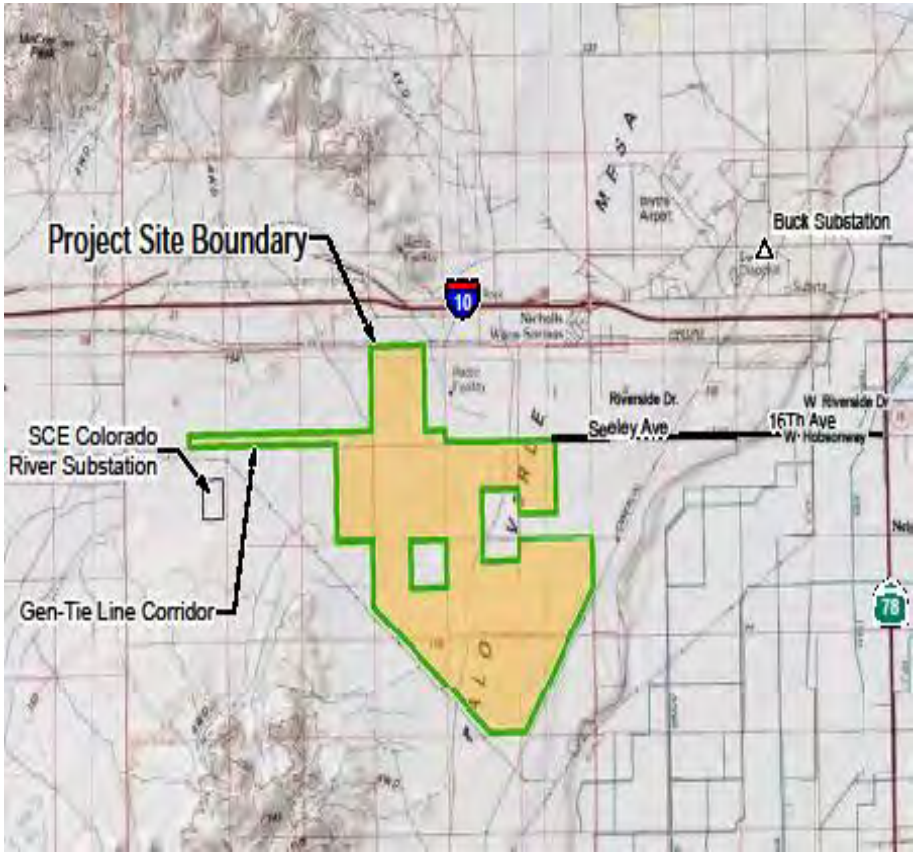
- In Operation
- Under Construction
- In Development

Desert Quartzite Solar Project Overview

- 300 MW proposed solar project located on BLM land west of Blythe, CA
- Project construction expected to begin in 2016
- Located in Solar Energy Zone (Riverside East SEZ)
- Quiet, low-lying, emission-free generation with no water required to generate electricity
- Creates about 600 jobs during construction, and up to 10 operations & maintenance jobs
- Committed to hiring qualified local workers for construction and operations jobs

Site Selection Criteria

- Superior solar resource
- Adjacent to existing high voltage transmission lines on all three sides and substation
- Large area with flat topography
- Use existing roads to access site
- Studies indicate low desert tortoise population
- Site surrounded on all sides by and adjacent to existing development (Blythe 21MW power plant, roads, gas pipelines and transmission infrastructure)



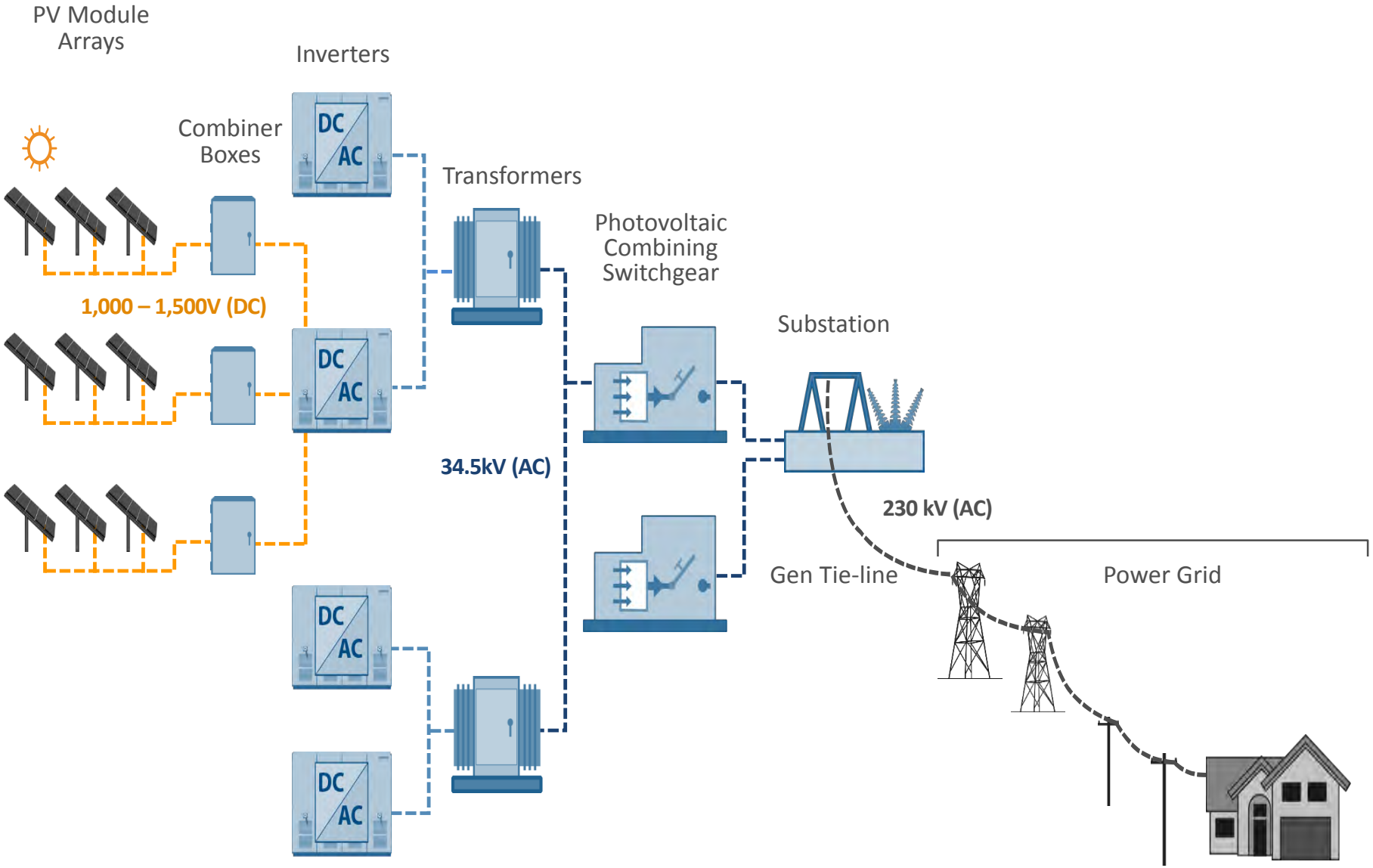
Project Characteristics

- Approximately 4.800 acres of BLM land and 160 acres private land being studied
- Project expected to be built in two phases
- First 150MWAC phase expected to start in 2016
- Single axis tracker or fixed-tilt technology
- 230kV Gen-tie
- Advanced CAISO interconnection position

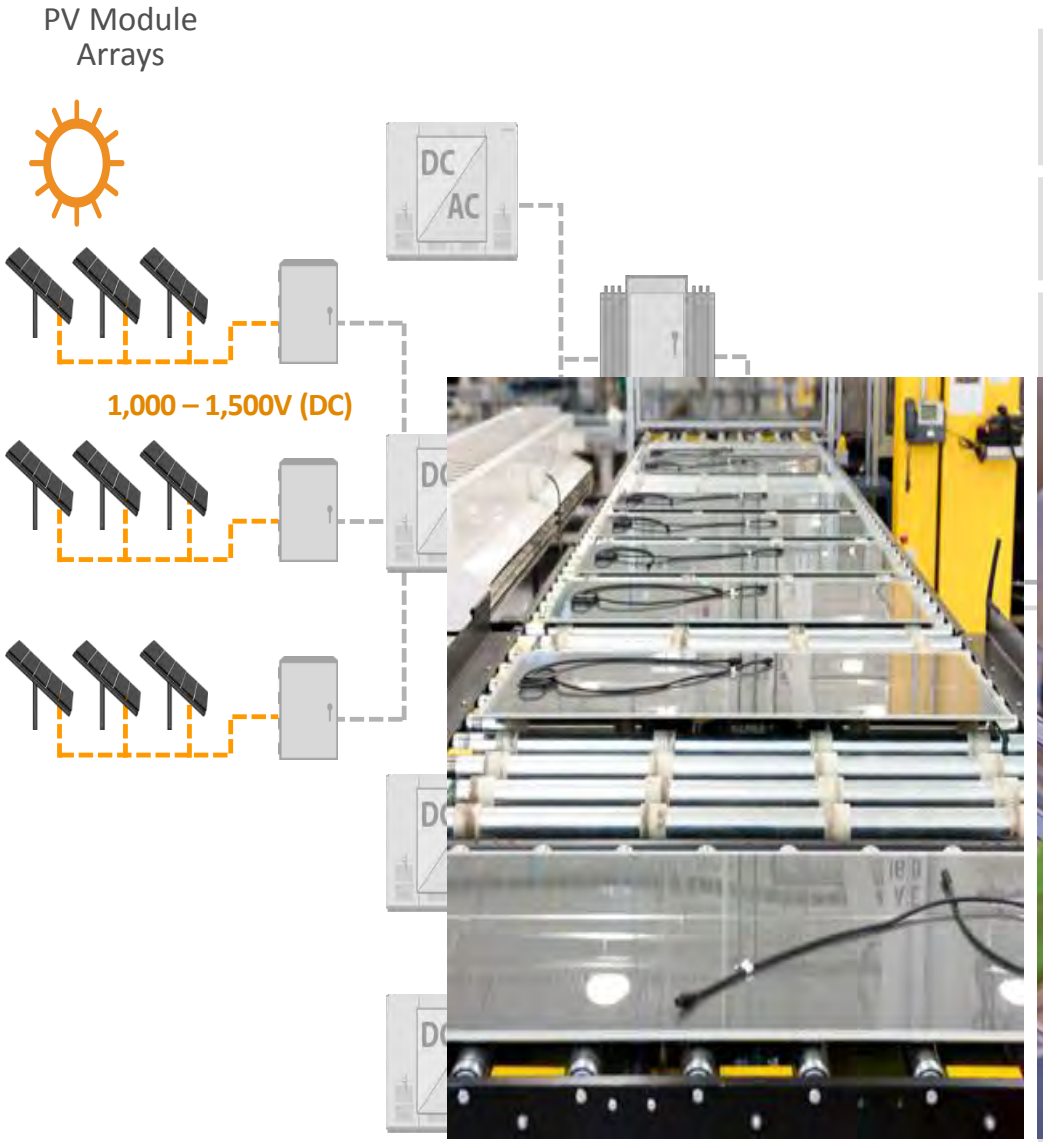
First Solar Single Axis Trackers

First Solar Fixed-Tilt

Power Plant Overview

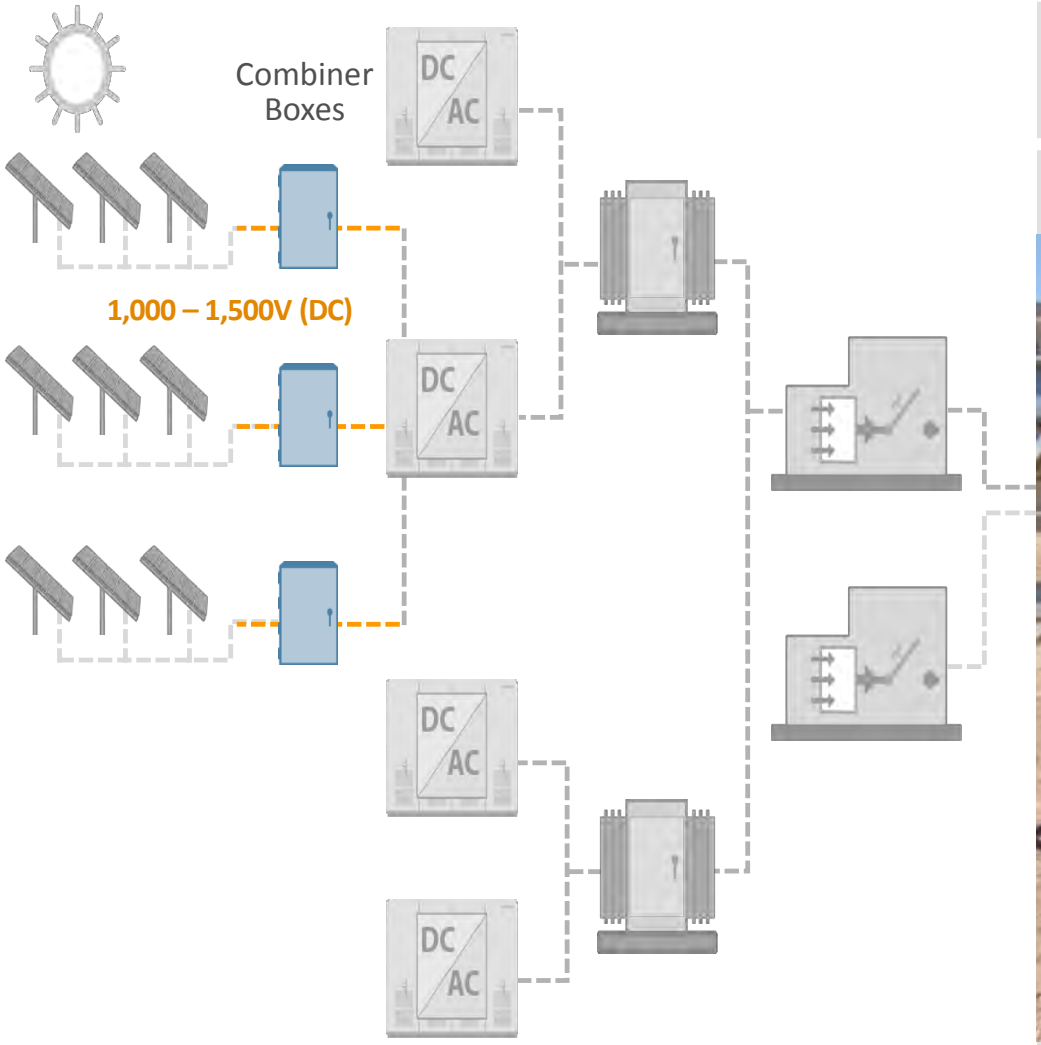


PV Module



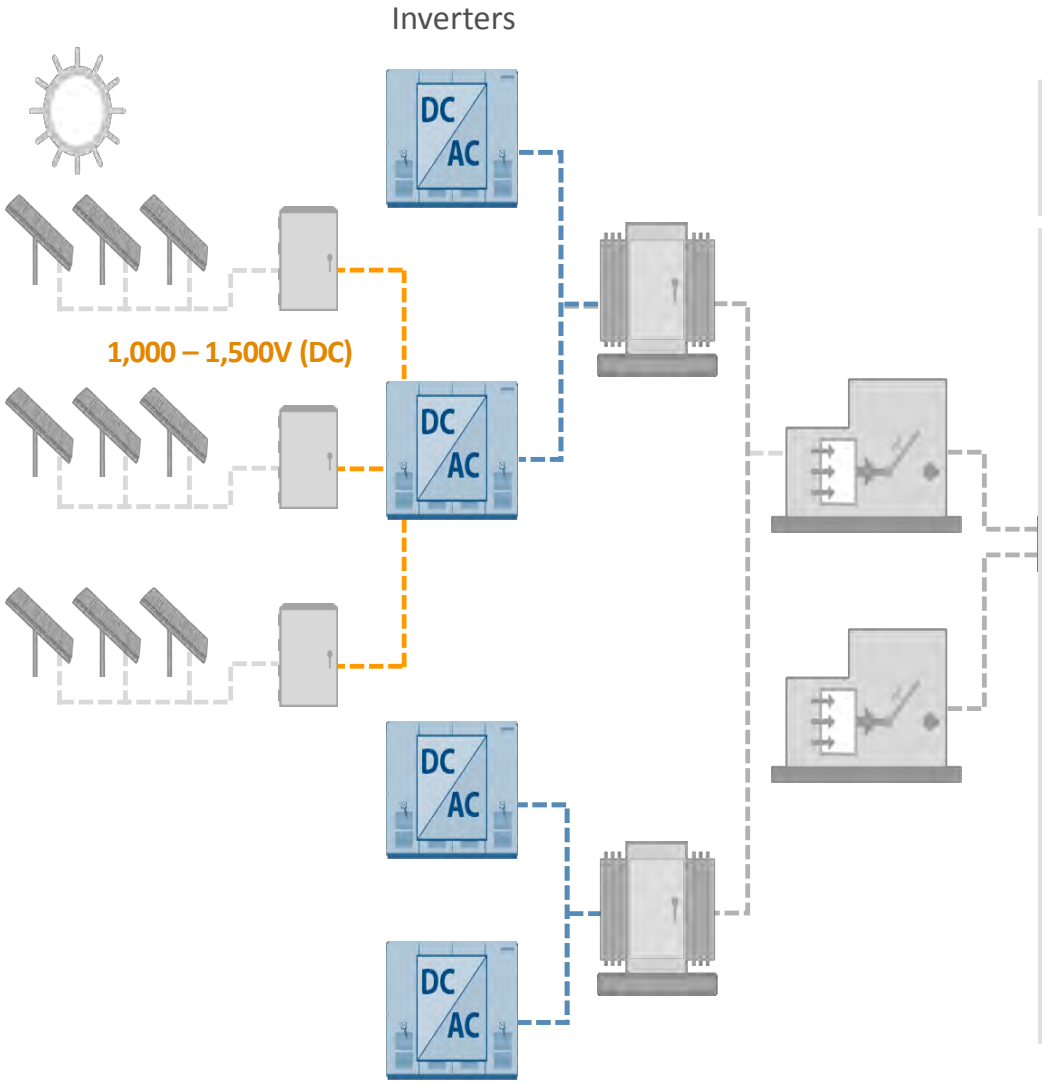
- Converts sunlight into electricity (DC power)
- Manufactured by First Solar
- Installed on string in series

Combiner Box



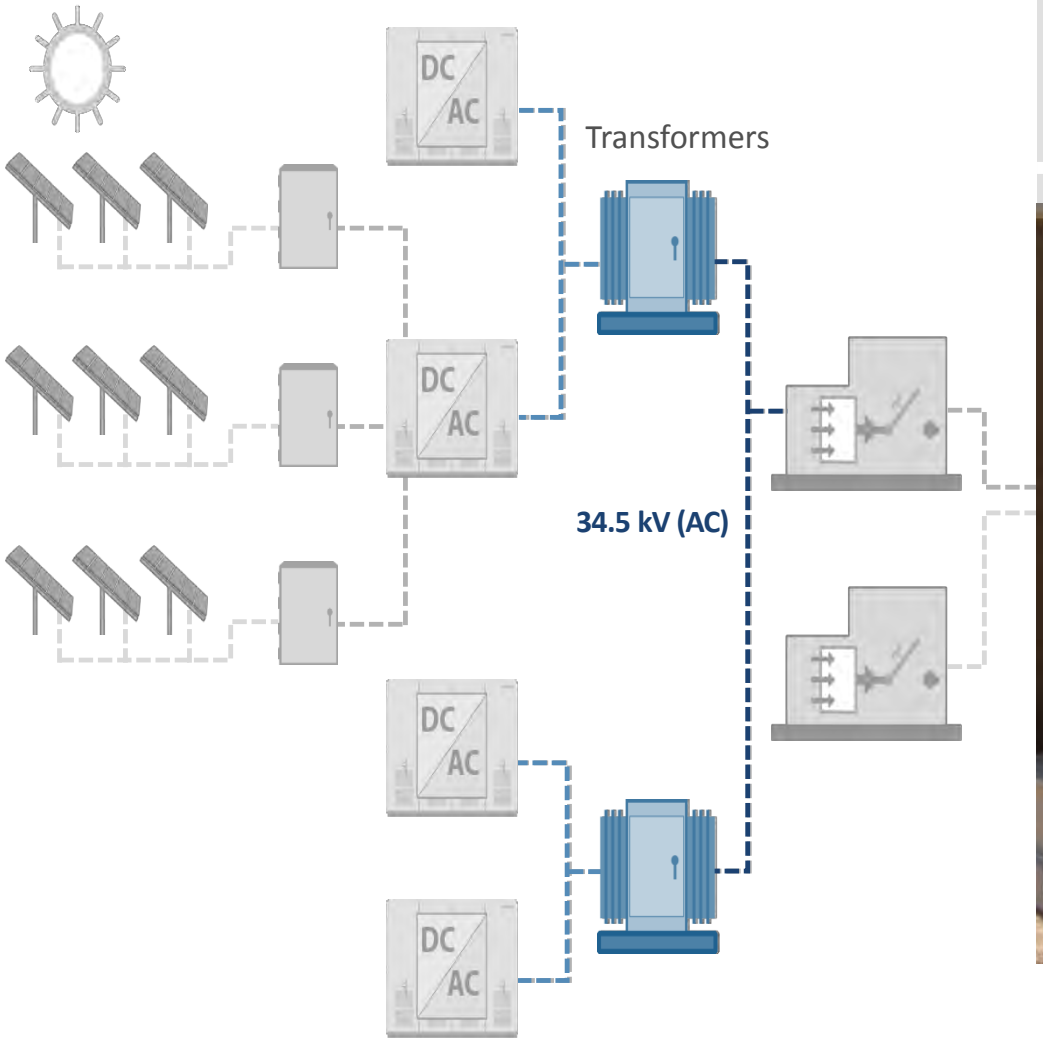
- Aggregates DC wiring from multiple strings
- Provides single output to

Inverter



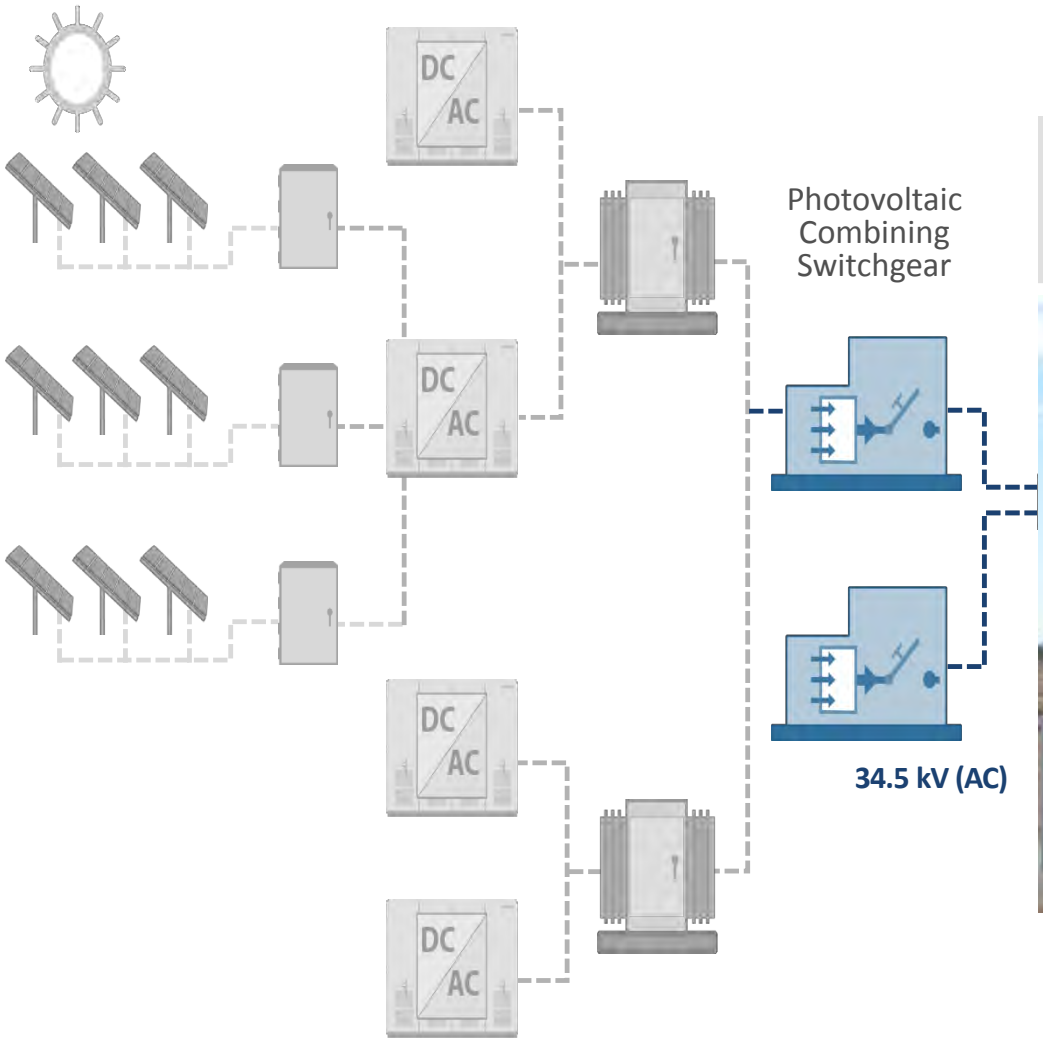
- Converts DC power to AC (low voltage)

Transformer



- Increases low AC voltage to medium AC voltage

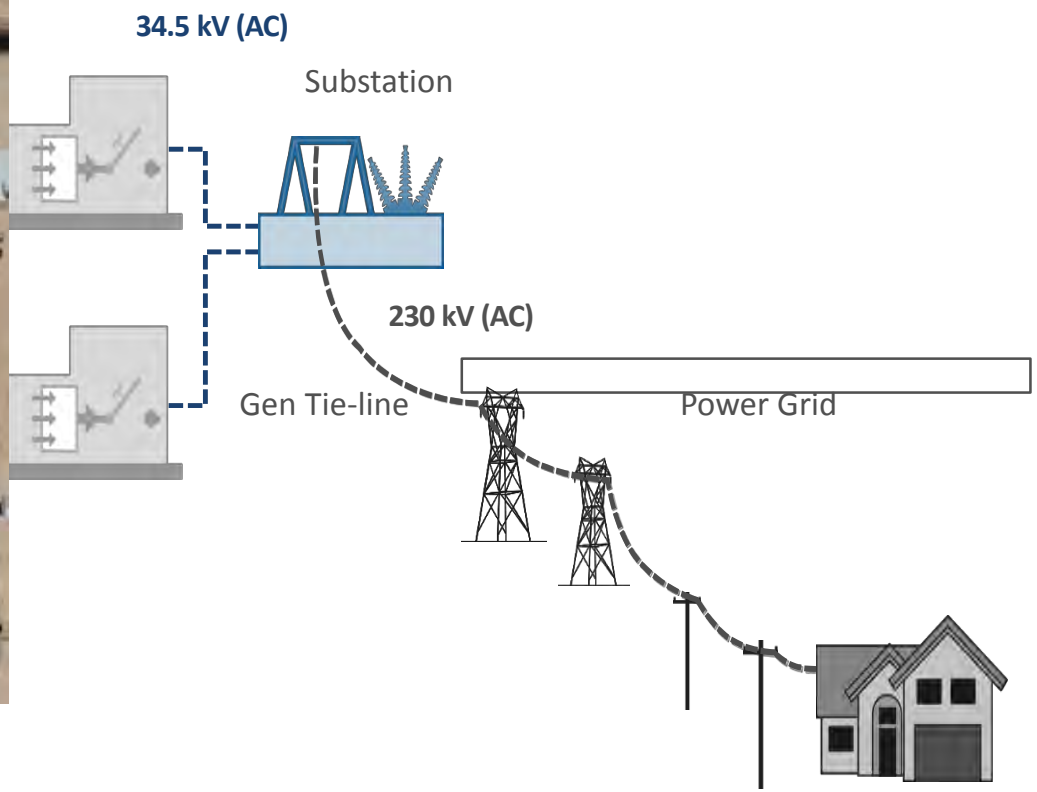
Photovoltaic Combining Switchgear (PVCS)



- Aggregates AC power from multiple transformers

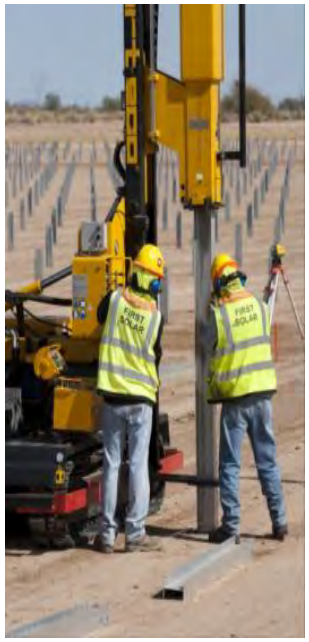
Substation and Generator Tie-line

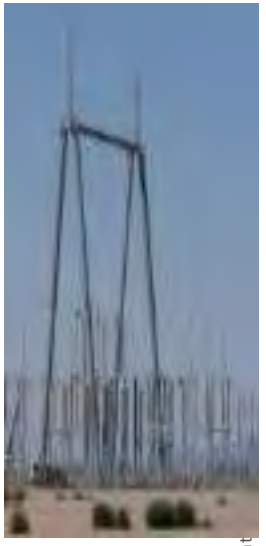
- Provides plant controls, disconnects, and step up transformer
- Delivers electricity to the grid



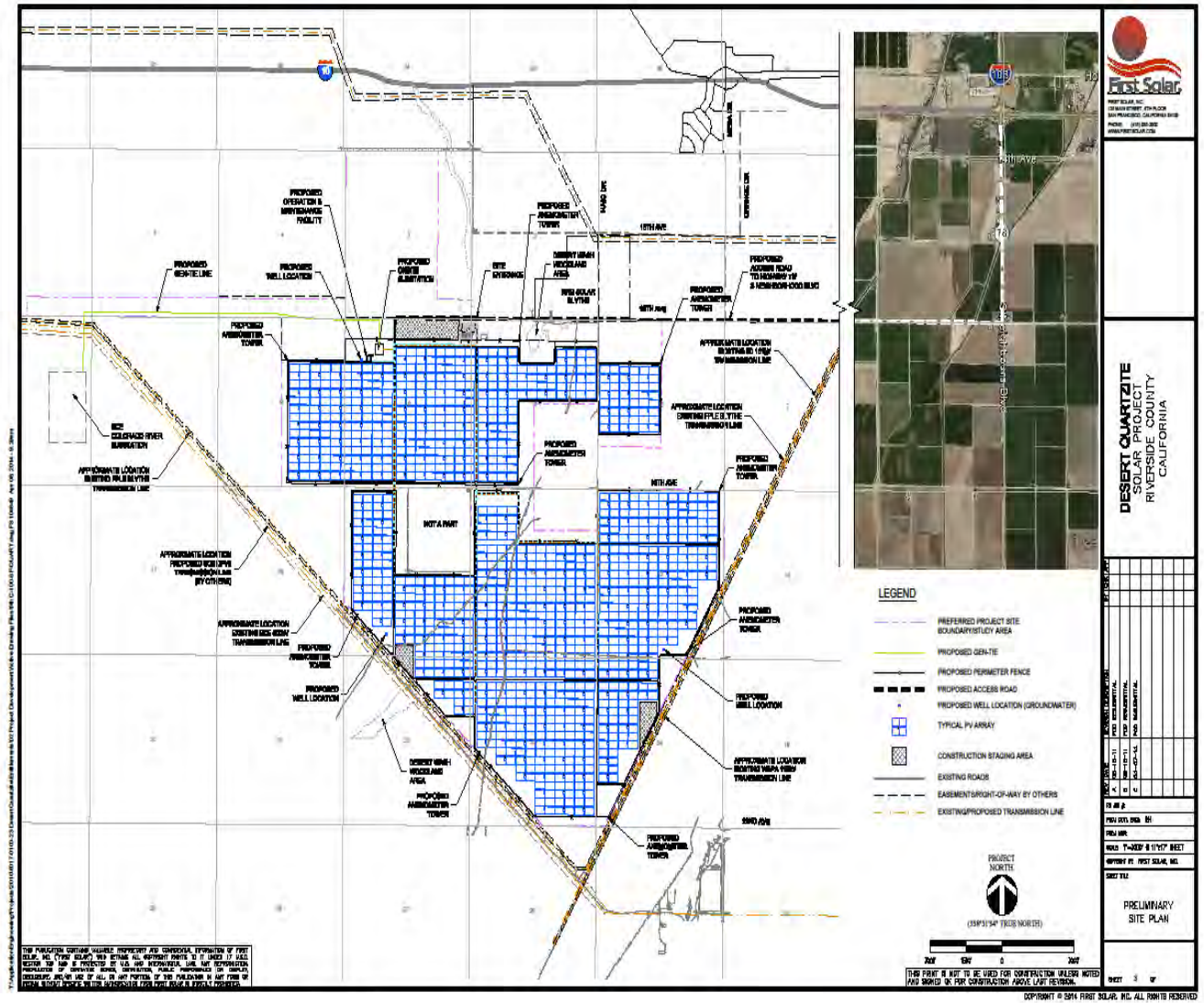
Construction Techniques

- Site preparation
- Single axis trackers or fixed-tilt tables, supported on driven steel posts or other embedded foundations
- First Solar thin-film PV modules
- Installation of underground DC cable from modules to combiner boxes and PCS
- PCS mounted on concrete underground vaults
- Underground medium voltage cable to PVCS
- Overhead 34.5 kV cable from PVCS to project substation
- Plant will be decommissioned at the end of project life





Site Layout



Biological Studies

- Baseline Sampling
  - Vegetation densities
  - Reptile abundance
  - Avian point counts
  - Small mammal abundance

- Botanical Surveys
  - Floristic surveys
  - Cactus estimates
  - Weed identification

- Wildlife Surveys
  - Desert tortoise
  - Golden eagle
  - Burrowing owl
  - Special Status Species

Biological Study Results – Botanical

- Plants
  - 124 plant species; 114 native and 10 non-native
  - 33 special status plant species
  - No federal or state listed species
- Vegetation Communities
  - Desert Dry Wash Woodland (sensitive)
  - Sonoran Desert Scrub
  - Sand Dunes

Biological Study Results - Wildlife

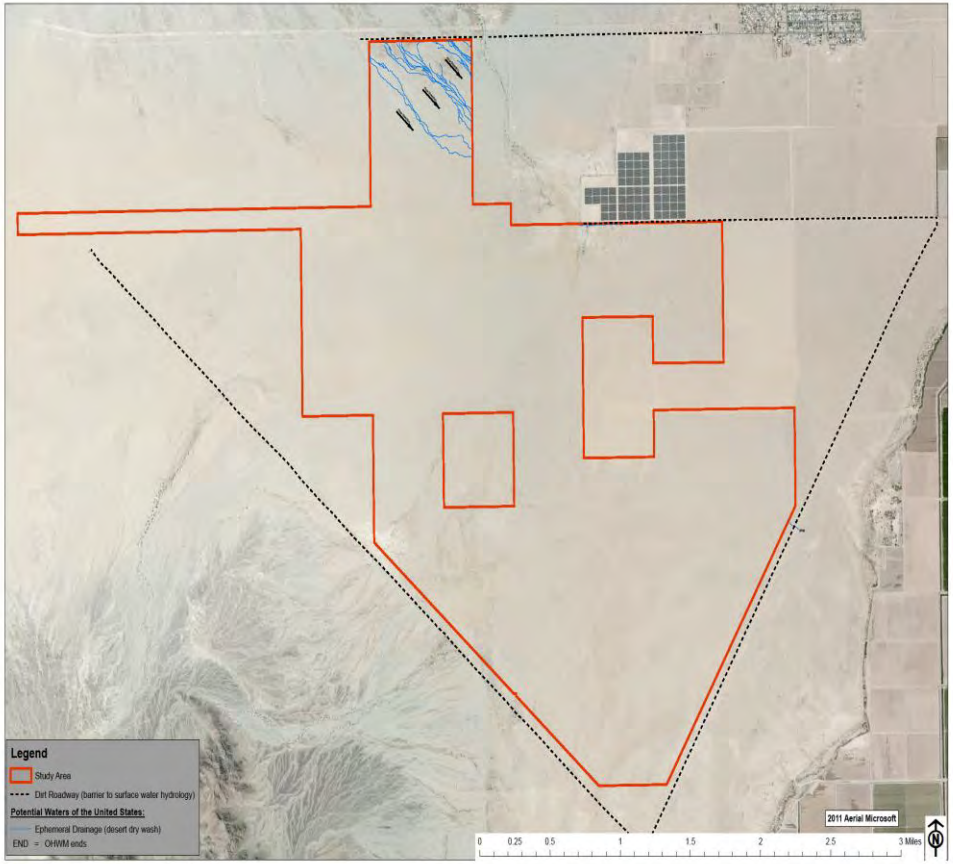
- Amphibians
  - None found
- Reptiles
  - Desert Tortoise
    - Six carcasses & one set of tracks
    - No live tortoise or burrows
  - Ten species of lizard
    - Mojave fringe-toed
    - Colorado Desert fringe-toed
  - Six snake species

Biological Study Results - Wildlife

- Avian
  - No Golden Eagle nests within 10 miles of site
  - Burrowing owl on site
- Mammals
  - Desert Kit Fox on site
  - Bats
    - Pallid & Leaf-nosed bat recorded at mines in adjacent mountain areas
    - 4 CA species of concern identified
  - American badger sign identified in study area

Jurisdictional Delineation

- Ephemeral drainages identified, primarily in the far northern portion of project site
- No surface connection to Traditional Navigable Waters
- Will request jurisdictional determinations from US Army Corps of Engineers and California Regional Water Quality Control Board



First Solar Desert Quartzite

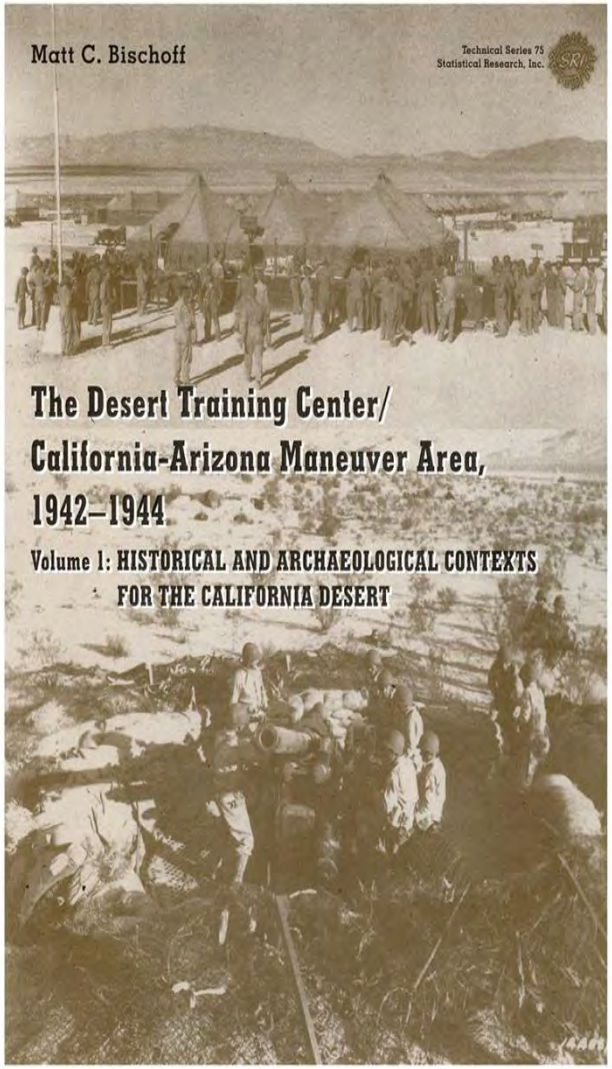
Cultural Resources Literature Review

Class I cultural resources records search, research design, and ethnographic literature review completed in early 2014

- Sacred Lands File (SLF) requested and received from the Native American Heritage Commission (NAHC) in Sacramento
- Wide variety of cultural resources from prehistoric and historical periods identified in region
- Prehistoric occupation began several millennia ago
  - Known and likely resources include campsites, lithic and ceramic artifact scatters, trails, geoglyphs; human remains (cremation burials) are also possible and have been identified in the indirect APE but not direct APE
- Historic uses include mining, agriculture, and military training

Cultural Resources Field Surveys

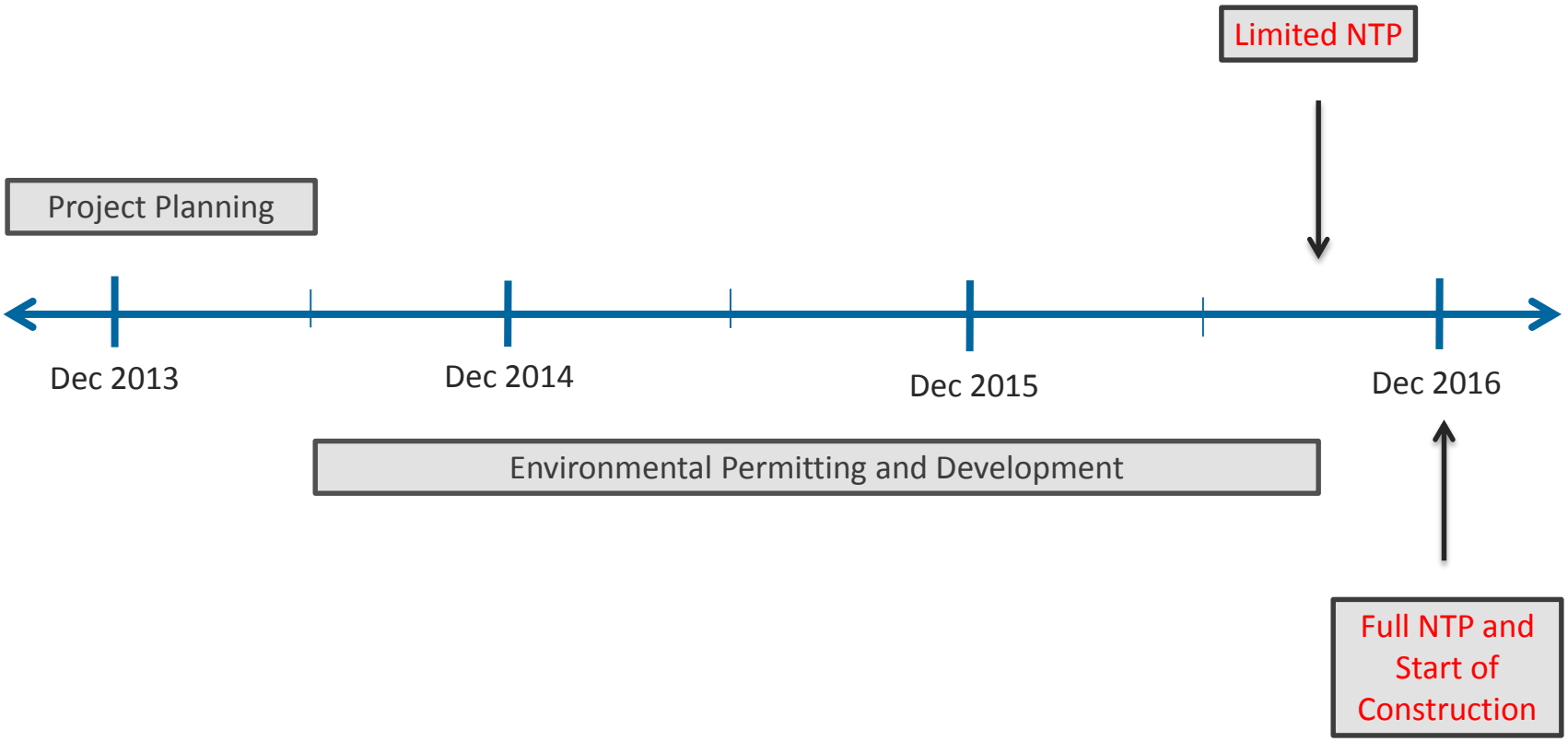
- Class III field survey of the Project Site completed in 2014
  - Intensive pedestrian survey within APE, per BLM guidelines
  - 15-meter transects across the entire site
  - Recordation of identified sites
  - Several potentially eligible sites identified
- Tribal Involvement
  - BLM will conduct government-to-government consultation with Native American tribes
  - First Solar will communicate with Tribes throughout the permitting process and provide project updates
  - Tribal participation conducted during cultural surveys
  - Support continued Tribal involvement during project development and construction



Other Studies

- Air Quality
  - Quantify project vehicle emissions and fugitive dust during construction and compare to significance thresholds
- Visual
  - Evaluate visual impact from Key Observation Points on sensitive visual resources, including cultural resources
- Traffic
  - Assess construction and operational traffic impacts on local roadways
- Noise
  - Estimate construction noise levels and impact on sensitive receptors

Desert Quartzite Anticipated Development Timeline



Public Comment

- Please state and spell your name for the record.
- Please only one speaker at a time because we want to accurately record your comments. The court reporter can not write more than one comment at a time.
- Please respect the speaker and the speaker's opinion.
- Each speaker is allowed 3 minutes to speak.

Comment Information

Please send comments to the BLM

BLM Address:

Desert Quartzite Project– Public Comments
c/o Cedric Perry, Project Manager
Bureau of Land Management
California Desert District Office
22835 Calle San Juan de Los Lagos
Moreno Valley, CA 92553

BLM Email:

blm_ca_desert_quartzite_solar_project@blm.gov

Public comment period closes on April 6, 2015

Open House

- Please feel free to visit the displays and ask questions at the display boards.

- Thank you for coming!

APPENDIX D

SCOPING MEETING SIGN-IN SHEETS

Sign-In Sheet

For the

Desert Quartzite Solar Project Scoping Meeting

At the

Parker Community Senior Center, Parker Arizona

On March 23, 2015

Public Scoping Meeting Sign-In Sheet

Desert Quartzite Solar Project

March 23, 2015, 6:30 – 8:30 PM

Parker Community Senior Center, 1115 12th Street, Parker, AZ 85344

Information Open to FOIA

Name	Organization (if applicable)	Address	Telephone Number and Email Address
1. Amanda Barrera	CRIT	26600 Mohave Rd Parker Az 85344	928 669-1302
2. John Gutekunst	Parker Pioneer	P.O. Box 3365 Parker, Az 85344	928-669-2275 pioneer@havasunews.com
3. Bob Dover	AECOM	10 Pattewood Dr. Greenville SC 29615	8649182892 robert.dover@aecom
4. Nancy Jasculca	CRIT/AG's office	26600 Mohave Road Parker, Az 85346	928-669-1271 njasculca@critdoj.com
5. Daphne Hill Poolaw	CRIT Mohave Elders Comm.	PO Box 3088 Parker, Az 85344	9289168470 dhpoolaw@hotmail.com
6. Cheryl Esquerra	CRIT ELDER	Parker, AZ.	(928)575-6690
7. Keith Nopah Sr	CRIT	426 Bluewater Dr. Parker Az 85344	(928) 575-5194
8. ANDREA STEVENS	CRIT TRIBAL MEMBER	"	(928) 216-8134
9. Keith Nopah Jr	CRIT TRIBAL Member	"	Same

Sign-In Sheets

For the

Desert Quartzite Solar Project Scoping Meeting

At the

City of Blythe Multipurpose Room, Blythe CA

On March 24, 2015

Public Scoping Meeting Sign-In Sheet
Desert Quartzite Solar Project
March 24, 2015, 6:30 – 8:30 PM
City of Blythe Multi-Purpose Room, 235 North Broadway, Blythe, CA 92225

Information Open to FOIA

Name	Organization (if applicable)	Address	Telephone Number and Email Address
1. Jill Yung	Paul Hastings	55 2nd St. San Francisco CA 94105	jillyung@paulhastings.com 4155567230
2. Juan Gonzalez	Sacred Sites Protection Circle	~~[illegible]~~ Ripley CA 92225	juanmgnz1z@outlook.com 760 921 5500
3. Jesse Figueroa	Sacred Sites Protection Circle	424 N. Carlton Blythe Ca. 92225	760 899 3828 Jessfig@yahoo.com
4. Mallory Sutterfield	City of Blythe	235 n. Broadway blythe	MSutterfield@cityofblythe.ca.gov
5. Alfredo Figueroa	La Cuna de Aztlan	424 N. Carlton Ave Blythe	LaCunadeAztlan@aol.com
6. ZACHARY CRECELIUS	C.B. PLUMBING	345. N MAIN ST BLYTHE, CA, 92225	760-922-6550 ZCRECELIUS@OUTLOOK.COM
7. Richard Burke	TRC	123 Technology Dr. Irvine	rburke@trcsolutions.com
8. [signature]	C B Plumbing	345 N. Main	760 922-6550 Plumbing@Aol.com
9. VINCE INGALLS	IBEW LU 440	184 N ACACIA #4 BLYTHE	

Public Scoping Meeting Sign-In Sheet
Desert Quartzite Solar Project
March 24, 2015, 6:30 – 8:30 PM
City of Blythe Multi-Purpose Room, 235 North Broadway, Blythe, CA 92225

Information Open to FOIA

Name	Organization (if applicable)	Address	Telephone Number and Email Address
1. Bob Dover	AECOM	Greenville SC	robert.dover@aecom.com 8649182892
2. Johanna Falzarano	AECOM	Camarillo, CA	johanna.falzarano@aecom.com 805.7604.4019
3. Laura Abram	First Solar	San Francisco, CA	Laura.abram@firstsolar.com 650-207-9304
4. Ashley Hudgens	First Solar	Indian Wells, CA	ashley.hudgens@firstsolar.com 7609025565
5. Chris Moore	TRC	San Diego, CA	CMoore@trcsolutions.com 858-414-7363
6. JAMES F. COOK	FIRST SOLAR	SF, CA	JCOOK@FIRSTSOLAR.com 650.455.1655
7. Jackie Boyers	CB Plumbing	345 N Main St Blythe CA	760-922-6550
8. Wesley Crecelius	"	" "	"
9. Larry Ross	County of Riverside	4080 Lemon street, Riverside	951 955-9294 LROSS@RCTLMA.ORG

Public Scoping Meeting Sign-In Sheet

Desert Quartzite Solar Project
March 24, 2015, 6:30 – 8:30 PM
City of Blythe Multi-Purpose Room, 235 North Broadway, Blythe, CA 92225

Information Open to FOIA

Name	Organization (if applicable)	Address	Telephone Number and Email Address
1. ALFRED FIGUEROA JR	N/ CUNA DE AZTLAN	391 S. FOURTH ST BLYTHE CA 92225	760-921-2024
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			

APPENDIX E

WRITTEN COMMENTS RECEIVED DURING SCOPING PERIOD

COMMENTER	DATE
Mr. Alfredo A. Figueroa, Elder/Historian/ Chemehuevi Tribe Monitor for the La Cuna de Aztlan Sacred Sites Protection Circle, Blythe, CA	**March 24, 2015**

Comment submitted by

Mr. Alfredo A. Figueroa,

Elder/Historian/Chemehuevi Tribe Monitor

For the

La Cuna de Aztlan Sacred Sites Protection Circle

At the

Blythe Public Meeting, Blythe CA

On March 24, 2015

Which is Worse, the Sledgehammer or the Bulldozer?

Which is worse, using a sledgehammer and torches to destroy statues, artifacts and books in Iraq by the Isis militants or the road graters (bulldozers) in the pristine desert destroying sacred geoglyphs and sites. The above photo shows the road grater destroying part of the Kokopilli/Cicmitl geoglyph group by the Blythe Solar Millennium to build the solar power project 8 miles west of Blythe.

Militants Smash Artifacts in Mosul Iraq

Islamic State militants are shown in the photos destroying the sacred archaeological sites and statues, frescos and other works that are revered around the world. These idols are over 3,300 years old and were found in Nimrud, the capital of the Assyrian empire. Irina Bokova, director general of UNESCO, stated, "...it is marked by the systematic destruction of humanity's ancient heritage."

HELP STOP THE HEINOUS CRIMES

1492- Land invaded and culture destroyed by the Europeans

2015- Continuation of land and culture being destroyed by the government.

Nothing much has changed.

Contact President Barack Obama, your Congresspersons & Senators to protest these abuses of public land and public money.

lacunadeaztlan@aol.com

COMMENTER	DATE
La Cuna de Aztlan Sacred Sites Protection Circle, Alfredo Acosta Figueroa, Elder/Historian/Chemehuevi Tribe Monitor, and Patricia Robles, President of La Cuna de Aztlan Sacred Sites Protection Circle, Blythe, CA	**April 3, 2015**

La Cuna de Aztlan
Sacred Sites Protection Circle

Alfredo A. Figueroa
424 N. Carlton Ave
Blythe, Ca 92225

13

Phone: (760) 922-6422
E-mail: lacunadeaztlan@aol.com

April 3, 2015

Cedric Perry, Project Manager
Bureau of Land Management
California Desert District
22835 Calle San Juan de los Lagos
Moreno Valley Ca 92553

RE: Letter in Opposition of the Proposed Desert Quartzite Solar Project in Eastern Riverside County by Desert Quartzite LLC

Dear Mr. Perry:

My name is Alfredo Acosta Figueroa. I am a native of the Colorado River, born in Blythe, CA, elder, historian and Chemehuevi Sacred Sites Tribal Monitor since 2009. I hereby declare:

We are totally against the proposed Desert Quartzite Solar Power Project.

We all know what happened at the Genesis Solar Site after Judge George H. Wu of the 9th District Federal Court denied the motion on June 28, 2012. During the construction, they committed one of the worst destructions of sacred sites, burials and thousands of artifacts that were found just as the CRIT Elders and our group, La Cuna de Aztlán Sacred Sites Protection Circle had stated in their lawsuit. It is our recommendation that the BLM does not commit these same atrocities at the Desert Quartzite Solar Project.

We have stated before in all our comments against the large solar projects being developed along the I-10 corridor in Eastern Riverside County that the sacred sites are all tied together and there is no way that they can be singled out. The solar projects cannot destroy just one sacred site without destroying the sacredness of the Creation story in the McCoy Valley.

The Desert Quartzite Solar Project is a continuation of the Blythe Solar and McCoy Solar power projects. The construction of the Blythe Solar and McCoy projects are one of the worst heinous modern day crimes committed against humanity in the world and it is occurring right now along the Colorado River I-10 Corridor. The solar projects were fast-tracked and approved by BLM and the California Energy Commission. Both are in the McCoy Valley which is one of the most sacred valleys that overlooks all the area west and northwest of Blythe. This is where the Giant Kokopilli (over 200 feet long, 250 feet wide) geoglyph image is located. Also in the same group is Cicimitl (El Cucuy, the spirit), and over 25 other geoglyphs that include the 13 level underworld temple, cairns, sacred trails, etc. The descending human spirit called El Tosco is directly in line with Granite Peak. Granite Peak is **where Sky meets Earth** and its symbol is the X like the hour glass image. In the Nahuatl language it is called

Tamoanchan, Ta-Tata/Grandfather, Moan-Meets/Merges, Chan-Chante/House. In other words it is where the human spirits descend from the Cosmos to Earth.

In the late 70's, there were a lot of people working in the McCoy Valley gathering desert varnish round pebbles that are large, approximately 2 inches in diameter and dark. They were being sold for yard decorations in the Palm Springs area. Because of the vast destruction, it was when BLM under the Antiquities Act of 1906 enforced cancelling all of the mining claims and stopped all the groups that were gathering the pebbles. These pebbles were mostly on top of the mesetas where the geoglyphs are located. Likewise, the off-roaders were also stopped because they were destroying the sacred sites. In those days the off-roaders were our main concern. Today our concern is BLM and the rest of the state and federal departments that are supporting these projects.

The California Energy Commission's (CEC) own cultural resources investigation had found an abundant of cultural resources as stipulated in their report. C-3 Cultural Resources Docket 09-AFC-8 C.3.1 Summary of conclusions dated 06/22/10 by Elizabeth A. Bagwell, Ph.D., RPA and Beverly E. Bastian: *Staff Finds that the GSEP construction impacts, when combined with impacts from past, present, and reasonably foreseeable projects, contribute in a small but significant way to the cumulatively considerable adverse impacts for cultural resources at both the local I-10 Corridor and regional levels.* ***This analysis estimates that more than 800 sites within the I-10 Corridor and 17,000 sites within the Southern California Desert Region will potentially be destroyed. Mitigation can reduce the impact of the destruction, but not to a less-than-significant level.*** Yet the CEC has not respected nor honored its own research or the BLM's despite all our touring with them of the sacred sites and describing what they mean in the human creation story.

One thing is to be ignorant of a subject, the other is to know the facts and still deliberately destroy them.

The Desert Quartzite Solar project will destroy remnants of what is the North/South Quechan trail that begins at Avi Kwame-Spirit Mountain north of Laughlin Nevada and ends in Yuma in the south. The Desert Quartzite site will also destroy the four circles that represent the four suns as shown in the Aztec Sunstone calendar and other geoglyphs which are south of I-10 and west of Mesa Verde.

The Desert Quartzite Solar Project in the Palo Verde Mesa and the orchards that were there have already been destroyed for the water allotment and its proximity to the Blythe Natural Gas Company (Florida Light & Power Co (FLP)) and the transmission lines that pass right by it. The company talks about developing jobs and here they have already displaced over 250 permanent jobs of the citrus farm workers that live in the Palo Verde Valley area. This is something similar to what happened when the FLP was constructed in 2000.

When the FLP was constructed, it destroyed 1,500 acres of citrus so they could obtain the water rights of those citrus orchards thus leaving about 550 citrus farm workers unemployed. Many had worked over 30 years with the Coachella Growers Citrus Company. The solar power projects have destroyed all but a few existing acres of citrus orchards on the Mesa. These farm workers were all permanent residents of the Palo Verde Valley. Blythe has lost population according to the census and the Palo Verde Unified School District. Currently the Palo Verde Valley is suffering the highest unemployment rate per capita in California with the exception of the Imperial Valley.

Due to the heat intensity by the project, it will change the atmospheric conditions and a lot of the agriculture in the Palo Verde Valley will be affected.

In a recent article regarding the Jenko Solar Project in China, the Chinese are setting an example in protesting against the large solar panel projects in their country because they have not only contaminated their drinking water but also the climate change has ruined their agriculture industry. Apparently not even China is benefitting from these solar panel projects. The Jenko Solar Project is an excellent example of why in the United States, we do not need these projects near agricultural land much less near the Colorado River where its water reserve in Lake Mead is barely 1/3 of its capacity and all of its water has already been allocated. Lake Mead is at its lowest level since Hoover Dam created the lake in the 1930s according to an article in the Press Enterprise of July 9, 2014. The Colorado River, as we all know, is one of the main water sources in the Southwest United States and Northwest Mexico.

All these solar power projects have to use water and they are destroying the agriculture for the water rights. That is why they are fallowing the agricultural fields for the water rights.
Governor Brown's press release of April 1, 2015 states:

Following the lowest snowpack ever recorded and with no end to the drought in sight, Governor Edmund G. Brown Jr. today announced actions that will save water, increase enforcement to prevent wasteful water use, streamline the state's drought response and invest in new technologies that will make California more drought resilient.
"Today we are standing on dry grass where there should be five feet of snow. This historic drought demands unprecedented action," said Governor Brown. "Therefore, I'm issuing an executive order mandating substantial water reductions across our state. As Californians, we must pull together and save water in every way possible."

The Desert Quartzite Solar Power Project will need a lot of water for the project. Currently the Mesa Verde Community's well is drying up and they will have to dig down deeper. The other well is contaminated and has been closed for years. The main reason the asparagus fields that were planted at the Palo Verde Mesa were abandoned was because of the lack of water.

The Desert Quartzite Solar Power Project will have to drill wells from aquifers that lead to the Colorado River. The Colorado River Board of California has stipulated that all these aquifers within 50 miles go the Colorado River and any water taken from these aquifers has to be approved by the Board of Directors.

The Blythe airport is also in opposition of the solar power projects that are proposed to be built around the airport. According to Pat Wolfe, past operator of the airport, stated "currently the pilots are experiencing severe flying conditions when they fly over the Florida Light and Power Plant when they are taking off or when they are landing on the landing strip." The FLP was built despite the opposition of the Federal Aviation Administration (FAA). FAA regulations are that the plant was to be built no less than a mile away from the end of the runway and that the towers could not be more than 150 feet tall. These two regulations are being violated.

The Blythe airport has been declared as a backup for the Los Angeles International Airport in case it is attacked. The Blythe airport will be available to provide safe landing. Currently the Blythe airport is also used as a training site for pilots. Fortunately no pilots have yet crashed flying above the FLP.

As we know, two professional pilots of the First Solar Company crashed and died when they were flying above the Desert Sunlight Solar project north of Desert Center. They were reviewing the damage that had been done by the summer monsoons on the solar project last year. The solar power projects create a dramatic atmospheric change. This is not just a threat to the planes but also to all flying birds, etc. These are facts that have been researched and documented at the Ivanpah Solar Power Project plus at the Israel BrightSource Power Projects sites in Israel. This is proof that the atmosphere cannot sustain an airplane above or near the solar sites and the Desert Quartzite project will be approx. 2 miles southwest of the airport landing strip.

According to David Danelski article of July 14, 2014, the heat created from the solar power towers of the Ivanpah plant creates up to 800 degree temperatures and now the company has trained dogs to retrieve birds that perish while flying above the solar power plant.

The Ivanpah project is currently receiving a lot of negative comments pertaining to the pilots that fly to and from Las Vegas International Airport and Nellis Air Force Base and other airports in Southern Nevada. As a matter of fact the Ivanpah Solar Project is brightly seen from the cosmos as seen by satellite photography.

Currently, one of the most recognized butterflies is the Monarch Butterfly that has its massive migration from the Northern United States and Canada down to Michoacán in the winter. It is an endangered species. One of its western migration routes is centered through the Colorado River/McCoy Valley. The Monarch image can be seen as part of the Midland Mountain outline in the Little Maria Mountain Range. The Monarchs, along with any other butterfly flying through the area will be completely destroyed as will the birds such as the eagles, herons, etc.

Already, there are many complaints by the Mesa Verde Community residents that are suffering from bronchitis, asthma, and other respiratory illnesses that lead to Valley Fever. These illnesses are related to the dust storms caused by the leveling of the pristine desert. Solar sites have been proposed nearly surrounding the Mesa Verde Community. Likewise, the residents of San Joaquin Valley parallel to I-5 north from Bakersfield to Fresno have been suffering grave Valley Fever epidemic. Close to a hundred inmates from the State Correctional facilities including Avalon, Corcoran, Coalinga and Delano have died from Valley Fever which was caused by the leveling of 410,000 acres. The land was supposed to be for proposed solar power projects and also to be farmed but was fallowed because of the lack of water. The fungus is carried by the dust of the fields that are fallowed. A lot of the sick prisoners have been brought to the Chuckawalla and Ironwood prisons in Eastern Riverside County.

There are five Indian Reservations in the lower Colorado River Basin Valleys. Each Native Tribe in the Colorado River has a unique identity and interpretation of the Creation story given to them by the Creator yet all their oral history relates to their Cosmic cultural tradition. All this oral history begins in the north with Spirit Mountain down to the Gulf of California and to Rocky Point, Sonora Mexico where the last geoglyphs are. Most of the creation stories are based on oral history thousands of years old, taught to the Indigenous Elders. It reveals how it relates to the mountain images, the solstice, the equinox, over 300 geoglyphs which center focuses are the Blythe Giant Intaglios, Bouse Fisherman, petroglyphs, and pictographs. Fortunately, the Uto-Azteca have a few Pre-hispanic Codices that inter-relate with the above sacred sites along the Colorado River Valleys.

The Rio Mesa Solar Project that was proposed to be built at the base of the sacred Mule Mountains was denied because the Palo Verde Irrigation District and other farmers plus the Cibola Wildlife Refuge and the Indigenous Tribes of the Colorado River protested it.

The U.S. Government does not need to continue its Manifest Destiny Policy of the 1850s. The Native American cultural cosmic tradition is still alive despite its 500 years of domination by the Spanish and English. One of the worst catastrophes in the world committed against a nation was when Hernan Cortes invaded Mexico/Tenochtitlan in 1521. Mexico/Tenochtitlan was completed razed and leveled off. The Spanish built a new city on top of the old one to totally destroy the Natives' cosmic traditions. With the soldiers came the Catholic priests and what wasn't destroyed by the soldiers was going to be destroyed by the priests. This is when they implemented the notorious Spanish Inquisition of the Holy Catholic Roman Church. They even built churches on top of the pyramids and other sacred sites like the cathedral in downtown Mexico City (Templo Mayor) was built on top of the Twin pyramids. The Inquisition was in operation for over 300 years until the Mexica ousted the Spanish in 1821.

The Natives of the southwest, especially from California were finally free to practice their Cosmic cultural tradition when Governor Jose Figueroa secularized all of the Catholic Mission lands in 1836 and gave them back to the natives. This freedom was short lived and only lasted 12 years until the signing of the Treaty of Guadalupe Hidalgo on February 2, 1848. This ended the war with the United States. This is when the Manifest Destiny policy was in full swing. All the land from sea to shining sea belonged to the Anglo-Saxons.

In the lower Colorado River Basin Valleys, the government tried to put all of tribes together on one reservation. The CRIT Reservation was organized in 1865 according to Gilbert Leivas. The original southwestern corner boundary was the high water flood stage level on the west mesa where I-10 goes up the mesa. CRIT at one time bordered the east side of where the dried up orchards are.

In 1875, Thomas Blythe, an Englishman with the reputation as an international speculator and swindler based in San Francisco applied to the State of California to purchase most of the Palo Verde Valley. He applied under the State Swamp and Overflow Act even though the northern half of the valley was already part of the CRIT Reservation and Chemehuevi and other tribes were living there.

According to Camiel Dekens narrative in the book, *River Man, Desert Man*, Thomas Blythe lied in his application where he mentions that nobody was living there and that he had to row a boat all over the Palo Verde Valley. Blythe neglected to mention that his row boat was carried on a buckboard wagon pulled by mules. He was successful in his first purchase of 40,000 acres of the Northern Palo Verde Valley. The United States Army forced

the majority of the Natives to go across the Colorado River. CRIT recently has regained some of its original California land.
Present day West Blythe was called Barrio de la Liebre (Jackrabbit Neighborhood) and in the Nahuatl language it was called Acacitli which is shown in the Tovar Mexica Codex. West Riverside Drive was called Vereda de la Liebre (Jackrabbit Trail). It was also called the Coco-Maricopa Trail that went up the mesa where the Florida Light and Power Plant is.

During the 1890's, the government started the Indian boarding schools, on and off the Reservation. Most of the Native Americans were forced to attend. They were prohibited to practice their culture and speak in their language, etc. On top of that, the government allowed the different Christian Church groups to build their churches on the Reservation to further deviate them from their cosmic culture tradition.

In the rest of the Nation the educational system was based on the separate but equal schools. In Blythe, they were called the Americanization schools and the majority of the Mexicans were sent there. Those schools were closed in 1947 after the Mendez vs Westminister Schools decision and for the Native Americans it was until the Brown vs The Board of Education in 1954.

Despite all the government's efforts to destroy the Native American's cosmic cultural traditions, the knowledge has survived the policy of "Kill the Indian, Save the Man".

During the war against Nazi Germany, Italy and Japan that killed over 60 million people in the world there were laws made to protect sacred sites in Europe. The protection of sacred sites has been well demonstrated during the 2nd World War. On June 23, 1943, President Franklin D. Roosevelt created the American Commission for the Protection and Salvage of Artistic and Historic Monuments in war areas. The commission drew up lists of cultural treasures with the hope that military action might be planned to avoid harming them. Dwight D. Eisenhower understood the importance of the protection and preservation of these sacred sites. Eisenhower stated "if we have to choose between destroying a famous building and sacrificing our own men, then our men's lives count infinitely more and the building must go". He prefaced the proclamation by saying, "Shortly we will be fighting our way across the Continent of Europe in battles designed to preserve **our civilization**....". His order made clear that destruction of everything in an army's path was not justifiable, that a people's long-established culture and the most beautiful manifestations of what it believes in and values matter and we, when we enter and defend it, are duty-bound to respect those things. Currently a movie is in theaters directed by George Clooney, and based on the book by Robert M. Edsel called "Monuments Men". This is a story of how strongly Eisenhower felt about saving these cultural sites and artistic monuments. Cathedrals, historic structures, famous paintings, sculptures and more were saved for the preservation of the culture of **our civilization** making references to the Anglo-Saxon.

In the Smithsonian magazine of March, 2009, the featured article related to the must-see 10 endangered cultural treasures that included many of the sacred sites that should be preserved from all over the world. In the United States, they included Route Hwy 66 but no indigenous sacred sites. According to Kaisa Barthuli, the program manager of the Route 66 Corridor Preservation Program stated, "if we lose these stories, we're really losing a sense of ourselves."

During the Iraq war, in 2003 and 2004, the United States caused damage to ancient sites with their heavy vehicles and machinery. Military forces built a helipad, carved out parking areas and trenches destroying these sites. Babylon, Iraq was damaged by war and by looters. The U.S. has said it will help rehabilitate Babylon, funding an effort by the World Monuments Fund and Iraq's State Board of Antiquities. This site is tremendously important according to Gaetano Palumbo of the World Monuments Fund, yet in its present state, Babylon is "hardly understandable" as a place where so much happened in history".

It took the Taliban only days to destroy 1,500 years of history when they destroyed the two Bamiyan Buddha twins carved into a sandstone cliff near the provincial capital in Central Afghanistan. They stand 165 feet and 114 feet tall. They were built around the 2nd century. Appeals came from all over the world such as the World Monument Fund and the United Nations Secretary General for the Taliban government of Afghanistan to preserve these sacred sites of the Buddha creation story in Afghanistan. W.L. Rathje, an archaeologist at Stanford University described the destruction of the statues as a **crime against humanity**. Afghanistan was later invaded by the United States after

they destroyed the statues that the world considered to be masterpieces. The United State Government fought to save these foreign religious sacred sites but is not willing to preserve sacred sites in its own country. Which is worse, using a sledgehammer and torches to destroy statues, artifacts and books in Iraq by the Isis militants or the road graters (bulldozers) in the pristine desert destroying sacred geoglyphs and sites. Irina Bokova, director general of UNESCO, stated, " ...it is marked by the systematic destruction of humanity's ancient heritage.

On July 22, 2012, columnist Victor Davis Hanson said, "sometimes post-modern, politically correct westerners can be every bit as zealous and as potentially destructive of the past as pre-modern Islamics.

Agriculture Secretary Tom Vilsack has called for the USDA and the U.S. Forest Service to work more closely with tribal governments in the protection, respectful interpretation and appropriate access to Indigenous Cultural sacred sites. Vilsack said, "American Indian and Alaska Native values and culture have spirit and deserve to be honored and respected. By honoring and protecting sacred sites on national forests and grasslands, we foster improved tribal relationships and a better understanding of the Native people's deep reverence for natural resources and contributions to society."

During President Barack Obama's speech of January 28, 2014, he stated that "And while we are at it, I'll use my authority to protect more of our pristine federal lands for future generations." Also, 109 House Democratic members urged President Obama to protect National Monuments using the Antiquities Act.

We wholeheartedly support this effort by President Obama but should enforce the current laws to support the cultural resources that are related to the Native American human Creation Story and support all the laws that have been approved to protect the sacred sites by the United States government and the United Nations plus the resolutions by the Colorado River Indians Tribes and the National Congress of American Indians.

We are opposing the construction of the Desert Quartzite Solar Power Project because of its gross violation to the following Indigenous, State, Federal and United Nations laws that support our demands and why this project should not be constructed within sacred areas:

- **National Congress of American Indians**: Resolution #LNK-12-036, opposing the Department of Interior Fast-Track Polices of Renewable Energy Projects on Ancestral Homelands, June 17, 2012.
- **Inter-Tribal Council of Arizona: Resolution** 2012, opposing the Department of Interior Fast-Track Polices of Renewable Energy Projects on Ancestral Homelands, June 29, 2012. The Resolution specifies that whereas over 40 proposed solar and wind renewable energy projects are to be undertaken within a 50-mile radius of the Colorado River Indian Tribes Reservation which puts tens of thousands of acres of land within the ancestral territory homelands of CRIT as well as other Yuma tribes, at further risk of destruction.
- **Colorado River Indian Tribes Resolution and Letter to President Barack Obama**: opposing the construction of Solar Power Projects within 50-miles from the CRIT Reservation boundary of February 27, 2012.
- **United Nations Declaration on the Right of Indigenous People Resolution** of 2007: was adopted by the General Assembly during the 107th plenary meeting and was signed by President Barack Obama on December 15, 2010.
- **Native American Sacred Places**, March 6, 2003(S.B. 18)
- **Native American Sacred Lands Act**, June 11, 2003 (H.R. 2419)
- **The Sacred Land Protection Act**, July 18, 2002 (H.R. 5155)
- **The Native American Sacred Sites Protection Act**, February 22, 2002 (S.B. 1828)
- **Accommodations of Sacred Sites and Federal Land**, Signed by President Bill Clinton on May 24, 1996 (Executive Order 13007) This focuses on specific sites and Indian religion.
- **Native American Graves Protection & Repatriation Act** of 1990
- **Archeological Resources Protection Act** of 1979

- **American Indian Religious Freedom Act**, August 11, 1978
- **The Civil Right Act** of 1968
- **Antiquities Act** of 1906

La Cuna de Aztlán Sacred Sites Protection Circle under the auspices of the Athapaskan Tribe from Alaska, Chief Gary Harrison has submitted a petition to the United Nations to intervene and stop the construction of the Blythe Solar and McCoy Solar projects and declare the McCoy Mountains (Kokopilli/Cicimitl/El Tosco geoglyphs site), Big Maria Mountains (Blythe Giant Intaglios, large white eagle), Granite Mountain that includes Granite Peak (Tamoanchan) as a World Heritage Site under UNESCO.

We strongly urge that BLM consider the above information and disapprove this notorious solar power project. It will behoove President Obama to continue his motivation and concern in protecting those sacred sites by enforcing the laws and establish a National Monument in the McCoy/Big Maria Mountains and Valleys.

Sincerely,

Alfredo Acosta Figueroa

Alfredo Acosta Figueroa
Elder/Historian/Chemehuevi Tribe Monitor

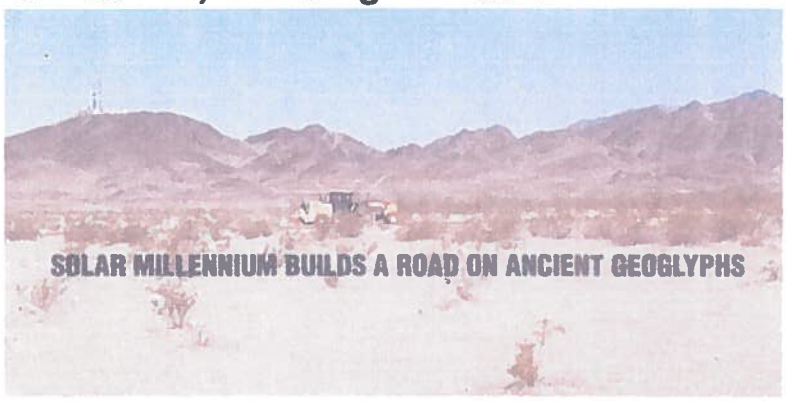
Patricia Robles

Patricia Robles
President of La Cuna de Aztlan Sacred Sites Protection Circle

Attachments included:

Which is Worse, the Sledgehammer or the Bulldozer
Militants Smash Artifacts in Mosul Iraq
The Spanish Invasion
The Spiritual Conquest
Idols or Gods
Groundbreaking of Solar Power Project
Twin Geoglyphs of Kokopilli/Cicimitl
Remnants of Quechan Trail
Aztec Sunstone Four Suns Geoglyph
Gathering of Desert Pebbles

Which is Worse, the Sledgehammer or the Bulldozer?



Which is worse, using a sledgehammer and torches to destroy statues, artifacts and books in Iraq by the Isis militants or the road graters (bulldozers) in the pristine desert destroying sacred geoglyphs and sites. The above photo shows the road grater destroying part of the Kokopilli/Cicmitl geoglyph group by the Blythe Solar Millennium to build the solar power project 8 miles west of Blythe.

Militants Smash Artifacts in Mosul Iraq

Islamic State militants are shown in the photos destroying the sacred archaeological sites and statues, frescos and other works that are revered around the world. These idols are over 3,300 years old and were found in Nimrud, the capital of the Assyrian empire.
Irina Bokova, director general of UNESCO, stated, "...it is marked by the systematic destruction of humanity's ancient heritage."

HELP STOP THE HEINOUS CRIMES

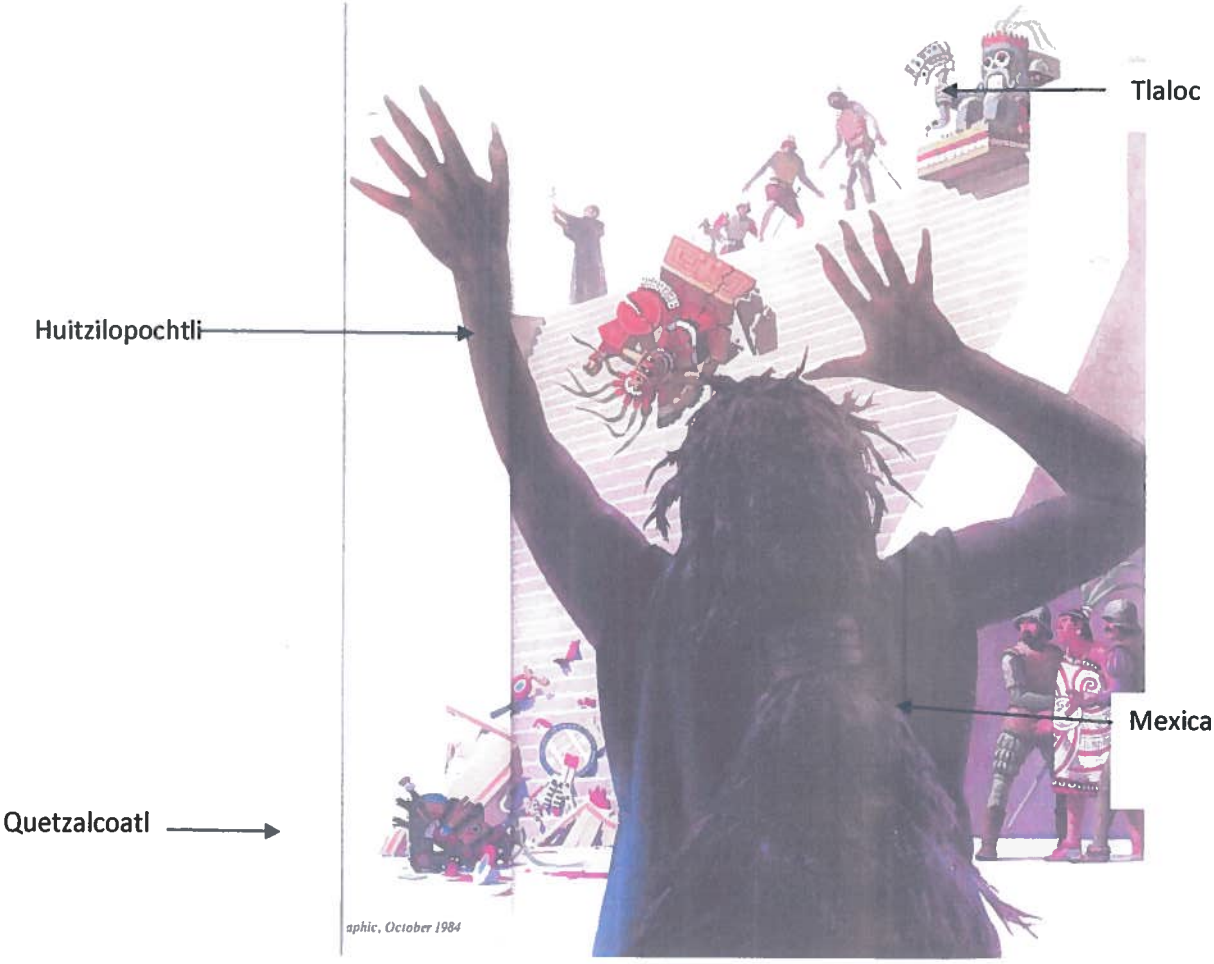
1492- Land invaded and culture destroyed by the Europeans
2015- Continuation of land and culture being destroyed by the government.

Nothing much has changed.

Contact President Barack Obama, your Congresspersons & Senators to protest these abuses of public land and public money.

lacunadeaztlan@aol.com

The Spanish Invasion at Mexico/Tenochtitlan



National Geographic Magazine, October 1984

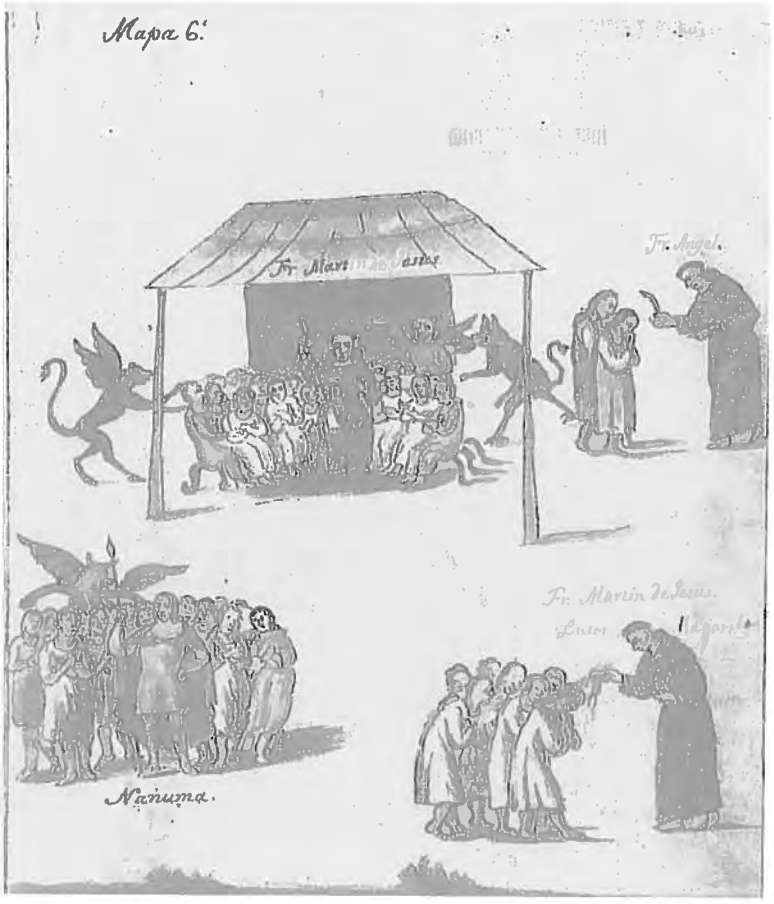
On August 13, 1531, the Spanish soldiers are destroying the main temple (Templo Mayor) in Mexico/Tenochtitlan. On top of the pyramid is the image, Tlaloc that represents earth/woman/night. Falling down the pyramid is the image of Huitzilopochtli that represents the cosmos/male/day. At the bottom of the pyramid is the image of Quetzalcoatl that represents the spirit of the male and female. The priest at the top of the pyramid is holding the Christian cross giving his blessing to the destruction of the three main images of the creator. These same images can be seen on the Big Maria Mountains and are represented by the giant geoglyphs at the Blythe Giant Intaglios and Bouse Fisherman, etc.

The Mexica in the front is horrified at seeing the Creator's images being destroyed by the Spanish soldiers.

This was the beginning of the destruction of the Native cosmic cultural tradition.

Escena de la conquista espiritual
Fray Pablo Beaumont, Crónica de Michoacán
Reprografía: Marco Antonio Pacheco/ Raíces

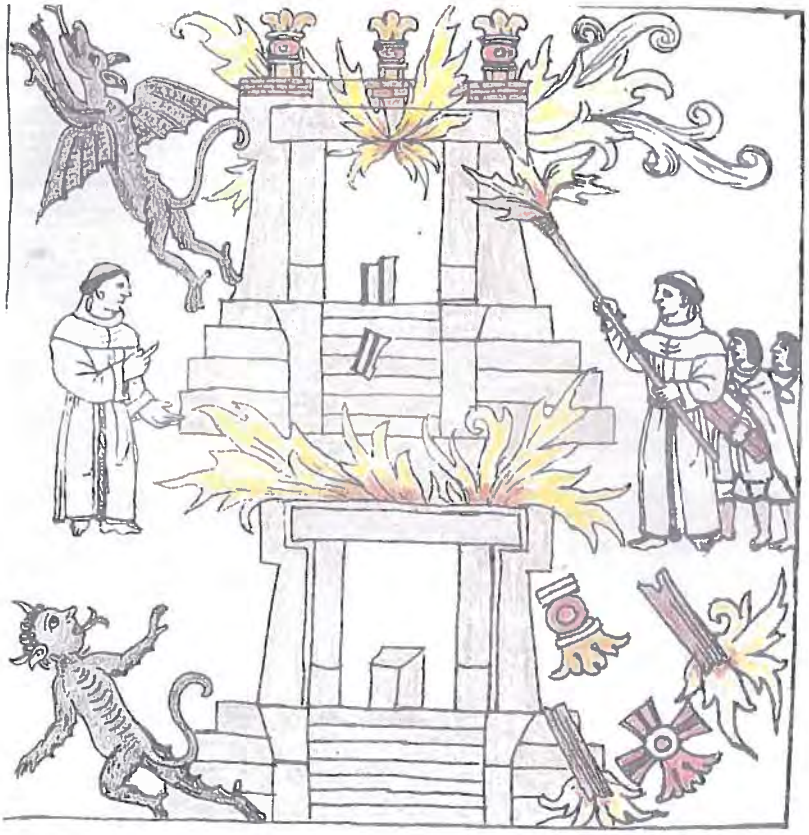
Scene of the spiritual conquest
Fray Pablo Beaumont, Michoacán Cronic
Reproduced: Marco Antonio Pacheco/Raíces



Aqui se donuestra que ya pacificar los naturales, abraron en la viña del Señor, Los Padres missioneros boutizando a unos y predicando a otros, luchando al mismo tiempo con los demonios, a cuya empressa assistia fiel, y servaroso el General Nanuma.

Here it demonstrates that once the Natives were pacified, they would pray in obedience to the Lord. The missionary priests baptized a few and were preaching to the others, struggling at the same time with the demons, to lead and demonstrate a faithful assistance and servitude to General Nanuma.

Ídolos o dioses
Imágenes prehispánicas de México virreinal
Idols or Gods
Prehispanic Images of Mexico Viceroyship



Dos frailes destruyen e incendian un templo prehispánico. De entre las llamas y el humo huyen dos demonicos, dibujados con claro estilo europeo. Descripción de la provincia y ciudad de Tlaxcala. Manuscrito de Glascow

The friars destroy and torch a pre-Hispanic temple. Inside the flames and smoke, the demons are ousted. Design is European style. Description is the province and city of Tlaxcala.
Glascow manuscript.

Antonio Rubial Garcia

Groundbreaking of the Solar Trust of American Solar Power Project at the Blythe Site on June 17, 2011

Left to Right: City of Blythe Mayor Joseph DeConinck, California Governor Jerry Brown, Solar Trust of America Chairman and CEO Uwe T. Schmidt, U.S. Secretary of the Interior Ken Salazar and 80th Assembly District Assemblymember V. Manuel Perez shovel dirt on June 17, 2011 during a groundbreaking event near Blythe, California for the Blythe Solar Power Project.

Three Musketeer cartoon emulating what the above government officials and company representatives are manifesting in the destruction of the Kokopilli/Cicimitl Geoglyph Sites.

Left to right are 80th Assembly District Assemblymember V. Manuel Perez (Señor El Vendido), Governor Jerry Brown and Secretary of Interior, Ken Salazar. Mr Perez has been fully aware of the sacredness of the site and is knowledgeable of its significance. He had previously taken a tour of the sacred sites. Governor Brown was a main supporter in stopping the construction of the Sun Desert Nuclear Power Plant 10 miles south of the Kokopilli/Cicimitl site in 1979, now one of the main supporters of destroying the sacred sites. Mr. Salazar is well aware of the atrocities that are being committed.

Twin Geoglyphs of Kokopilli/Cicimitl

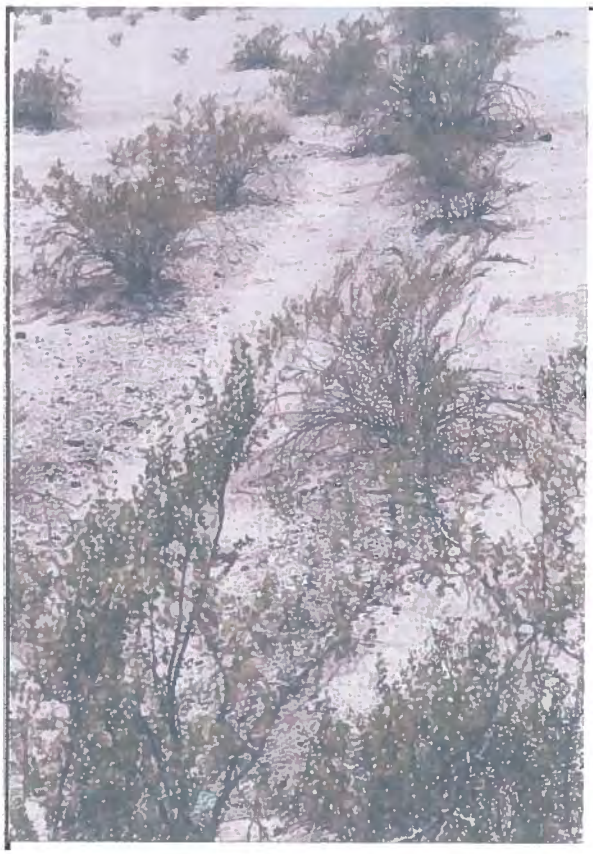
Sacred geoglyphs that are within the approved NextEra Blythe Solar Energy Project by the California Energy Commission, January 15, 2014

Kokopilli is the Creator's image of Quetzalcoatl in the form half human, half insect. He is leaving during the end of the sun of the suns in the Aztec Sunstone Calendar. Kokopilli means koko-hurt and pilli-our Lord. He is hurt because hur have not respected the Creator's dictation of harmonious equilibrium among all species

Cicimitl, the Great Spirit, El Cucuy, Kokokpilli's twin takes the human spirits to the 4 directions and to its final destination at the Topock Maze which is 13 magnetic north from the Mule Mountains (Calli-earth). In English, this image is called extra-terrestrial (ET)

Bamiyan Buddha twins carved into a sandstone cliff near the provincial capital in Central Afghanistan. They stand 165 feet and 114 feet tall. They were built around the 2nd century. Appeals came from all over the world such as the World Monument Fund and the United Nations Secretary General for the Taliban government of Afghanistan to preserve these sacred sites of the Buddha creation story in Afghanistan. W.L. Rathje an archaeologist at Stanford University described the destruction of the statues as a crime against humanity. Afghanistan was later invaded by the United States after they destroyed the statues that the world considered to be masterpieces. The United State Government fought for these foreign religious sacred sites but is not willing to fight to preserve sacred sites in its own country.

Remnants of Quechan Trail

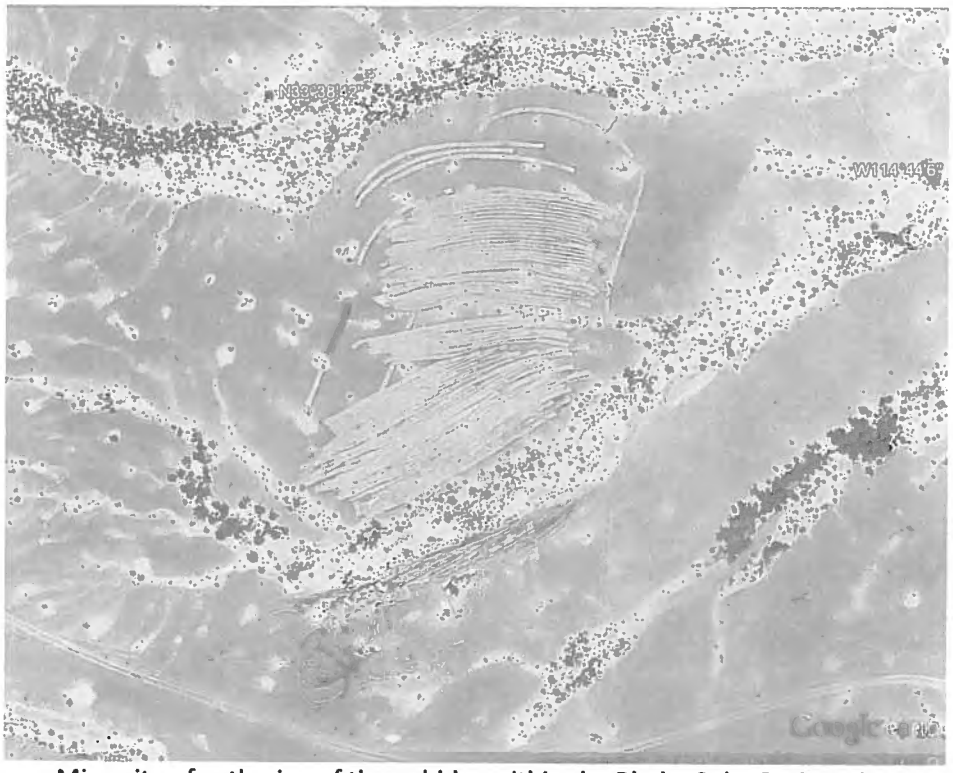


Here we can see clearly the white remnants of the Quechan trail south of I10 and west of Mesa Verde that is leading south to Yuma.

The Aztec Sunstone Four Suns Geoglyphs

These are the four geoglyph circle images that represent the four suns of the Aztec Sunstone calendar. They were designed when the Mexica Nation left the Colorado River in their migration to Mexico approximately 1067. These geoglyphs are also south of I10 and west of Mesa Verde.

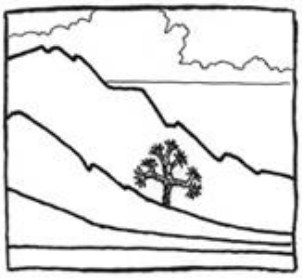
Gathering of Desert Pebbles



Mine site of gathering of the pebbles within the Blythe Solar Project site

These are some of the sites where the people were gathering the desert varnish pebbles but were stopped when BLM enforced the Antiquities Act of 1906. This site is next to the Temple site inside the Blythe Solar Project boundary.

COMMENTER	DATE
Basin and Range Watch, Kevin Emmerich and Laura Cunningham, Beatty, NV	**April 5, 2015**



Basin and Range Watch

April 5th, 2015

To : Cedric C. Perry, Project Manager, 22835 Calle San Juan De Los Lagos, Moreno Valley, CA 92553-9046
Email to: blm_ca_desert_quartzite_solar_project@blm.gov.

Subject: We would like to submit the following scoping comments for the NOI for the Desert Quartzite Solar Project: **CACA # 049397**

Basin and Range Watch is a group of volunteers who live in the deserts of Nevada and California, working to stop the destruction of our desert homeland. Industrial renewable energy companies are seeking to develop millions of acres of unspoiled habitat in our region. Our goal is to identify the problems of energy sprawl and find solutions that will preserve our natural ecosystems and open spaces. We have visited the Desert Quartzite Solar Energy project site and are concerned about the direct and cumulative impacts that the project would have on the region.

Introduction: The 2,400 acre site will change the landscape for the worse. Once the boom of construction jobs passes, very few full time jobs will be created, yet this project will impact public access, air quality, biological and cultural resources. It will compromise the quality of life of people living in near buy communities.

Purpose and Need: The Purpose and Need statement should include mandates to protect sensitive biological, hydrological, cultural and visual resources. We would also like the statement to include a mandate to maintain access to public lands as well as preserve in the California Desert Conservation Area. The Statement should recognize a need to protect the public health, quality of life, property values and socio-economics in the adjacent communities of Blythe, Mesa Verde and Ripley. The statement should look beyond the initial boom of construction jobs and consider the long term impacts a project of this size would have on local communities.

Alternatives: The Draft Environmental Impact Statement should consider an alternative that utilizes degraded brownfields and distributed generation. Under the National Environmental Policy Act, agencies are required to consider alternatives outside of their jurisdiction. A no large-scale energy alternative can be justified with The California Energy Efficiency Strategic Plan (CEESP). This plan already exists as California state law and it can be fully implemented now. For more background see www.basinandrangewatch.org/DRECP-CEESP-Alternative.html It is a state plan that prioritizes implementing rooftop solar and energy efficiency prior to developing large-scale, remote solar and wind projects.

Environmental Consequences:

Air Quality: First Solar has had several air quality issues with their existing projects, some of which were approved and overlooked by BLM. The projects have the potential to impact public health in the nearby communities of Blythe, Mesa Verde and Ripely.

If you build roads, transmission, large scale renewable projects and scrape up the Mojave Desert habitat, you will have fugitive dust. When deserts are scraped, a Pandora's Box of air quality issues is opened. Biological soil crust, desert pavement and old growth vegetation will all be lost.
This is an **Environmental Justice** issue. The health impacts that will arise from airborne particulates from construction dust could have very negative on the local residents of the area.

Dust control in hot, arid climates is very problematic. The removal of established vegetation, biological soil crusts and centuries old desert pavement creates opportunities for dust to be airborne every time the wind blows. Not only does fugitive dust create problems for visual and biological resources, it creates issues for public health as well.

Coccidioidomycosis (Valley Fever) is a common issue that impacts desert communities when dust is stirred up.

We are seeing this problem with several of the recently approved, prioritized large energy projects. The Department of Interior has been so effective in streamlining the environmental review of these projects that they have created a perfect storm of compromised air quality.

Valley Fever has been blamed for 62 deaths among California prison inmates statewide, most at the Avenal and Pleasant Valley facilities, but also two at Blythe, California: http://www.pe.com/local-news/riverside-county/corona/corona-headlines-index/20130806-valley-fever-inland-inmates-may-replace-transferred-prisoners.ece
According to the Center for Disease Control in 2010 there were over 16,000 reported cases of Valley Fever (i.e. coccidioidomycosis), the majority of which were located in Arizona and California (Accessed by Internet, July 3 2012 at:
http://www.cdc.gov/fungal/coccidioidomycosis/statistics.html.

In San Luis Obispo County, 28 workers were sent home with Valley fever: Epidemiologists are investigating an outbreak of valley fever that has sickened 28 workers at two large solar-power construction sites in San Luis Obispo County: http://articles.latimes.com/2013/may/01/local/la-me-ln-valley-fever-solar-sites-20130501

First Solar has had very difficult times controlling fugitive dust for their Antelope Valley Solar Ranch (AVSR) and Desert Sunlight Projects. They have been shut down three times for the AVSR by Los Angeles County for dust violations.

Groundwater and floods:

Altering the drainage at such a large scale will impact groundwater and cause flooding in unexpected places.

Large solar and wind developers often underestimate the amount of water needed for these projects. We know that the Topaz Project (built by First Solar) in San Lois Obispo County used so much water, that local residents are reporting increased salinity in their wells. The Desert Sunlight Project (built by First Solar) in Riverside County, California requested to use an additional 50 acre feet of water after making their own wells run dry. The BLM granted this request. As it turns out, they have depleted a non-rechargeable fossil water aquifer. The United States Geological Survey conducted a groundwater study for the Chuckwalla Valley region in 2012 including the area around Desert Center. The conclusion was that no tritium was detected in the water supply. Most of the rechargeable aquifers in the desert southwest are slightly contaminated with tritium due to past nuclear tests and it can be detected in modern groundwater tests. If an aquifer is tritium free, it indicates that no recharge has taken place in 50 years (prior to nuke tests). The USGS Groundwater Ambient Monitoring Analyzing can be referenced here: http://pubs.usgs.gov/ds/659/

Cultural Resources: The project would be located adjacent to the Mule Mountain Area of Critical Environmental Concern which was protected for cultural resources. The visual impacts of the project should be evaluated as a threat to the "cultural landscape" of the region.

The Mule-McCoy Linkage area has shown to be rich in cultural resources. Transportation and trade trails follow the bases of the mountains and branch out across the valley floors interconnecting the mountain range routes. Out in the valley center where wind-blown sand moves across the flats, these trails lose their physical visage but remain marked by their artifact scatters, such as pot drops (ceramic sherd scatters), lithic scatters, rock features, and isolated groundstone artifacts. Cremation sites are often revealed as dune sands move about. Desert Pavement features are extremely stable and preserve artifacts *in situ* for thousands of years.

Nearly all of the sites recorded in the area as prehistoric have been described as having potential for subsurface manifestation. In addition to their individual research potential properties, the distribution of many of these sites in conjunction with other prehistoric sites recorded between Desert Center and Blythe may provide links between vestiges of the Coco-Maricopa trail system as well as clues to activities associated with transportation along that route. As such, these sites could be considered as part of a complex archaeological district that would include evidence of trade, travel, interaction among the several cultural groups associated with the area (Cahuilla, Chemehuevi, Mojave, Serrano), resource exploitation along travel routes, seasonality of habitation, and trail spurs between the primary coastal-interior route and the springs and associated rock art sites in the bordering mountain ranges.

Nextera's mitigation for cultural resources destruction for the Genesis Project has been nothing short of pathetic. They destroyed an entire cultural village on Ford Dry Lake.

Burial sites, bones and a whole village site were destroyed because Nextera did not do adequate enough surveys. This is not acceptable.

The BLM will need to consult with the Cahuilla, Chemehuevi, Mojave, and Serrano nations to address their concerns. Many of these people feel the entire region is a "cultural site" including the view-scape, the water and the biological resources.

Biological Resources:

The project will impact habitat for the desert tortoise, burrowing owl, several rare plants, Mojave fringe-toed lizards, kit foxes and several migrating bird species.

Special Status animal species within the Mule Mountain ACEC include Couch's spadefoot toad, Mojave fringe-toed lizard, Chuckwalla, Townsend's big-eared bat, pallid bat, pocketed free-tailed bat, cave myotis, occult little brown bat, California leafnosed bat, fringed myotis, prairie falcon, mountain plover, Gila woodpecker, yellow warbler, rosy boa, Leconte's thrasher, mountain lion, desert/burro deer, bighorn sheep, desert tortoise, and Colorado Valley wood rat.

Desert tortoise: Desert tortoise are present on the site, especially on the south side up near the Mule Mountains. The project will impact individual animals as well as connectivity habitat.

Mojave fringe-toed lizard: The north part of the site contains the fine-grained sand habitat for this species. Development of the project will have direct impacts to the species as well as disrupt sand

transport corridors. A cumulative analysis should be prepared for the impacts of this project as well as for all the others being built in the region. It does not take a giant disturbance to impact this species. About 100 were killed for the Devers Palo Verde Transmission Project in the region.

Desert Kit Fox: This species saw an outbreak of K9 distemper, possibly due to the poor mitigation for the close by Genesis Solar Project. This should be considered as a major potential impact from the Desert Quartzite Project.

Desert Bighorn Sheep and Burro Deer:

According to the Fish and Wildlife Service, The area is bordered on the west by the Chuckwalla ACEC, on the south by the Palo Verde Wilderness, and on the north by the Palen-McCoy Wilderness. Current management in the area includes the Mule Mountain Wildlife Habitat Management Area (WHMA) and Bighorn Sheep WHMAs under the Northern and Eastern Colorado Desert Coordinated Management Plan and the Mule Mountain ACEC, a cultural resources ACEC.

The area contains wildlife linkage habitat between the Chuckwalla ACEC/ Palo Verde Wilderness and the Palen-McCoy Wilderness. The California Department of Fish and Game has identified the area as being critical for burro deer connectivity in eastern Riverside County

http://www.fws.gov/carlsbad/PalmSprings/DRECP/Appendix%20L_Bureau%20of%20Land%20Management%20Worksheets/Appendix%20L_BLM%20Worksheets%20-%20ACEC_Part5_5.pdf

Microphyll Woodlands are on the proposed project site. The Draft EIS should consider impacts the California State Endangered Gila woodpecker and the Endangered elf owl.

Polarized glare bird kills: Large solar projects are creating a polarized glare or lake effect and are causing birds and insects to be deceived and collide with solar panels or simply dehydrate. The avian impacts are not fully understood, but everyone seems to agree that this problem was underestimated during the initial boom to fast track big solar on both public and private lands in the Southwestern US. The polarized “lake effect” is now well known from the Genesis, Desert Sunlight and Ivanpah Projects, all in California. Bird species that have collided (or dehydrated) with solar panels and heliostats include the Endangered Yuma clapper rail, peregrine falcon , American kestrel and a host of water birds.

Recently, the US Fish and Wildlife Service released a report called “Avian Mortality at Solar Energy Facilities in Southern California: A Preliminary Analysis” Rebecca A. Kagan, Tabitha C. Viner, Pepper W. Trail, and Edgard O. Espinoza National Fish and Wildlife Forensics Laboratory

The report has enough information to tell us that incidental reporting of bird mortality from solar projects does not really give the complete numbers. The report finds that “ Trauma was the leading cause of death documented for remains at the Desert Sunlight (First Solar project) and Genesis sites.“

The report also states “These solar facilities appear to represent “equal-opportunity” hazards for the bird species that encounter them. The remains of 71 species were identified, representing a broad range of ecological types. In body size, these ranged from hummingbirds to pelicans; in ecological type from strictly aerial feeders (swallows) to strictly aquatic feeders (grebes) to ground feeders (roadrunners) to raptors (hawks and owls). The species identified were equally divided among resident and non-resident species, and nocturnal as well as diurnal species were represented.”

The two main identified cause of mortality from photovoltaic projects are trauma and predation.

The report details the mortality at the 4,500 acre Desert Sunlight photovoltaic site which was built by First Solar;

“Sixty-one birds from 33 separate species were represented from Desert Sunlight. Due to desiccation and scavenging, a definitive cause of death could not be established for 22 of the 61 birds.

Blunt force impact trauma was determined to have been the cause of death for 19 Desert Sunlight birds including two Western Grebes (Aechmophorus occidentalis) and one each of 16 other species. Impact (blunt force) trauma is diagnosed by the presence of fractures and internal and/or external contusions. In particular, bruising around the legs, wings and chest are consistent with crash-landings while fractures of the head and/or neck are consistent with high-velocity, frontal impact (such as may result from impacting a mirror).

Predation was the immediate cause of death for 15 birds. Lesions supporting the finding of predation included decapitation or missing parts of the body with associated hemorrhage (9/15), and lacerations of the skin and pectoral muscles. Eight of the predated birds from Desert Sunlight were grebes, which are unable to easily take off from land. This suggests a link between predation and stranding and/or impact resulting from confusion of the solar panels with water.”

Challenges to data collection included rapid degradation of carcass quality hindering cause of death and species determination; large facilities which are difficult to efficiently search for carcasses; vegetation and panels obscuring ground visibility; carcass loss due to scavenging; and inconsistent documentation of carcass history. Searcher efficiency has been shown to have varying influences on carcass recovery with anywhere from 30% to 90% detection of small birds achieved in studies done at wind plants (Erickson et al., 2005). Scavengers may also remove substantial numbers of carcasses. In studies done on agricultural fields, up to 90% of small bird carcasses were lost within 24 hours (Balcomb, 1986; Wobeser

and Wobeser, 1992). OLE staff observed apparently resident ravens at the Ivanpah power tower. Ravens are efficient scavengers, and could remove large numbers of small bird carcasses from the tower vicinity. (Erickson, W. P., G. D. Johnson, and D. P. Young, Jr., 2005, A summary and comparison of bird mortality from anthropogenic causes with an emphasis on collisions: U S Forest Service General Technical Report PSW, v. 191, p. 1029-1042; Balcomb, R., 1986, Songbird carcasses disappear rapidly from agricultural fields: Auk, v. 103, p. 817-820; Wobeser, G., and A. G. Wobeser, 1992, Carcass disappearance and estimation of mortality in a simulated die-off of small birds: Journal of Wildlife Diseases, v. 28, p. 548- 554.) “

The report concludes:

“Given these variables it is difficult to know the true scope of avian mortality at these facilities. The numbers of dead birds are likely underrepresented, perhaps vastly so. Observational and statistical studies to account for carcass loss may help us to gain a better sense of how many birds are being killed.”

And the photovoltaic projects have insect impacts: “Light and noise pollution associated with electrical power plants can be problematic for wildlife. Polarized light pollution from PV panels can attract aquatic insects and other species that mistake the panels for bodies of water, potentially leading to population

decline or even local extinction of some organisms (Horvath et al. 2010). Nighttime lighting for security or other reasons may negatively impact a variety of Mojave Desert species, many of which have developed nocturnal behavior to escape the daytime heat of the desert. (Mojave Desert Ecoregional Assessment September 2010, The Nature Conservancy of California 201 Mission Street, 4th Floor San Francisco, CA 94105) p. 50"

Organized surveys for avian mortality are taking place at the Ivanpah Solar Project with only a 20 percent coverage. They have now discovered 3 kit fox dens in the project site as well as active raven nests. It is likely that scavengers are removing birds before they can be counted. The rest of the finds are simply incidental which may indicate that mortality numbers are far greater than being reported.

The approved Blythe Solar Power Project will eventually be a 4,000 acre PV facility near the Colorado River near Blythe, California also built by First Solar.

At a hearing for the California Energy Commission, there were interveners. LABORERS' INTERNATIONAL UNION OF NORTH AMERICA had biologist Shawn Smallwood estimate a number of birds that would be killed for one of the Interveners to the project. He estimated that over 2,100 birds would be killed per year by the 4,000 acre Blythe Solar Power Project. The estimate can be viewed here: http://docketpublic.energy.ca.gov/PublicDocuments/09-AFC-06C/TN201152_20131108T155000_Testimony_of_K_Shawn_Smallwood_PhD.pdf

A similar analysis should be made for the Desert Quartzite Project.

We would like to request that the agencies recommend or even require avian monitoring on this project and mitigation. Single axis units can be potentially designed to be turned upside down which could be helpful in the migration times.

We would like to see a more proactive approach to protecting wildlife than a simple "after the fact" report that we are getting from a few of the big solar projects now.

We would also like to see a full report included of the cumulative impacts of all of the documented and estimated bird kills for avian fauna in the area. The Desert Sunlight, Genesis, McCoy, Blythe and Desert Harvest Projects should all be included.

It is quite possible that the Desert Quartzite Project would kill a Federally Endangered Yuma Clapper Rail (YCR.) The project would be close to the Colorado River and the Cibola National Wildlife Refuge which is an Important Bird Area. The Bureau of Land Management should encourage First Solar to get a Take permit from the Fish and Wildlife Service for this project.

Socio-Economics/Environmental Justice: How will the project impact property values and quality of life of adjacent residents in Mesa Verde? Will the dust impact their health? Will the project hurt property values? A full analysis of the negative impacts this project would have on the community should be prepared.

Visual Resources: The project will be visible from the Mule Mountains ACEC and the McCoy Mountains Wilderness Area. It will also be visible from residential areas. Due to the immense size of the project, impacts to VRM I and II standards should be analyzed in the Draft EIS.

East Riverside Solar Energy Zone: While this zone has been approved, BLM did a poor job on analyzing the region in the Solar PEIS. The Desert Quartzite Project should be reviewed with a full 90 day Environmental Impact Statement and a protest period should be provided due to the pending Desert Renewable Energy Conservation Plan Land Use Amendment.

Conclusion:

This project is giant and can cause irreversible impacts. The BLM should consider reasonable alternatives that would place photovoltaic panels in a fully functional built environment. Please stop needlessly destroying our public lands. This is very poor management on BLM's part.

Thanks,

Kevin Emmerich
Laura Cunningham
Basin and Range Watch
P.O. Box 70
Beatty, NV 890043
www.basinandrangewatch.org

COMMENTER	DATE
U.S. Environmental Protection Agency, Region IX, Tom Plenys, Environmental Review Section, San Francisco, CA	April 6, 2015

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

APR 6 2015

Cedric C. Perry, Project Manager
Bureau of Land Management
California Desert District Office
22835 Calle San Juan de Los Lagos
Moreno Valley, California 92553-9046

Subject: Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Desert Quartzite Solar Project and a Possible Amendment to the California Desert Conservation Area Plan, Riverside County, California

Dear Mr. Perry:

The U.S. Environmental Protection Agency has reviewed the March 6, 2015 Notice of Intent to prepare an Environmental Impact Statement for the Proposed Desert Quartzite Solar Project, Riverside County, California. Our comments are provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508) and §309 of the Clean Air Act.

The EPA supports the development of renewable energy resources in an expeditious and well planned manner. Using renewable energy resources such as solar power can help the nation meet its energy requirements without generating greenhouse gas emissions. To assist in the scoping process, we have identified several issues for your attention in the preparation of the EIS. We are most concerned about potential impacts to site hydrology, air quality, and biological resources – including threatened and endangered species, in addition to the cumulative impacts associated with the influx of projects in the Riverside East Solar Energy Zone. The analyses of key resources, as well as consultation with tribal governments and the identification of compensatory mitigation lands, should be completed as early as possible to determine a project's viability and avoid potential project delays.

We appreciate the opportunity to review this NOI and are available to discuss our attached detailed comments. Please send one hard copy of the DEIS and one CD ROM copy to this office at the same time it is officially filed with our Washington D.C. Office. If you have any questions, please contact me at (415) 972-3238, or Scott Sysum, the lead reviewer for this project. Mr. Sysum can be reached at (415) 972-3742 or sysum.scott@epa.gov.

Sincerely,

Tom Plenys
Environmental Review Section

Enclosure: EPA's Detailed Comments

US EPA DETAILED COMMENTS ON THE NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED DESERT QUARTZITE SOLAR PROJECT AND POSSIBLE LAND USE PLAN AMENDMENT TO THE CALIFORNIA DESERT CONSERVATION AREA PLAN, RIVERSIDE COUNTY, CALIFORNIA, APRIL 6, 2015

Purpose and Need

The Draft Environmental Impact Statement should clearly identify the underlying purpose and need to which the Bureau of Land Management is responding in proposing the alternatives (40 CFR 1502.13). The *purpose* of the proposed action is typically the specific objectives of the activity, while the *need* for the proposed action may be to eliminate a broader underlying problem or take advantage of an opportunity.

Recommendations:
The purpose and need should be a clear, objective statement of the rationale for the proposed project. When formulating the need, identify and describe the underlying problem, deficiency, or opportunity that the action is meant to address.

The DEIS should clearly indicate the factors used to determine the size of the project (in terms of megawatts and land acreage) in relation to the underlying need for the project.

The DEIS should discuss the proposed project in the context of the larger energy market that this project would serve; identify potential purchasers of the power produced; and discuss how the project will assist the state in meeting its renewable energy portfolio standards and goals.

Alternatives Analysis

The National Environmental Policy Act requires evaluation of reasonable alternatives, including those that may not be within the jurisdiction of the lead agency (40 CFR Section 1502.14(c)). A robust range of alternatives will include options for avoiding significant environmental impacts. Reasonable alternatives could include, but are not limited to, alternative locations within the project area, alternative configurations and mountings, alternative capacities, and alternative photovoltaic technologies. Alternative power and transmission line routes should also be evaluated, as well as alternative configurations for access roads.

The alternatives analysis should describe the approach used to identify environmentally sensitive areas and describe the process that was used to designate them in terms of sensitivity (e.g. low, medium, and high). The EPA strongly encourages siting renewable energy projects on disturbed, degraded, and contaminated sites before considering large tracts of undisturbed lands, if possible.

Recommendations:
The DEIS should describe how each alternative was developed, how it addresses each project objective, and how it will be implemented. The alternatives analysis should include a discussion of alternative sites, alternative routes for the transmission line, and capacities, as well as alternatives that identify environmentally sensitive areas or areas with potential use conflicts.

The DEIS should clearly describe the rationale used to determine whether impacts of an alternative are significant or not and the reasons for eliminating alternatives which are not evaluated in detail. Thresholds of significance should be determined by considering the context and intensity of an action and its effects (40 CFR 1508.27).

Consistency with the California Desert Renewable Energy Conservation Plan and the Solar Programmatic EIS

The California DRECP[1] is intended to advance state and federal conservation goals in desert regions of seven California counties (Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego), while also facilitating the timely permitting of renewable energy projects. The DRECP will include a strategy that identifies and maps areas for renewable energy development and areas for long-term natural resource conservation. The Solar Programmatic EIS was developed by the BLM and the Department of Energy and is intended to apply to utility-scale solar energy projects sited on BLM-administered public lands in six southwestern states (Arizona, California, Colorado, Nevada, New Mexico, and Utah). The Desert Quartzite Solar project is located in the DRECP planning area and in the Riverside East Solar Energy Zone, as identified in the Solar PEIS.

Recommendation:
The DEIS should discuss the applicability of the DRECP and the Solar PEIS to the development of the proposed project. Identify any analyses, mitigation measures and/or design features, from either the DRECP or the Solar PEIS, that have been incorporated into the DEIS. Discuss and confirm any additional requirements and/or conditions that may apply upon approval of the DRECP.

Water Resources

Clean Water Act Section 404
The project applicant should coordinate with the U.S. Army Corps of Engineers to determine if the proposed project requires a Section 404 permit under the Clean Water Act. Section 404 regulates the discharge of dredged or fill material into waters of the United States (WOUS), including wetlands and other *special aquatic sites*. The DEIS should describe all WOUS that could be affected by the project alternatives, and include maps that clearly identify all waters within the project area. In addition, the EPA suggests that the BLM include a jurisdictional delineation for all WOUS, including ephemeral drainages. A jurisdictional delineation will confirm the presence or absence of WOUS in the project area and help determine impact avoidance or if state and federal permits would be required for activities that affect WOUS.

If a Section 404 permit is required, the EPA may review the project for compliance with Section 404(b)(1) Guidelines. Pursuant to 40 CFR 230, any permitted discharge into WOUS must be the *least environmentally damaging practicable alternative* available to achieve the project purpose. If needed, the DEIS should include an evaluation of the project alternatives within this context in order to demonstrate the project's compliance with the 404(b)(1) Guidelines. Aligning NEPA and CWA Section 404 requirements will streamline the permitting process, if a permit is required.

[1] BLM land use designations are scheduled for completion in 2015.

Recommendations:
The DEIS should include a jurisdictional delineation for all WOUS, including ephemeral drainages, in accordance with the 1987 *Corps of Engineers Wetlands Delineation Manual* and the December 2006 *Arid West Region Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region.*

The DEIS should describe all WOUS that could be affected by the project alternatives and should include maps that clearly identify all WOUS within the project area. The discussion should include acreages and channel lengths, habitat types, values, and functions of these WOUS.

Drainages, Ephemeral Washes, and Floodplains
The DEIS should describe the original (natural) drainage patterns in the project locale, as well as the drainage patterns of the area during project operations, and identify whether any components of the proposed project are within a 50 or 100-year floodplain. The DEIS should consider the upstream and downstream reach of waters and their importance in this landscape. Natural washes perform a diversity of hydrologic, biochemical, and geochemical functions that directly affect the integrity and functional condition of higher-order waters downstream. Healthy ephemeral waters with characteristic plant communities control rates of sediment deposition and dissipate the energy associated with flood flows. Ephemeral washes also provide habitat for breeding, shelter, foraging and movement of wildlife. Many plant populations are dependent on these aquatic ecosystems and adapted to their unique conditions.

Recommendations:
The EPA recommends that the DEIS characterize the functions of any aquatic features that could be affected by the proposed project, including those determined not to constitute WOUS, and describe how the proponent will avoid, minimize and mitigate such impacts.

The EPA recommends development of a desert or ephemeral wash avoidance alternative for full evaluation in the DEIS.

To avoid and minimize direct and indirect impacts to desert washes (such as erosion, migration of channels and local scour), the EPA recommends incorporating the following design features as part of the proposed project:

- Avoid placement of support structures in washes.
- Utilize existing natural drainage channels on site and more natural features, such as earthen berms or channels, rather than concrete-lined channels.
- Commit to the use of natural washes, in their present location and natural form and include natural buffers, for flood control to the maximum extent practicable.
- Minimize the number of road crossings over washes and design necessary crossings to provide adequate flow-through during storm events.
- Avoid complete clearing and grading of the site to reduce impacts to drainages.
- Consider mounting PV panels at sufficient height above ground to maintain natural vegetation.

Discuss the availability of sufficient compensation lands within the project's watershed to

replace desert wash functions lost on the project site.

Water Supply and Water Quality
The DEIS should estimate the quantity of water the project will require and describe the source of this water and potential effects on other water users and natural resources in the project's area of influence. The DEIS should clearly depict reasonably foreseeable direct, indirect, and cumulative impacts to this resource. If groundwater is to be used, the potentially-affected groundwater basin should be identified and any potential for subsidence and impacts to springs or other open water bodies and biologic resources should be analyzed.

Recommendations:
The DEIS should include:

- A discussion of the amount of water needed for the proposed PV electrical generation facility and where this water will be obtained.
- A discussion of availability of groundwater within the basin, annual recharge rates and whether water rights have been over-allocated.
- A discussion of cumulative impacts to groundwater supply within the hydrographic basin, including impacts from other large-scale solar installations that have also been proposed or constructed.
- An analysis of different types of technology that can be used to minimize or recycle water, including alternative methods of cleaning PV panels.
- A discussion of whether it would be feasible to use other sources of water, including potable water, irrigation canal water or wastewater.

The DEIS should address the potential effects of project discharges, if any, on surface water quality. Specific discharges should be identified and potential effects of discharges on designated beneficial uses of affected waters should be analyzed.

The EPA strongly encourages the BLM to include in the DEIS a description of all water conservation measures that will be implemented to reduce water demands. Project designs should maximize conservation measures such as appropriate use of recycled water, xeric landscaping and water conservation education.

Because of potential climate change effects on water quantity and California's current drought conditions, the DEIS should describe water reliability for the proposed project and clarify how existing and/or proposed sources may be affected by climate change. Discuss adaptability of the project to these changes.

Air Quality

The DEIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards, criteria pollutant nonattainment areas, and potential air quality impacts of the proposed project (including cumulative and indirect impacts). Such an evaluation is necessary to assure compliance with State and Federal air quality regulations, and to disclose the potential impacts from temporary or cumulative degradation of air quality.

The DEIS should describe and estimate air emissions from potential construction, operation and maintenance activities, as well as proposed mitigation measures to minimize those emissions. The EPA recommends an evaluation of the following measures to reduce emissions of criteria air pollutants and hazardous air pollutants (air toxics).

Recommendations:

- *Existing Conditions* – The DEIS should provide a detailed discussion of ambient air conditions, National Ambient Air Quality Standards, and criteria pollutant nonattainment areas in the vicinity of the project.

- *Quantify Emissions* – The DEIS should estimate emissions of criteria pollutants from the proposed project and discuss the timeframe for release of these emissions over the lifespan of the project. The DEIS should describe and estimate emissions from potential construction activities, as well as proposed mitigation measures to minimize these emissions.

- *Specify Emission Sources* – The DEIS should specify the emission sources by pollutant from mobile sources, stationary sources, and ground disturbance. This source specific information should be used to identify appropriate mitigation measures and areas in need of the greatest attention.

- *Construction Emissions Mitigation Plan* – Include, in the DEIS, a list of all mitigation measures to be adopted in the Record of Decision as part of a construction emissions mitigation plan. In addition to measures necessary to meet all applicable local, state, and federal requirements, we recommend that the following measures be included:

  Fugitive Dust Source Controls:
  - Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
  - Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
  - When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour. Limit speed of earth-moving equipment to 10 mph.

  Mobile and Stationary Source Controls:
  - Minimize use, trips, and unnecessary idling of heavy equipment.
  - Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies.
  - Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which should be employed (http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm).

- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- In general, commit to the best available emissions control technologies for project equipment.
    - *On-Highway Vehicles* - On-highway vehicles used for this project should meet, or exceed, the US EPA exhaust emissions standards for model year 2010 and newer heavy-duty on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).[2]
    - *Nonroad Vehicles & Equipment* - Nonroad vehicles & equipment used for this project should meet, or exceed, the US EPA Tier 4 exhaust emissions standards for heavy-duty nonroad compression-ignition engines (e.g., construction equipment, nonroad trucks, etc.).[3]
    - *Low Emission Equipment Exemptions* – The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.
    - *Advanced Technology Demonstration & Deployment* – BLM is encouraged to demonstrate and deploy heavy-duty technologies that exceed the latest US EPA emission performance standards for the equipment categories that are relevant for this project (e.g., plug-in hybrid-electric vehicles-PHEVs, battery-electric vehicles-BEVs, fuel cell electric vehicles-FCEVs, advanced technology non-road diesel engines, etc.).

Administrative controls:

- Specify the means by which BLM would minimize impacts to sensitive receptors, such as children, the elderly, and the infirm. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.
- Prepare an inventory of all equipment prior to construction.
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.

Biological Resources and Habitat

The DEIS should identify all petitioned and listed threatened and endangered species and critical habitat that might occur within the project area. The document should identify and quantify which species or critical habitat might be directly, indirectly, or cumulatively affected by each alternative and mitigate impacts to these species. Emphasis should be placed on the protection and recovery of species due to their status or potential status under the Endangered Species Act. For this project, the EPA is concerned regarding potential impacts to foraging and nesting habitat for a variety of species including, but not

[2] http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm
[3] http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm

limited to, desert tortoise, fringe toed lizards, burrowing owls, migratory birds and raptors. We recommend ensuring best practices are utilized to survey and adequately protect desert tortoises.

Recommendations:
The EPA recommends that the BLM consult with the U.S. Fish and Wildlife Service and prepare a Biological Opinion under Section 7 of the ESA for all threatened or endangered species present. If consultation is not required, provide information on how the determination was made within the DEIS.

Incorporate, into the DEIS, mitigation, monitoring, and reporting measures that result from consultation with the USFWS and CDFW, and that incorporate lessons learned from other solar projects and recently released guidances to avoid and minimize adverse effects to sensitive biological resources.

Include a clear description of how avoidance, mitigation and conservation measures will protect and encourage the recovery of the covered species and their habitats in the project area.

Include a draft of the following documents, as applicable: Avian Protection Plan, a Raven Monitoring, Management, and Control Plan, Burrowing Owl Mitigation, Monitoring and Translocation Plan, Desert Tortoise Relocation/Translocation Plan, Desert Tortoise Compensatory Mitigation Plan, Special – Status Plant Impact Avoidance and Mitigation Plan, and Management Plan for Sand Dune/Fringed-Toed Lizard.

The DEIS should include assurances that the design of the transmission line would be in compliance with current standards and practices that reduce the potential for raptor fatalities and injuries. The commonly referenced source of such design practices is found within the Avian Power Line Interaction Committee documents: *Suggested Practices for Avian Protection on Power Lines: State of the Art in 2006 Manual* and *Mitigating Bird Collisions with Power Lines: The State of the Art in 2012.* Utilize the 2005 Avian Power Line Interaction Committee and U.S. Fish and Wildlife Service Avian Protection Plan Guidelines to inform the development of the Avian Protection Plan, as applicable.

The EPA is concerned about habitat fragmentation and obstructions for wildlife movement resulting from the proposed project. The EPA is also aware that shade from the PV panels could impact vegetation and/or species in the project area. We encourage habitat conservation alternatives that avoid and protect high value habitat and create or preserve linkages between habitat areas to better conserve the covered species.

Recommendations:
The DEIS should describe the potential for habitat fragmentation and obstructions for wildlife movement from the construction of this project and other utility-scale renewable energy projects in the eastern Riverside County area.

The DEIS should indicate what measures will be taken to protect important wildlife habitat areas from potential adverse effects of the proposed project.

The DEIS should discuss the impacts associated with an increase of shade in the desert environment on vegetation and/or species.

The DEIS should discuss the impacts associated with constructing fences around the project site, and consider whether there are options that could facilitate better protection of covered species.

At this stage, it is not clear that sufficient compensatory lands are available for potential resource impacts. If the applicant is to acquire compensation lands, the location(s) and management plans for these lands should be discussed in the DEIS. In light of the renewable energy projects and potential development activities in the Riverside East Solar Energy Zone, available land to adequately compensate for environmental impacts to resources such as state jurisdictional waters, desert dry wash woodlands, and desert tortoise, may serve as a limiting factor for development.

Recommendations:
Incorporate, into the DEIS, information on the compensatory mitigation proposals (including quantification of acreages, estimates of species protected, costs to acquire compensatory lands, etc.) for unavoidable impacts to waters of the State and biological resources such as desert tortoise.

Identify compensatory mitigation lands or quantify, in the DEIS, available lands for compensatory habitat mitigation for this project, as well as reasonably foreseeable projects in the Riverside East Solar Energy Zone. Specify, in the DEIS, provisions that will ensure habitat selected for compensatory mitigation will be protected in perpetuity.

Discuss mitigation ratios for tortoise habitat and how these relate to the mitigation ratios recommended by other agencies, as well as how they relate to mitigation ratios used for other renewable energy projects in California and Nevada.

Avian Mortality
The threats posed to birds and bats from the construction, and particularly the operation, of renewable energy projects is not new (as evidenced by the long history of avian mortality at wind energy facilities). A more recent phenomenon, currently the subject of scrutiny by federal, state, and renewable energy industry biologists, is the avian mortality that has resulted from the construction and operation of utility-scale solar installations. The number of solar sites (both solar thermal facilities, as well as solar photovoltaic) reporting deaths of avian species has increased.

Recommendations:
Include an updated discussion, in the DEIS, on the occurrence of avian mortality at utility-scale solar sites, informed with the best available scientific research conducted on this topic.

In consultation with the USFWS and CDFW, determine the need for a comprehensive monitoring protocol to catalog and analyze occurrences of avian mortality. If the need for a comprehensive protocol is warranted, include a draft of the protocol in the DEIS.

Invasive Species

Executive Order 13112, *Invasive Species* (February 3, 1999), mandates that federal agencies take actions to prevent the introduction of invasive species, provide for their control, and minimize the economic, ecological, and human health impacts that invasive species cause. Executive Order 13112 also calls for the restoration of native plants and tree species. If the proposed project will entail new landscaping, the DEIS should describe how the project will meet the requirements of Executive Order 13112.

Recommendations:
The DEIS should describe the invasive plant management plan used to monitor and control noxious weeds. If herbicides or pesticides will be used to manage vegetation, the DEIS should disclose the projected quantities and types of chemicals. The invasive plant management plan should identify methods that can be used to limit the introduction and spread of invasive species during and post-construction. These measures can include marking and avoidance of invasives, timing construction activities during periods that would minimize their spread, proper cleaning of equipment, and proper disposal of woody material removed from the ROW.

Because construction measures may not be completely effective in controlling the introduction and spread of invasives, the DEIS should describe post-construction activities that will be required such as surveying for invasive species following restoration of the construction site and measures that will be taken if infestations are found.

Cumulative and Indirect Impacts

For the cumulative impacts assessment, we recommend focusing on resources of concern or resources that are "at risk" and/or are significantly impacted by the proposed project, before mitigation. For this project, the BLM should conduct a thorough assessment of the cumulative impacts to air quality, as well as aquatic and biological resources, including impacts to desert washes and desert tortoise, especially in the context of the renewable energy developments occurring and proposed in the eastern Riverside County area. Understanding these cumulative impacts can help identify opportunities for minimizing threats. The cumulative impacts analysis should identify how resources, ecosystems and human communities of concern have already been affected by past or present activities in the project areas. Characterize these resources in terms of their response to change and capacity to withstand stresses, and identify the additional stresses that will affect resources. Trends data should be used to establish a baseline for the affected resources, to evaluate the significance of historical degradation, and to predict the environmental effects of the project components.

Recommendations:
The DEIS should consider the cumulative impacts associated with multiple renewable energy and other development projects proposed in the eastern Riverside County area and the potential impacts on various resources including: air quality, water supply, desert washes, endangered species, and wildlife habitat. EPA assisted in the preparation of a guidance document for assessing cumulative impacts (available: http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm). While this guidance was developed for transportation projects in California, the principles and steps outlined therein offer a systematic way to analyze cumulative impacts for any project type.

The DEIS should describe the methodology used to assess cumulative project impacts and include the delineation of temporal and geographic boundaries[4] for analyzing the cumulative impacts on all resources of concern.

Climate Change

On December 18, 2014, the Council on Environmental Quality released revised draft guidance for public comment that describes how federal departments and agencies should consider the effects of greenhouse gas emissions and climate change in their NEPA reviews. The revised draft guidance supersedes the draft greenhouse gas and climate change guidance released by CEQ in February 2010. This guidance explains that agencies should consider both the potential effects of a proposed action on climate change, as indicated by its estimated greenhouse gas emissions, and the implications of climate change for the environmental effects of a proposed action.

> "CEQ recognizes that many agency NEPA analyses to date have concluded that GHG emissions from an individual agency action will have small, if any, potential climate change effects. Government action occurs incrementally, program-by-program and step-by-step, and climate impacts are not attributable to any single action, but are exacerbated by a series of smaller decisions, including decisions made by the government. Therefore, the statement that emissions from a government action or approval represents only a small fraction of global emissions is more a statement about the nature of climate change challenge, and is not an appropriate basis for deciding whether to consider climate impacts under NEPA. Moreover, these comparisons are not an appropriate method for characterizing the potential impacts associated with a proposed action and its alternatives and mitigations."[5]

The revised draft guidance suggests that, if an agency determines that evaluating the effects of GHG emissions would not be useful in the decision making process and to the public to distinguish between the proposed action, alternatives and mitigations, the agency should document the rationale for that determination.

> *Recommendation:*
> Consistent with the recent CEQ guidance, in the DEIS, estimate the greenhouse gas emissions that would result from implementation of each alternative, and include a discussion of the impacts from climate change on the environmental resources affected by the project. The draft guidance is available in full at:
> http://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance_searchable.pdf

---

[4] For assistance with identifying appropriate temporal and spatial boundaries and identifying appropriate past, present, and reasonably foreseeable future projects to include in the analysis, refer to the Council on Environmental Quality's "Considering Cumulative Effects Under the National Environmental Policy Act", available at: (http://ceq.hss.doe.gov/publications/cumulative_effects.html) and EPA's "Consideration Of Cumulative Impacts In EPA Review of NEPA Documents" (http://www.epa.gov/compliance/resources/policies/nepa/cumulative.pdf).

[5] Council on Environmental Quality. *Guidance on Considering Climate Change in NEPA Reviews*. Dec 2014.Print.

Hazardous Materials/Hazardous Waste/Solid Waste

The DEIS should address potential direct, indirect and cumulative impacts of hazardous waste from construction and operation of the proposed facility. The document should identify projected hazardous waste types and volumes, and expected storage, disposal, and management plans. It should address the applicability of state and federal hazardous waste requirements. Appropriate mitigation should be evaluated, including measures to minimize the generation of hazardous waste. Alternate industrial processes using less toxic materials should be evaluated as mitigation since such processes could reduce the volume or toxicity of hazardous materials requiring management and disposal as hazardous waste.

Photovoltaic Production and Recycling
The product life cycle of photovoltaic technology presents opportunities to minimize environmental impacts, from raw material sourcing through end of life collection and reuse or recycling.

> *Recommendation:*
> The EPA recommends that the project proponent strive to address the full product life cycle by, to the extent feasible, sourcing PV components from a company that: 1) minimizes environmental impacts during raw material extraction; 2) minimizes waste generation, emissions, and discharges during the manufacturing of the PV modules; and 3) provides future PV module disassembly for material recovery for reuse and recycling.

Project Decommissioning, Site Restoration and Financial Assurance
Desert ecosystems have evolved over millennia to withstand severe conditions. Decommissioning and site restoration in an arid environment may take much longer and require more extensive intervention than in a more temperate region. For the Mojave Desert, sufficient moisture for regeneration is usually only available a couple of months per year. Desert ecosystems may take many years to recover even with active intervention. Disturbances can further slow this process and restoration has been found to be problematic at other sites in arid ecosystems with large-scale disturbance. The EPA recommends that the site restoration planning take into account the uncertainty and harshness of the Mojave Desert climate and include monitoring of revegetation progress for at least ten years to ensure that the effort is successful.

> *Recommendation:*
> The EPA recommends that the DEIS include a requirement for a decommissioning and site restoration plan. The plan should include: 1) cost estimates – including a requirement for the project owner to secure a performance bond, surety bond, letter of credit, corporate guarantee, or other form of financial assurance adequate to cover the cost of decommissioning and effective restoration; 2) time allotted to complete the decommissioning/restoration; 3) description of the structures, facilities, foundations to be removed; 4) description of restoration measures including recontouring the surface and revegetation to a condition reasonably similar to the original condition; and 5) monitoring of revegetation process for at least 10 years or until the effort has been deemed successful.

Coordination with Tribal Governments

Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments* (November 6, 2000), was issued in order to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, and to strengthen the United States government-to-government relationships with Indian tribes.

> *Recommendation:*
> The DEIS should describe the process and outcome of government-to-government consultation between the BLM and each of the tribal governments within the project area, issues that were raised (if any), and how those issues were addressed in the selection of the proposed alternative.

National Historic Preservation Act and Executive Order 13007
Consultation for tribal cultural resources is required under Section 106 of the National Historic Preservation Act. Historic properties under the NHPA are properties that are included in the National Register of Historic Places or that meet the criteria for the National Register. Section 106 of the NHPA requires a federal agency, upon determining that activities under its control could affect historic properties, consult with the appropriate State Historic Preservation Officer/Tribal Historic Preservation Officer. Under NEPA, any impacts to tribal, cultural, or other treaty resources must be discussed, and measures to mitigate such impacts must be identified. Section 106 of the NHPA requires that Federal agencies consider the effects of their actions on cultural resources, following regulation in 36 CFR 800.

Executive Order 13007, *Indian Sacred Sites* (May 24, 1996), requires federal land managing agencies to accommodate access to, and ceremonial use of, Indian sacred sites by Indian Religious practitioners, and to avoid adversely affecting the physical integrity, accessibility, or use of sacred sites. It is important to note that a sacred site may not meet the National Register criteria for a historic property and that, conversely, a historic property may not meet the criteria for a sacred site.

> *Recommendation:*
> The DEIS should address the existence of Indian sacred sites in the project areas. It should address Executive Order 13007, distinguish it from Section 106 of the NHPA, and discuss how the BLM will avoid adversely affecting the physical integrity, accessibility, or use of sacred sites, if they exist. The DEIS should provide a summary of all coordination with Tribes and with the SHPO/THPO, including identification of NRHP eligible sites, and development of a Cultural Resource Management Plan.

Environmental Justice and Impacted Communities

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994) and the more recent Interagency Memorandum of Understanding on Environmental Justice and Executive Order 12898 (August 4, 2011) direct federal agencies to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations, allowing those populations a meaningful opportunity to

participate in the decision-making process. Guidance[6] by CEQ clarifies the terms low-income and minority population (which includes Native Americans) and describes the factors to consider when evaluating disproportionately high and adverse human health effects.

Recommendations:
The DEIS should include an evaluation of environmental justice populations within the geographic scope of the projects. If such populations exist, the DEIS should address the potential for disproportionate adverse impacts to minority and low-income populations, and the approaches used to foster public participation by these populations. Assessment of the projects impact on minority and low-income populations should reflect coordination with those affected populations.

The DEIS should describe outreach conducted to all other communities that could be affected by the project, since rural communities may be among the most vulnerable to health risks associated with the project.

Visual Impacts – Glint and Glare

It is important to assess the potential hazards of glint and glare from solar power plants to ensure public safety. Glint (a momentary flash of light) and glare (a more continuous source of excessive brightness relative to the ambient lighting) can occur from various solar energy components such as PV modules.

Hazards from glint and glare from solar power plants include the potential for permanent eye injury (e.g., retinal burn) and temporary disability or distractions (e.g., flash blindness), which may impact people working nearby, pilots flying overhead, or motorists driving alongside the site.

Recommendation:
Evaluate the potential hazards of glint and glare to motorists driving on Interstate 10, as well as to pilots flying overhead, and include the results of this analysis in the DEIS. Include, in the DEIS, the results of this analysis and any measures that would eliminate or reduce these problems to avoid significant impacts.

Valley Fever

The incidence of Valley Fever (Coccidioidomycosis) has recently increased in much of California, including Riverside County. According to the California Department of Public Health, from 2000-2011, the annual number of reported cases of Valley Fever in California increased greater than six-fold from 816 to 5,366 cases.[7,8]

---

[6] Environmental Justice Guidance under the National Environmental Policy Act, Appendix A (Guidance for Federal Agencies on Key Terms in Executive Order 12898), CEQ, December 10, 1997.
[7] California Department of Public Health. Epidemiologic Summaries of Selected Communicable Diseases in California, 2001-2010.
[8] California Department of Public Health. Coccidioidomycosis yearly summary report 2011.

Recommendation:
Disclose, in the DEIS, whether any ground disturbing activities associated with the proposed action may result in dispersal of *Coccidioides* spores, and include measures to prevent or minimize the risk of workers' and local residents' exposure.

COMMENTER	DATE
Center for Biological Diversity, Ileene Anderson, Biologist/Public Lands Desert Director, Los Angeles, CA	**April 6, 2015**

CENTER for BIOLOGICAL DIVERSITY Because life is good.

protecting and restoring natural ecosystems and imperiled species through science, education, policy, and environmental law

via electronic mail and USPS

4/6/2015

Cedric C. Perry,
Project Manager,
BLM California Desert District Office,
22835 Calle San Juan de Los Lagos,
Moreno Valley, California 92553–9046
blm_ca_desert_quartzite_solar_project@blm.gov

Larry Ross,
Principle Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92505-1409
lross@rctlma.org

RE: Comments on BLM's Notice of Intent ("NOI") to prepare an Environmental Impact Statement (EIS) and Riverside County's Notice of Preparation ("NOP") for the Proposed Desert Quartzite Solar Project and Possible Amendment to the California Desert Conservation Area Plan, Riverside County, CA 80 FR 12195 and Riverside County Conditional Use Permit No. 03721.

Dear Mr. Perry and Mr. Ross,

Please accept the Center for Biological Diversity's comments on BLM's Notice of Intent ("NOI") to prepare an Environmental Impact Statement (EIS) and Riverside County's Notice of Preparation ("NOP") for the Proposed Desert Quartzite Solar Project and Possible Amendment to the California Desert Conservation Area Plan, Riverside County, CA 80 FR 12195 and Riverside County Conditional Use Permit No. 03721., in compliance with the National Environmental Policy Act of 1969 (NEPA), as amended, and the federal Endangered Species Act (ESA), the California Environmental Quality Act (CEQA) and the California Endangered Species Act (CESA) on the impacts of the proposed project. The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. These scoping comments are submitted on behalf of the Center's 825,000 staff, members and online activists throughout California and the western United States many of whom live in southern California and enjoy visiting, studying, photographing and hiking in the California Desert Conservation Area, including the areas on and around the project site.

The development of renewable energy is a critical component of efforts to reduce greenhouse gas emissions, avoid the worst consequences of global warming, and to assist California in meeting emission reductions. The Center strongly supports the development of renewable energy production, and the generation of electricity from solar power, in particular. However, like any project, proposed solar power projects should be thoughtfully planned to minimize impacts to the environment. In particular, renewable energy projects should avoid

Ileene Anderson, Senior Scientist
8033 Sunset Blvd., #447 • Los Angeles, CA 90046-2401
tel: (323) 654.5943 *fax:* (323) 650.4620 *email*: ianderson@biologicaldiversity.org
www.BiologicalDiversity.org

impacts to sensitive species and habitat, and should be sited in proximity to the areas of electricity end-use in order to reduce the need for extensive new transmission corridors and the efficiency loss associated with extended energy transmission. Only by maintaining the highest environmental standards with regard to local impacts, and effects on species and habitat, can renewable energy production be truly sustainable.

The Desert Quartzite Solar Project is proposed solar photovoltaic (PV) generating facility with a proposed output of 300 megawatts and a project area covering approximately 5, 003 acres of land including 4,845 acres of public land and 160 acres of private land with the solar field occupying approximately 2,453 acres and ancillary facilities that include a project substation, access roads, transmission lines, realignment of an existing route, operations and maintenance buildings, and lay down areas. The project site is located within the Riverside East Solar Energy Zone (SEZ), southwest of Blythe, California. It would connect to the Colorado River Substation. This project requires a proposed land use plan amendment to the 1980 California Desert Conservation Area (CDCA) Plan, as amended.

The Energy Production and Utility Corridors section of the California Desert Conservation Area Plan (1980) as amended requires at minimum that the following resource issues be addressed:

1) Consistency with the Desert Plan, including designated and proposed planning corridors;
2) Protection of air quality;
3) Impact on adjacent wilderness and sensitive resources;
4) Visual quality;
5) Cooling-water source(s);
6) Waste disposal;
7) Seismic hazards; and
8) Regional equity.

Additionally, a number of other resources are of concern to us and need to be addressed in detail as follow below:

Biological Resources

Based on the proposed project description, it appears that this site is proposed on an ecologically functional desert landscape that may host a suite of rare species. Careful documentation of the current site resources is imperative in order to analyze how best to site the project to avoid and minimize impacts and then to mitigate any unavoidable impacts.

Biological Surveys and Mapping

The Center requests that thorough, seasonal surveys be performed for sensitive plant species and vegetation communities, and animal species under the direction and supervision of the BLM and resource agencies such as the US Fish and Wildlife Service and the California Department of Fish and Game. Full disclosure of survey methods and results to the public and other agencies without limitations imposed by the applicant must be implemented to assure full NEPA/ESA compliance.

Confidentiality agreements or non-disclosure agreements regarding environmental resources must not be required of any biologists participating in the surveys in support of the proposed project. Surveys for the plants and plant communities should follow California Native Plant Society (CNPS) and California Department of Fish and Game (CDFG) floristic survey guidelines[1] and should be documented as recommended by CNPS[2] and California Botanical Society policy guidelines. A full floral inventory of all species encountered needs to be documented and included in the EIS. Surveys for animals should include an evaluation of the California Wildlife Habitat Relationship System's (CWHR) Habitat Classification Scheme. All rare species (plants or animals) need to be documented with a California Natural Diversity Data Base form and submitted to the California Department of Fish and Game using the CNDDB Form[3] as per the State's instructions[4].

The Center requests that the vegetation maps be at a large enough scale to be useful for evaluating the impacts. Vegetation/wash habitat mapping should be at such a scale to provide an accurate accounting of wash areas and adjacent habitat types that will be directly or indirectly affected by the proposed activities. A half-acre minimum mapping unit size is recommended, such as has been used for other development projects. Habitat classification should follow CNPS' Manual of California Vegetation (Sawyer et. al. 2009).

Adequate surveys must be implemented, not just a single season of surveys, in order to evaluate the existing on-site conditions. Due to unpredictable precipitation, desert organisms have evolved to survive in these harsh conditions and if surveys are performed at inappropriate times or year or in particularly dry years many plants that are in fact on-site may not be apparent during surveys (ex. annual and herbaceous perennial plants). The project application should be put on hold and not proceed if key surveys have not been completed due to low rainfall or other factors.

Impact Analysis

The EIS must evaluate all direct, indirect, and cumulative impacts to sensitive habitats, including impacts associated with the establishment of unpermitted recreational activities, the introduction of non-native plants, the introduction of lighting, noise, and the loss and disruption of essential habitat due to edge effects.

A number of rare resources have high potential to occur on this site including:

Common Name	*Scientific Name*	*State/Federal/Other Status*
Yuma Ridgway's rail (formerly Yuma clapper rail)	*Rallus obsoletus yumanensis (formerly Rallus longirostris yumanensis)*	*CE/FP/FE*

[1] http://www.cnps.org/cnps/rareplants/inventory/guidelines.php and http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdf
[2] http://www.cnps.org/cnps/archive/collecting.php
3 http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf
4 http://www.dfg.ca.gov/biogeodata/cnddb/submitting_data_to_cnddb.asp

Desert Tortoise	*Gopherus agassizii*	*CT/FT*
Mojave fringe-toed lizard	*Uma scoparia*	*CSC*
Couch's spadefoot	*Scaphiopus couchii*	*CSC*
Arizona Bell's vireo	*Vireo bellii arizonae*	*CE*
Burrowing owl	*Athene cunicularia hypugaea*	*CSC/BLM SS*
LeConte's thrasher	*Toxostoma lecontei*	*CSC*
Crissal thrasher	*Toxostoma crissale*	*CSC*
Loggerhead shrike	*Lanius ludovicianus*	*CSC/FSC/MB*
Prairie falcon	*Falco mexicanus*	*CSC/MB*
Elf owl	*Micrathene whitneyi*	*CE*
Gila woodpecker	*Melanerpes uropygialis*	*CE*
Gilded flicker	*Colaptes chrysoides*	*CE*
Merlin	*Falco columbarius*	*WL*
Mountain plover	*Charadrius montanus*	*CSC*
Sonoran yellow warbler	*Setophaga petechiea sonorana*	*CSC*
Southwestern willow flycatcher	*Empidonax trailii extimus*	*CE/FE*
Summer tanager	*Piranga rubra*	*CSC*
Vermillion flycatcher	*Pyrocephalus rubinus*	*CSC*
Western yellow-billed cuckoo	*Coccyzus americanus occidentalis*	*CE/FT*
Yellow-breasted chat	*Icteria virens*	*SSC*
Nelson's bighorn sheep	*Ovis canadensis nelsonii*	*Game species*
Arizona myotis	*Myotis occultus*	*CSC*
California leaf-nosed bat	*Macrotus californicus*	*CSC*
Cave myotis	*Myotis velifer*	*CSC*
Colorado river cotton rat	*Signondon arizonae plenus*	*CSC*
Pallid bat	*Antrozous pallidus*	*CSC*
Pocketed free-tailed bat	*Nyctinomops femororsaccus*	*CSC*
Western yellow bat	*Lasiurus xanthinus*	*CSC*
Bradley's cuckoo wasp	*Ceratchrysis bradleyi*	
Las Animas colubrine	*Colubrina californica*	*CA RP List 2B.3*
Harwood's milkvetch	*Astragalus insularis var. harwoodii*	*CA RP List 2B.2*
Alverson's foxtail cactus	*Coryphantha alversonii*	*CA RP List 4.3*
Abram's spurge	*Euphorbia abramsiana*	*CA RP List 2B.2*
Angel trumpets	*Acleisanthes longiflora*	*CA RP List 2B.3*
Bitter hymenoxys	*Hymenoxys odorata*	*CA RP List 2B.1*
California ditaxis	*Ditaxis serrata var. californica*	*CA RP List 3.2*
California satintail	*Imperata brevifolia*	*CA RP List 2B.1*
Desert beardtongue	*Penstemon pseudospectabilis ssp. pseudospectabilis*	*CA RP List 2B.2*
Gravel milkvetch	*Astragalus sabulonum*	*CA RP List 2B.2*
Harwood's eriastrum	*Eriastrum harwoodii*	*CA RP List 1B.2*
Roughstalk witch grass	*Panicum hirticaule ssp. hirticaule*	*CA RP List 2B.1*
State Designation CE – State listed as endangered. FP – fully protected species under CESA		

CT State listed as threatened. Species that although not presently threatened in California with extinction are likely to become endangered in the foreseeable future.
CSC California Department of Fish and Game "Species of Special Concern." Species with declining populations in California.

Federal Designation

FE Federally listed as endangered.
FT Federally listed as threatened.
MB Migratory Bird Treaty Act. of 1918. Protects native birds, eggs, and their nests.
BCC U.S. Fish and Wildlife Service Bird of Conservation Concern.
BLM SS BLM Sensitive Species.

Other

California Native Plant Society (CNPS)

1B.1 Plant rare, threatened or endangered in California and elsewhere, and very threatened.
1B.2 Plant rare, threatened or endangered in California and fairly threatened in CA.
2B.1 Plant rare, threatened or endangered in California, but more common elsewhere, and very threatened in CA
2B.2 Plant rare, threatened or endangered in California, but more common elsewhere, and fairly threatened in CA.
2B.3 Plant rare, threatened or endangered in California, but more common elsewhere, and not very threatened in CA.
4.3 Plants of a limited distribution, and not very threatened in CA.

All of these species have been identified as occurring in the general vicinity of the project site.[5] Therefore, the EIS/R must adequately address the impacts and propose effective ways to avoid, minimize, and mitigate the impacts to these resources through alternatives including alternative siting and alternative on-site configurations.

Yuma Ridgway's Rail (formerly denoted Yuma Clapper Rail)

Protected since 1967 as an endangered species, the Yuma Ridgway's rail (*Rallus obsoletus yumanensis*) is a bellwether for the health of desert waterways. It is both a state and federally-listed endangered species and in California is a fully protected species. Despite decades of protection, its numbers continue to decline. Recently, in less than a year, two Yuma Ridgway's rail mortalities have been reported at industrial-scale solar projects built on bird-migration corridors on public and private lands in the California desert. Only 440 to 968 of these birds remain along the lower Colorado River and the Salton Sea. The proposed project lies within the within the flyway between the Yuma Ridgway rail's two strongholds. Because the PV projects, like the proposed project, appear to be particularly attractive to "waterbirds" (see below section on migratory birds) including the Yuma Ridgway's rail, this proposed project could imperil Yuma Ridgway rails and therefore the DEIS/R needs to evaluate the potential impacts to these highly endangered birds.

Desert Tortoise

The desert tortoise is continuing to decline throughout its range despite being under federal and state Endangered Species Acts protection as threatened[6]. The proposed Desert Quartzite project, despite being outside desert wildlife management areas (DWMAs) as identified in the Northern and Eastern Colorado Plan[7], will likely have desert tortoise occurring

[5] CNDDB 2015 http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp
[6] USFWS 2010 http://www.fws.gov/nevada/desert_tortoise/documents/reports/2010/2010_DRAFT_Rangewide_Desert_Tortoise_Population_Monitoring.pdf
[7] BLM 2006 http://www.blm.gov/ca/st/en/fo/cdd/neco.html

on site. The EIS/R must clearly address alternative proposals for avoiding, minimizing and mitigating the impacts to the desert tortoise and any occupied habitat.

The DEIS/R must first look at ways to avoid impacts to the desert tortoise, for example, by identifying and analyzing *alternative sites* outside of desert tortoise occupied habitat or in areas that have already been severely disturbed by other prior land use as well as alternative project configurations that would avoid or significantly reduce impacts. The DEIS/R must also look at ways to minimize any impacts that it finds are unavoidable, for example, by limiting the ground disturbing activities from the project and limiting access roads to the project. Acquisition of lands that will be managed in perpetuity for conservation must be included as part of the strategy to mitigate impacts to the tortoise, mitigation lands should also be high-quality habitat and, at minimum 3:1 mitigation should be provided of all acres of desert tortoise habitat destroyed. Set-aside conservation lands are particularly important because the project as proposed appears to have little or no compatibility with on-site conservation for desert tortoise.

Translocation as a long-term strategy for minimizing and mitigating impacts to desert tortoise may be a tool for augmenting conservation of the desert tortoise[8], but it cannot substitute for other mitigation such as preservation of habitat. Moreover, to date, translocation does not have a proven track record of success. If translocation (for any species) is to be a part of the mitigation strategy, a detailed final plan must be included as apart of the DEIS/R, and include methodologies for determining appropriate conservation area where tortoises may be translocated, impacts to existing "host" tortoise populations that occur on the translocation site, when/how the tortoise are to be translocated, how tortoise diseases will be addressed, and requisite monitoring of host and translocated tortoises, etc.. Monitoring of the translocated and existing "host" tortoises needs to occur for a long enough time period that is realistic to evaluate success of the translocation –10 years may be a more realistic minimum for tracking impacts to this long lived species. Success criteria for translocation must also be clearly identified. Any temporary project site needs to be fenced with tortoise proof fencing during construction and the permanent project sites need to be fenced to prevent tortoise mortality. All associated roads also need to be fenced.

An aggressive raven prevention plan also needs to be developed as part of the DEIS/R and followed during project development and implementation.

Mojave Fringe-toed Lizard

At least part of the proposed project lies within a critical sand transport corridor[9] which creates dune and stabilized sand flat habitat that is critical for the Mojave fringe-toed lizard (*Uma scoparia*). The sand transport corridor is identified as extensive, originating in the Pinto Basin of Joshua Tree National Park, moving through the Palen Valley and the Palen/McCoy Valley and extending eastwards to the edge of the agricultural development in the Palo Verde Valley south of Interstate 10, near the proposed project location. The DEIS/R needs to include a comprehensive analysis of the sand transport corridor and a thorough impact analysis from the

[8] http://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1092&context=usgsstaffpub
9 http://www.cpuc.ca.gov/environment/info/aspen/dpv2/sfeir/apps/ap3.pdf

proposed project for a number of reasons. First, disruption of sand transport corridor functionality upwind affects all downwind resources and disrupts eolian function. Secondly, because sand dune habitat is a rare resource on the landscape because the geological and geographical features that transport sand and form dunes are extremely limited, the species that have evolved to rely on this unique habitat are also quite rare and typically endemic only to dune systems. Impacts to sand transport systems are therefore comparatively greater than impacts to other habitat types because of the uniqueness of the eolian habitat. Impacts are also much more challenging to mitigate because of the limited habitat type and complex eolian requirements that form and maintain the sand transport and dune habitat. Lastly, any facility put in or even adjacent to a sand transport corridor will suffer significant impacts from sand abrasion and require regular clearing of sand from the structures, increasing maintenance and operational costs.

The DEIS/R alternatives should all prioritize avoidance and conservation of the sand transport corridor and sand dune areas. Models have been developed to identify conservation areas that are essential to maintain sand transport corridors[10]. These data and models should be incorporated into the analysis of impacts and all key areas that maintain the eolian function of the sand transport corridors should be unavailable for solar development.

Impacts to Mojave fringe-toed lizard in this area have already been significant and any additional impacts must be avoided. Although avoidance of Mojave fringe-toed lizard mortalities was the goal during construction/operation of the Colorado River substation, despite speed limits, vehicle escorts and other avoidance measures, significant Mojave fringe-toed lizard mortalities were documented[11]. The DEIS/R needs to require avoidance of all habitat areas and stronger minimization measures to prevent any additional mortalities to the lizard from the proposed project.

Burrowing Owl

Burrowing owls are continuing to decline in California. If burrowing owls are identified on the site, at least one alternative should evaluate the reduction of impacts to this rare species by moving the project away from the nesting burrows. Additionally, acquisition lands may be required as part of the mitigation and will need to be managed in perpetuity for conservation. Mitigation lands should be high-quality habitat and, at minimum 5:1 mitigation should be provided of all acres of burrowing owl habitat destroyed. Additional measures for avoidance and minimization should also be incorporated into the evaluation of impacts to this species.

Migratory Birds

The Center is concerned about the effect of this project on migratory birds, both rare and common. Recent evidence from a large PV solar project – Desert Sunlight - and a solar trough project – Genesis documented many water bird mortalities[12]. Indeed, Desert Sunlight reported a

10 Barrows 1996
11 Helix 2013.
12 http://www.kcet.org/news/rewire/solar/water-birds-turning-up-dead-at-solar-projects-in-desert.html ;

state and federally endangered species bird mortality – the Yuma clapper rail (*Rallus longirostrus yumanensis*)[13], despite the fact that on-site surveys never identified this species as occurring on the site, nor was habitat present on site. The Ivanpah Solar Electric Generating System site has also reported the mortality of the fully protected peregrine falcon (among many other migratory birds) on its project site[14]. Few if any of the bird species that died on the project sites were recorded as occurring on site in the pre-construction avian surveys. These large solar projects may in fact be attracting migratory birds to them, through the birds mistaking the project infrastructure as water – the "lake effect"[15].

Because the Desert Quartzite is in a bird migration corridor rich in resources – the Colorado River Flyway - the proposed project could impact numerous species, including threatened and endangered species, if they run into the panels or land and can no longer get airborne. Because large-scale PV projects apparently pose a significant hazard to migratory birds and especially water birds, the DEIS/R needs to discuss these potential impacts and propose alternatives to avoid and minimize the impact, as well as identify and release as part of the DEIS/R, a robust monitoring scheme to actually collect data.

Desert Kit Fox and Badgers

The desert kit fox and badgers are experiencing unprecedented impacts from development of renewable energy projects in their habitat. For desert kit fox, to date on public lands alone, eighteen solar and transmission project applications covering more over 96,000 acres are currently filed as of January 2013[16]. Fifteen approved solar projects, most of which are currently under construction, cover almost 39,000 acres of desert kit fox habitat[17]. Over 30,000 additional acres of proposed solar projects not including this one are actively under going environmental review[18]. As of January 2013, eleven wind projects covering almost 75,000 acres have been approved with many of them in the construction phase[19]. Three additional projects covering 16,611 acres are currently under environmental review[20]. In addition, twenty-eight projects are authorized to do wind testing on almost 270,000 acres[21]. Another forty wind project applications

---

http://docketpublic.energy.ca.gov/PublicDocuments/09-AFC-08C/TN200657_20130930T120056_August_2013_Monthly_Compliance_Report.pdf

13 http://www.kcet.org/news/rewire/solar/water-birds-turning-up-dead-at-solar-projects-in-desert.html

14 http://docketpublic.energy.ca.gov/PublicDocuments/07-AFC-05C/TN200642_20130930T090221_Avian_Mortality_Report_912013.xlsx

15 http://www.kcet.org/news/rewire/solar/water-birds-turning-up-dead-at-solar-projects-in-desert.html

16 BLM 2012. Solar Apps and Auths http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/pa/energy/solar.Par.84447.File.dat/BLM%20Solar%20Apps%20and%20Auths.pdf

17 Ibid

18 Ibid

19 BLM Wind Apps & Auths July 2012 http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/pa/energy.Par.5556.File.dat/BLM%20Solar%20Apps%20&%20Auths%20July%202012.pdf and Kern County wind projects http://www.co.kern.ca.us/planning/pdfs/renewable/wind_projects.pdf

20 Kern County wind projects http://www.co.kern.ca.us/planning/pdfs/renewable/wind_projects.pdf

21 BLM Wind Apps & Auths July 2012 http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/pa/energy.Par.5556.File.dat/BLM%20Solar%20Apps%20&%20Auths%20July%202012.pdf

are in development or propose testing, covering an additional 485,000 acres[22]. The potential cumulative development for wind in desert kit fox habitat could cover close to 850,000 acres. The DEIR fails to adequately discuss the desert kit fox in the context of their great site fidelity, challenges of "passive relocation" with this species that generally go to great effort to return to their on-site territories.

The DEIR must estimate the number of desert kit fox or badgers on the project site, and analyze impacts to them from the proposed project. Previous BLM FEIS for a large scale PV solar project similar to the proposed project includes a much more comprehensive evaluation of desert kit fox occupancy on the project site and requires significantly greater avoidance, minimization and mitigation measures[23]. Measures that should be included in the American Badger and Desert Kit Fox Monitoring and Management Plan include but are not limited to:

- Baseline desert kit fox census and population health survey, by characterizing the demography (e.g., size, structure, and distribution) of the kit fox population on the site and receiving areas, and a testing component in which researchers trap and test a representative subsample of the population for canine distemper, and generally describe animal health on the site and receiving areas.
- Incorporation of the baseline desert kit fox census and health survey findings into a cohesive management strategy that minimizes disease risk to kit fox populations; provides a program for tagging, radio-tracking and monitoring of a subset of displaced kit foxes during the construction phase to understand how displacement affects regional kit fox populations; specifically identifies preconstruction survey methods for kit foxes (and large carnivores e.g., badgers) in the Project area; describes preconstruction and construction-phase relocation methods from the site, including the possibility for passive and active relocation from the site (and outlines identified CDFW permit and MOU requirements for active relocation); coordinates survey findings prior to and during construction to meet the information needs of wildlife health officials in monitoring the health of kit fox populations; and includes contingency measures that would be performed if canine distemper were documented in the Project area or in potential relocation areas, and measures to address potential kit fox reoccupancy of the site
- Implementation of the desert kit fox/badger management plan that includes preconstruction surveys, avoidance of active den complexes and implementation of measures to monitor, minimize and contain any canine distemper outbreaks.
- On 10/22/13, the CDFW veterinarians docketed a draft outline of a new desert kit fox program which identifies many concerns about project impacts the desert kit fox[24]. The DEIR identifies likely kit fox and dens on the proposed project site, although it is unclear if these are natal dens (DEIR at 4-88). According to the state, passive relocation or hazing activities conducted in an area experiencing or adjacent to distemper cases may enhance disease transmission and spread by multiple mechanisms. Many unanswered

22 Ibid
23BLM 2012. McCoy PA-FEIS Vol. 1 - Chapter 4
http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/palmsprings/Solar.Par.89379.File.dat/Vol1_McCoy%20PA-FEIS.pdf
24 http://docketpublic.energy.ca.gov/PublicDocuments/09-AFC-07C/TN200995_20131022T141658_Exhibit_2005__CDFW_Outline_for_Proposed_Desert_Kit_Fox_Health_M.pdf

questions remain, and the American badger and Desert kit fox monitoring and management plan (MM BIO-6) must include mechanisms to answer them:

- Do passively relocated animals re-establish territories adjacent to the solar site?
- Does this depend on the density or spatial distribution of foxes around a site.
- Do relocated foxes experience lower survival or different causes of mortality that might need to be addressed through mitigation efforts.
- Recursion rate – how likely are relocated foxes going to try to get back on site and return to former den areas?
- What's the demographic shifts of neighbors?
- Reproductive impact appears highly negative (n=1 relocated pair this year had den failure; most other dens were successful this year in producing pups).
- Are artificial dens helpful?
- What are the longer term translocation effects?

The answers to these questions are currently unknown. In addition, the State also identifies that the current monitoring is limited in scope and inadequate to address needs and methods and outcomes for relocation are not evaluated systematically or reported. The American badger and Desert kit fox monitoring and management plan (MM BIO-6) must address these issues.

Other Rare Species

The diversity of rare species found across the landscape near and on the Desert Quartzite site is impressive and suggests that the proposed project site is part of a larger ecologically intact and functioning unit[25]. The BLM must clearly address proposals for avoiding, minimizing and mitigating the impacts to all of the rare species that utilize the sites for part or all of their lifecycle.

Acquisition of lands that will be managed in perpetuity for conservation must be included as part of the strategy to avoid, minimize and mitigate impacts to the other species found on site as well. Acquisition is particularly important for these species because the proposed project appears to have little compatibility with any type of on-site conservation of plant communities or wildlife.

For the rare plants, avoidance is preferable because of the general lack of success in transplanting rare plants[26]. If transplantation is to be a part of the mitigation strategy, a detailed final plan must be included as part of the EIS on the methodology for determination of appropriate conservation area where plants may be transplanted, when/how plant are to be transplanted and identification of success criteria for transplantation. Monitoring of the transplanted plants needs to occur for a time period that is realistic to evaluate long-term success of the plants.

Locally Rare Species

[25] CNDDB 2010 http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp
[26] Fiedler 1991

The Center requests that the EIS/R also evaluate the impact of the proposed project on locally rare species (not merely federal- and state-listed threatened and endangered species). The preservation of regional and local scales of genetic diversity is very important to maintaining species in perpetuity especially in light of global climate change. Therefore, we request that all species found at the edge of their ranges or that occur as disjunct locations be evaluated for impacts by the proposed permitted activities.

Water Resources

The project appears to impact on-site drainages on the project site. The EIS/R document must clarify the impacts to the jurisdictional Waters of U.S. and the Water of the State of California, and surface hydrology across the site. The project must avoid, minimize and mitigate any impacts to surface waters and surface hydrology. Impacts should be avoided to the greatest extent possible and if impacts remain they must be mitigated. In doing so, any reroute of waters and drainage on the site must assure that downstream processes are not impacted.

An evaluation of the effect of water use by the proposed project during construction and operations needs to be detailed and include alternatives and its impact on the Colorado River Basin. Any groundwater pumping proposed for the proposed project (in conjunction with other groundwater issues [pumping, nitrate plume etc.] in the basin) must be analyzed in terms of groundwater resource availability as well as water quality in the basin and surface water resources, and its effect on the native plant and animal species and their habitats need to be included in the EIS/R.

Alternatives

The EIS/R must include a robust analysis of alternatives, including a private lands alternative and alternatives using other technologies including distributed generation. The stated objectives of the project must not unreasonably constrain the range of feasible alternatives evaluated in the EIS/R. The BLM must establish an independent set of objectives that do not unreasonably limit the EIS/R's analysis of feasible alternatives including alternative sites. At a minimum alternatives including the no-action alternative, an environmentally preferred alternative which avoids all rare sand habitat and other significant impacts to resources (including cultural resources), and an alternative where power generation is sited adjacent to power consumption need to be included.

Other Issues

The construction and operation of the proposed facilities will also increase greenhouse gas emissions and those emissions should be quantified and off-set. This would include the manufacture and shipping of components of the project and the car and truck trips associated with construction and operations. Similarly, such activities will also impact air quality and traffic in the area and these impacts should be disclosed, minimized and mitigated as well. For mobile sources, since consistency with the AQMP will not necessarily achieve the maximum

feasible reduction in mobile source greenhouse emissions, the EIS should evaluate specific mitigation measures to reduce greenhouse emissions from mobile sources.

Fire Impacts

Because the any industrial project increases the potential for human-caused fire to occur on site, fire prevention including best management practices must be addressed and clearly identified in the EIS/R - not only on-site protection of resources, but also preventing fire from moving into the adjacent lands. Fire is incredibly detrimental to desert ecosystems, resulting in degradation of the habitat and if frequently reburned results in a type conversion to non-native vegetation[27].

Non-Native Plants

The EIS/R must identify and evaluate impacts to species and ecosystems from invasive exotics species. Many of these species invade disturbed areas, and then spread into wildlands. Fragmentation of intact, ecologically functioning communities further aides the spread and degradation of plant communities[28]. These factors for wildland weed invasions are present in the project, and their effect must be evaluated in the EIS/R. Additionally, landscaping with exotic species is often the vector for introducing invasive exotics into adjacent habitats. Invasive landscape species displace native vegetation, degrade functioning ecosystems, provide little or no habitat for native animals, and increase fire danger and carrying capacity[29] and should be banned from the project site.

Wildlife Movement

Because the BLM has failed to identify the two north-south wildlife connectivity/linkage corridors required in the Solar PEIS specifically for the Riverside-East SEZ, it is unclear if the proposed project site is located within a connectivity corridor; although it is clearly within a sand transport corridor. A thorough and independent evaluation of the project's impacts on wildlife movement is essential. The EIS/R must evaluate all direct, indirect, and cumulative impacts to wildlife movement corridors. The analysis should cover movement of large mammals, as well as other taxonomic groups, including small mammals, birds, reptiles, amphibians, invertebrates, and vegetation communities. The EIS/R should first evaluate habitat suitability within the analysis window for multiple species, including all listed and sensitive species. The habitat suitability maps generated for each species should then be used to evaluate the size of suitable habitat patches in relation to the species average territory size to determine the appropriate size and location of linkages and that they provide both live-in and move-through habitat. The analyses should also evaluate if suitable habitat patches are within the dispersal distance of each species. The EIS/R should address both individual and intergenerational movement (i.e., will the linkages

[27] http://www.nps.gov/moja/naturescience/upload/Fire%20congress%202006_brooks%20and%20draper_extended%20abstract.pdf

[28] Bossard et al 2000

[29] http://dhtlral.gosolarcalifornia.org/sitingcases/genesis_solar/documents/others/testimony_centr_biological_diversity/exhibits/Exh.%20806.%20Brooks%202000.%20Competition%20between%20alien%20annual%20grasses%20and.pdf

support metapopulations of smaller, less vagile species). The EIS/R should identify which species would potentially utilize the proposed wildlife movement corridors under baseline conditions and after build out, and for which species they would not. In addition, the EIS/R should consider how wildlife movement will be affected by other planned approved, planned, and proposed development in the region as part of the cumulative impacts.

The EIS/R should analyze any proposed on-site wildlife movement corridors are wide enough to minimize edge effects and allow natural processes of disturbance and subsequent recruitment to function. The EIS/R should also evaluate whether the proposed wildlife movement corridors would provide key resources for species, such as host plants, pollinators, or other elements. For example, many species commonly found in washes depend on upland habitats during some portion of their cycle. Therefore, in areas with intermittent or perennial streams, upland habitat protection is needed for these species. Upland habitat protection is also necessary to prevent the degradation of aquatic habitat quality.

Cumulative Impacts

Because of the number of currently permitted and proposed projects in the projects' vicinity, the region, and the CDCA, a thorough analysis of the cumulative impacts from all of these projects on the resources needs to be included. Because the project site is within a proposed solar development zone in BLM's Solar PEIS, projects located in the zone have the potential to cumulatively significantly impact the existing biological resources and ecological processes that currently exist within the zone. To date several renewable energy projects and associated infrastructure projects have been permitted in the general vicinity, including the Colorado River substation, Desert Sunlight, Genesis, the Desert Harvest, McCoy and Blythe solar projects.[30] Additionally numerous other applications are included in the area. While the zone may be appropriate for some renewable energy development, especially on already disturbed private lands, the DEIS/R must evaluate if the cumulative impact from the projects will cause significant unmitigable impacts not only to the zone but to the surrounding resources including Joshua Tree National Park, which already is impacted by border development on the south, east and west boundaries, as well as BLM identified Areas of Critical Environmental Concern (ACECs), Wildlife Habitat Management Areas (WHMAs) and federally designated Wilderness. With the number of permitted and built projects in/near the Colorado River flyway, emphasis on cumulative impact analysis on migratory birds in this key thread of the Pacific flyway needs to be included.

Thank you for your consideration of these comments. Please add us to the distribution list for the EIS/R and all notices associated with this project.

30 While their remains a CEC approval for trough solar at the Palen site, the recent proposal for power towers was withdrawn. Nonetheless, because the project owner has stated they intend to continue to pursue this project, the BLM and the County must consider the full potential impacts as foreseeable in the cumulative impacts analysis here.

Sincerely,

Ileene Anderson
Biologist/Public Lands Desert Director
Center for Biological Diversity

cc via email
Brian Croft, USFWS, Brian_Croft@fws.gov
Kevin Hunting, CDFG KHunting@dfg.ca.gov
Tom Plenys, EPA, Plenys.Thomas@epa.gov

References

Barrows, C. W. 1996. An Ecological Model for the Protection of a Dune Ecosystem. Conservation Biology, Vol. 10, No. 3: 888-891

Bossard, C.C., J.M. Randall and M.C. Hoshovsky. 2000. Invasive Plants of California's Wildlands. University of California Press. Berkeley, CA. Pgs. 360.

Bureau of Land Management (BLM), U.S. Department of Interior

2006. Final Environmental Impact Statement/Proposed Northern and Eastern Colorado Management Plan and Amendment to the California Desert Conservation Area Plan. + Appendices.

1980. California Desert Conservation Area Plan as amended. Pgs. 159 + appendices.

Fiedler, P. L. 1991. Final Report – Mitigation-related transplantation, relocation and reintroduction projects involving endangered and threatened, and rare plant species in California. Submitted to Ann Howald, California Department of Fish and Game, Endangered Plant Program, June 14, 1991. Funded by California Endangered Species Tax Check-Off Fund Contract No. FG-8611. Pgs. 144.

Helix Environmental 2013. Summary of MFTL monitoring during DPV2 construction. Dated July 11, 2013. Pgs. 4.

Sawyer, J., T. Keeler-Wolf and J. Evens 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society. Pgs. 500+

COMMENTER	DATE
U.S. Fish & Wildlife Service, Assistant Field Office Supervisor, Palm Springs Fish and Wildlife Office, Palm Springs, CA,	**April 8, 2015**

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262

In Reply Refer To:
FWS-ERIV-12B0378-15CPA0218

APR - 8 2015

Memorandum

To: District Manager, California Desert District Office, Bureau of Land Management, Moreno Valley, California
Attention: Cedric Perry

From: Assistant Field Supervisor, Palm Springs Fish and Wildlife Office, Palm Springs, California

Subject: Comments on the Notice of Intent to Prepare a Draft Environmental Impact Statement for the First Solar Desert Quartzite Solar Project, Riverside County, California (CACA 049397)

This memorandum is in response to the notice dated March 6, 2015, soliciting scoping comments on the joint draft environmental impact statement (EIS) and environmental impact report being prepared by the Bureau of Land Management (BLM) and Riverside County (County) for the subject project. A letter under separate cover has been submitted to Riverside County. Desert Quartzite, LLC, a subsidiary of First Solar, proposes to develop and operate a 300 megawatt (MW) photovoltaic (PV) solar facility and associated infrastructure on 4,843 acres of public lands administered by the BLM and 160 acres of private lands (totaling 5,003 acres) 1.8 miles west of the City of Blythe, south of Interstate 10, and immediately adjacent to the proposed Blythe Mesa Solar Project, which will occupy 3,587 acres of private lands.

We offer these comments under the authorities of the Endangered Species Act of 1973, as amended, the Migratory Bird Treaty Act, and other authorities of the Department of the Interior to help avoid and minimize adverse impacts to public trust resources that may be impacted by the proposed project. These resources include the federally endangered Yuma clapper rail (*Rallus longirostris yumanensis*), recently renamed Yuma Ridgway's rail (*Rallus obsoletus yumanensis*) by the American Ornithologists Union (http://aoucospubs.org/doi/full/10.1642/AUK-14-124.1), the federally endangered southwestern willow flycatcher (*Empidonax traillii extimus*), the western distinct population segment of yellow-billed cuckoo (*Coccyzus americanus*), and the federally threatened Mojave desert tortoise (*Gopherus agassizii*). Other sensitive species include golden eagle (*Aquila chrysaetos*), western burrowing owl (*Athene cunicularia*), and Mojave fringe-toed lizard (*Uma scoparia*). This letter summarizes our comments provided during a September 2014 pre-application meeting, bi-weekly conference calls, and other coordination

meetings with the applicant, BLM, California Department of Fish and Wildlife (CDFW), and Riverside County.

Mojave Desert Tortoise

Preliminary results of pre-project surveys show little evidence of desert tortoise occupation on the Desert Quartzite site itself; however, live desert tortoises and desert tortoise sign have been documented in the vicinity, which indicate that the area serves as available habitat for the species. The proposed project would eliminate low density/linkage habitats that may be important for population and habitat connectivity for this and other desert species.

Construction and operation of the proposed Desert Quartzite project would result in permanent and long-term elimination or degradation of 5,003 acres of desert tortoise habitat on the project site; therefore, we recommend the BLM and the County require a suite of avoidance, minimization, and mitigation measures be implemented to offset any adverse effects to the species. These include, but are not limited to, the following (a more through description of these measures can be provided upon request):

- Use of a designated biologist, authorized desert tortoise biologists, and biological monitors;
- Implementation of a worker environmental awareness program;
- Implementation of a variety of impact avoidance and minimization measures;
- Desert tortoise clearance surveys, exclusion fencing, and translocation, if necessary;
- Desert tortoise habitat compensation; and
- Common raven (*Corvus corax*) management and control, effectiveness monitoring, and contribution on a per-acre basis to a region-wide raven management strategy (see next section).

Common Ravens

The construction and operation of the solar facility would likely lead to a local increase in the number of common ravens; these birds are highly attracted to human activity and the proposed project would provide subsidies in the form of food and sites for nesting, roosting, and perching that are not currently present in the area. In addition to food wastes that may be generated by workers during construction and operation of the facility, they may also use various structures in the project area for shade, nesting, roosting, or perching. Common ravens prey on desert tortoises and, for this reason, any local increase in the number of common ravens may have detrimental effects on desert tortoises, both near and distant, from the proposed solar facility, as these birds travel long distances on a daily basis between roosting and foraging sites.

To address project-specific impacts on desert tortoises from common ravens that may be attracted to the project site, we recommend that the BLM and the County require that applicant establish on-site measures to eliminate or minimize the availability of subsidies and the potential for common ravens to occupy the project site during all phases of the project, including construction, operation, and maintenance. To address the indirect and cumulative effects associated with increasing common raven numbers, we recommend that the BLM and the County require Desert Quartzite to contribute to the Regional Common Raven Management Program. A summary of the regional plan can be found on the Desert Managers Group website, http://www.dmg.gov/wg-rm.php. With the implementation of these measures, the adverse effects of the proposed project on the abundance of common ravens in the area may be reduced.

Yuma Ridgway's rail

Breeding Yuma Ridgway's rail populations in the project vicinity are primarily restricted to freshwater marshes along the lower Colorado River Valley and near the Salton Sea, with a few small and scattered locations along the Gila River in Arizona and recent detections on refuges in Nevada (Service 2009, 2014a). Even though few, if any, marsh/water-associated birds were documented during pre-project avian surveys for the projects in this vicinity, available data suggests the solar technologies deployed in the desert pose a hazard to which various rail species and other water-associated birds are particularly vulnerable.

To date, two Yuma Ridgway's rails are known to have been killed on solar PV projects, one at the Desert Sunlight project near Desert Center in May 2013 and one in Imperial County in April 2014. Both projects are using thin-film PV technology, though the Imperial County bird may have collided with the fence surrounding the project. Vulnerability of the Ridgway's and other rail species also is evidenced by multiple incidentally-observed fatalities to sora (*Porzana carolina*) and Virginia rail (*Rallus limicola*) at solar and transmission projects along the I-10 corridor and in the Imperial Valley. Collectively, these data indicate there is a mortality risk to all rails posed by many project-related facilities, including gen-tie lines, solar panels, and perimeter fencing. (Details on these and other mortality data can be provided upon request.)

We are concerned that utility-scale solar and transmission projects within the resident and dispersal range of Yuma Ridgway's rail may result in fatalities to multiple individuals over the life span of these projects, especially given the large cumulative disturbance footprint of all existing and planned projects. Because of the large size of these projects and the apparent lack of effective adaptive management measures and other design modifications sufficient to avoid the risk of incidental take[1], we anticipate recurrent but low levels of take at multiple project sites. Therefore, we recommend the draft EIR address the direct, indirect, and cumulative effects of the project on Yuma Ridgway's rail and include a range of avoidance, minimization, and mitigation measures.

[1]"Take" is defined by the Act as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct.

We are also concerned about potential fatality events to other listed, rare, and/or sensitive species (e.g., willow flycatcher and yellow-billed cuckoo), which are known to breed and migrate through the Lower Colorado River Valley. These two species have been documented as fatalities on or near renewable energy projects elsewhere in their migratory range distant from suitable habitat. Because of the observed fatalities of special status species at other existing solar facilities, an analysis that improves the level of rigor and adequacy for determining the different degrees of vulnerability across all avian taxa and a risk assessment that includes the quantification for take of listed and rare species is warranted. Post-construction monitoring (discussed below) should be designed to account for fatality events of rare species. Impact avoidance, minimization, and mitigation measures also should be proposed to minimize the impact of incidental taking.

Migratory Birds

The Migratory Bird Treaty Act is the cornerstone of migratory bird conservation and protection in the United States and implements four treaties that provide for international protection of migratory birds. The Migratory Bird Treaty Act prohibits the take or possession of protected species of migratory birds (50 CFR 10.12). It does not, however, specifically authorize the incidental take of migratory birds; the California Fish and Game Code contains similar prohibitions.

The project site occurs in the Lower Colorado River Valley, which forms a major branch of the Pacific Flyway (Rosenberg *et al*. 1991). The diverse aquatic, wetland, riparian, agricultural, and desert habitat types provide permanent and seasonal refuge to hundreds of resident and migratory birds (Shuford *et al*. 2002), and is a major wintering grounds for numerous species and diverse groups of water-associated birds.

Utility-scale solar development is a relatively nascent industry and, therefore, systematically-collected mortality monitoring data are limited and the magnitude of potential impacts has not yet been accurately quantified. However, utility-scale photovoltaic (PV), parabolic trough, and power tower solar projects that are currently under construction or recently put into operation are reporting incidental observations of fatalities and injuries to a wide range of avian species, including numerous species of water-associated birds, passerines, and raptors involving various project features, including solar panels or heliostats, evaporation ponds, fencing, distribution lines within the facility, and gen-tie lines. There is growing evidence of what is referred to as a "lake effect" or "polarized light pollution" (Horvath *et al*. 2009), which presents a particular hazard to water-associated birds and other species seeking migratory stopover habitat typically found along rivers and lakeshores (Service 2014b). As of 2013, the mortality rate of marsh/water-associated bird species across all taxa represented about 40 percent of total birds reported killed at three utility-scale solar projects using different technologies (Solar One, McCrary *et al*. 1986; Desert Sunlight, Ironwood Consulting 2013; and NextEra Genesis, AECOM 2013).

We recommend that the draft EIR thoroughly address the potential significance for bird collisions on project-specific and cumulative scales. Based on the available information regarding bird fatalities cited above, the cumulative effects to migratory birds, potentially would be significant, and therefore, warrant project-specific systematic monitoring and/or a coordinated regional-scale monitoring effort. Therefore, to help the applicant reduce potential adverse effects to avian species, we recommend the BLM and the County require the development and implementation of a statistically robust, systematic avian and bat mortality and injury monitoring program as a component of a project-specific Bird and Bat Conservation Strategy (BBCS). The strategy should include sufficient monitoring to detect rare mortality events as well as those that could result during sporadic migration pulses. The draft BBCS and monitoring program should be analyzed as part of the draft EIR and include an evaluation of deterrents not previously tested at this scale and an adaptive management program that articulates how data will be used to improve and maximize measures to avoid and minimize impacts to species protected under our various laws while allowing project construction and operation to move forward in the most environmentally conscientious ways practicable.

Additionally, carcasses should be collected to facilitate the monitoring efforts; to avoid attracting scavengers, such as common ravens, which prey on desert tortoises; and to reduce the potential for human health issues. Because taking possession of avian carcasses would be a violation of the Migratory Bird Treaty Act, a Special Purpose Utility Permit (SPUT) would be required from the Service. These are typically issued separately for the construction and operational phases of the projects, and we strongly encourage the BLM, County, and Desert Quartzite to begin this process as early as possible to allow us to issue a permit prior to the onset of construction. Also, please note that a BBCS is not a surrogate for a take permit under the MBTA; therefore, it does not limit or preclude the Service from exercising its authority under any law, statute, or regulation, but can be taken into consideration under our discretionary enforcement authority. We can provide the most recent BBCS guidance and SPUT permit requirements prior to preparation of the draft EIR.

Because the project is adjacent to the proposed Blythe Mesa project, an opportunity exists to generate important information regarding the effects of the different technologies on various bird species and mortality rates. Currently, available information is lacking on which solar technologies and configuration of panels may reduce bird mortality rates. We encourage the BLM and the County to consider requiring Desert Quartzite to evaluate some potential design considerations, such as thin film versus crystalline solar PV; dual-axis tracking systems versus single-axis or static systems; and multi-layer anti-reflection coating. We recommend commencing discussions as soon as possible with the BLM, County, and the applicant to design a framework under which the various technologies currently in place and configurations amenable to comparative monitoring can be used for adaptive management purposes.

To reduce the potential for electrocution of birds, we recommend that the BLM and the County require the applicant to design and construct any aboveground electrical lines to reduce the likelihood of electrocution of large birds, such as raptors. The Avian Powerline Interaction Committee (APLIC) describes appropriate methods for the construction of such lines in its

guidance documents (APLIC 2006, 2012) and at the following link: http://www.aplic.org/uploads/files/11218/Reducing_Avian_Collisions_2012watermarkLR.pdf

Regardless of the measures that would be implemented to reduce habitat loss and mortality of avian species, some residual impacts would remain. The development of numerous renewable energy projects in California has cumulatively resulted in the loss of tens of thousands of acres of habitat; therefore, we recommend that the BLM and the County include a requirement each respective permit for Desert Quartzite to mitigate for the project's effects on habitat and populations of migratory birds. We would like to work with you and the applicant to develop and implement appropriate mitigation. Some options include contributing to a fund to identify and reduce sources of mortality of migratory birds in the region and to enhance habitat specifically for the benefit of these species; contributing to institutions currently conducting genome mapping of species of conservation concern that will allow us to identify populations being impacted by mortalities at renewable energy sites; contributing to the Migratory Bird Conservation Fund, managed by the Department of Interior, which provides financing for the acquisition of migratory bird habitat; and/or contributing to one of the joint ventures that the Service has established for the conservation of migratory birds that have programs in place to facilitate such mitigation. A joint venture is a collaborative, regional partnership of government agencies, non-profit organizations, corporations, tribes, and individuals that conserves habitat for priority bird species, other wildlife, and people. More information on joint ventures is available at: http://www.fws.gov/birdhabitat/JointVentures/index.shtm.

Mojave Fringe-toed Lizard

This species is designated as a Sensitive Species by BLM and a Species of Special Concern by the State of California. These designations recognize the general rarity of this species, which is vulnerable because suitable habitat is scattered in relatively few, small, isolated patches of sand dune habitat across the Sonoran and Mojave deserts in California.

The proposed project is located at the terminus of the Chuckwalla Valley sand transport corridor. The active eolian sand transport in this zone provides periodic pulses of loose blowsand from upwind sand sources within the transport corridor west of the project site and along the length of the proposed gen-tie line to the Colorado River Substation. The lizard is specially adapted to blowsand habitats, such as the sand sheets/fields, which characterize portions of the project site, and across which sands are transported to larger accumulations, such as sand dunes and sand hummocks that accumulate around shrubs and other obstructions. The draft EIR should include a thorough analysis that quantifies the direct loss of lizard habitat and the indirect effects on-site and off-site to lizard habitat. An analysis of avoidance and minimization measures to reduce direct effects to the lizard, such as reconfiguration of the project footprint and salvaging individuals to reduce lizard fatalities, should also be included in the document.

Indirect effects would be caused by the disruption of eolian sand transport processes to blowsand habitat downwind of the project site. As can be observed on the small existing First Solar project to the east, the solar panels create turbulence to the laminar wind flow, which slows wind

velocity and causes wind-entrained sand particles to drop out and settle in eddies created by the solar panels and pedestals. Thus, the wind obstruction created by the solar panels intercepts and accumulates sands on the project site, which reduces the amount of sand available to downwind habitats. Though the accumulation of sand can potentially create and improve habitat conditions for the lizard on the project site, any operations and maintenance (O&M) requirements to remove sand accumulations also would kill and injure the lizards that colonize any residual or artificially-created habitats on the project site. As such, construction of the proposed project would initially eliminate occupied and suitable habitat and lizards from the site, but as eolian sand transport delivers fresh sand supplies from the west that accumulate on-site, suitable habitat and lizards that move onto the project site would be periodically eliminated if removed by O&M practices. Therefore, to minimize direct and indirect impacts to the lizard and downwind habitats, we recommend that the project be reconfigured to avoid areas of active and stabilized sand in the northern portion of the proposed project site. If the project is not reconfigured to avoid impacts to the sand transport process, we recommend that the BLM and the County require habitat on-site and downwind of the project be quantified and mitigated by the acquisition of suitable habitat elsewhere with the Chuckwalla Valley sand transport corridor. Consistent with BLM's Northern and Eastern Colorado Coordinated Management Plan, direct and indirect habitat losses should be mitigated at a 3:1 loss to replacement ratio.

Aquatic Insects

Solar panels can act as ecological traps to organisms that use polarized light as a behavioral cue. The design of solar panels and collectors and their placement relative to aquatic habitats will likely affect populations of aquatic insects directly (Kriska *et al*. 2009, Horvath *et al*. 2010). For example, insects continuously fly over solar panels until they become exhausted and die (Kriska *et al*. 2009, Lundy *et al*. 2013). Decreases in the number of insects may indirectly affect other species because they provide food for fish, birds and other species.

To minimize this effect on aquatic insects, we recommend that the BLM and the County require Desert Quartzite to use solar panels with reduced reflectivity and polarized light pollution (see discussion above) or panels with white borders and grids of white strips that crisscross the panels. Horvath *et al*. (2010) showed that these modifications reduced the attractiveness of solar panels to aquatic insects by 10 to 26 fold.

Cumulative Effects

There are numerous applications for utility-scale solar and wind energy projects on public and private land across the southwest to meet either State-mandated or national energy priorities. The proposed Desert Quartzite and adjacent Blythe Mesa projects would remove 8,590 acres of undeveloped lands from the existing habitat baseline, and coupled with the NextEra Blythe (4,138 acres) and McCoy (4,700 acres) solar projects north of I-10, we have considerable concerns about cumulative effects to our trust resources.

Given the extent of renewable energy projects in the vicinity, we recommend that BLM, State, and local agencies conduct a thorough analysis identifying all cumulative, direct, and indirect effects that are expected from the proposed project and associated infrastructure. The Service is particularly concerned with impacts to Mojave desert tortoise habitat connectivity and the potential loss of gene flow within and among designated critical habitat units across the species' range (Averill-Murray *et al*. 2013). Consequently, the draft EIS analysis should examine potential impacts to the population connectivity requirements of desert tortoise and other plant and wildlife species throughout the project area and alternative project sites to avoid any significant adverse effects.

In addition to those articulated above, we recommend the following specific measures:

- The draft EIR should include a range of alternatives to the project as currently proposed including alternative sites for this project outside of the Lower Colorado River Valley; a reduced-footprint alternative; alternative technologies and project configurations that would minimize adverse effects to avian and other wildlife species.

- Eliminate any water features, such as construction and/or evaporation ponds from the project description.

- Underground on-site distribution lines.

- Underground or use monopoles for any above-ground distribution lines and gen-tie lines.

- For any above-ground distribution and gen-tie lines, deploy visual deterrents designed to minimize avian collisions.

- Use tracking devices so that panels may be offset to break-up any illusion of a large water body, especially at night.

- Implement deterrent testing program in the interest of adaptive management.

- Build perimeter fence with a gap in the bottom to evaluate wildlife use of the site after construction.

- Mark fences to determine if this reduces avian collisions with newly constructed fences.

- Avoid use of lattice-type structures or placing external ladders and platforms on any infrastructure to minimize perching and nesting.

- Avoid use of meteorological towers that require use of guy wires.

- Avoid using lighting to the extent possible; where lighting was necessary, facility lighting should be focused downward to reduce sky illumination.

- Minimize permanent disturbance area by minimizing creation of roads, avoidance of excessive clearing of vegetation, and grading whenever possible.

- A Nesting Bird Plan should be developed that articulates methods and timing for clearing of vegetation and conserving active nests; any variances from the plan should be approved by the agencies.

- Surveys for golden eagle nests should be conducted during each year during construction activities within the nesting season.

- Clearance surveys for burrowing owls should be completed in each construction unit; buffer areas should be determined in consultation with the wildlife agencies.

- Mandatory site training for all construction personnel regarding avoidance of bird nests and bat colonies and other biological resourcesshould be conducted.

If you have any questions regarding this letter, please contact Jody Fraser of my staff at (760) 322-2070 extension 207 or jody_fraser@fws.gov.

Literature Cited

AECOM. 2013. Periodic avian mortality reports from the NextEra Genesis Solar Project in the Mojave Desert of eastern Riverside County, California.

Averill-Murray, R.C., C. Darst, N. Strout, and M. Wong. 2013. Conserving population linkages for the Mojave desert tortoise (*Gopherus agassizii*). Herpetological Conservation and Biology 8(1): 1-15.

[APLIC] Avian Power Line Interaction Committee. 2006. Suggested practices for avian protection on power lines, the state of the art in 2006. Edison Electric Institute, Avian Power Line Interaction Committee, and California Energy Commission. Washington, D.C. and Sacramento, California.

[APLIC] Avian Power Line Interaction Committee. 2012. Reducing Avian Collisions with Power Lines: The State of the Art in 2012. Edison Electric Institute and APLIC. Washington, D.C.

Horvath G., G. Kriska, P. Malik, B. Robertson. 2009. Polarized light pollution: A new kind of ecological photopollution. Frontiers in Ecology and the Environment 7: 317–325.

Horvath, G., M. Blaho, A. Egri, G. Kriska, I. Seres, and B. Robertson. 2010. Reducing the maladaptive attractiveness of solar panels to polarotactic insects. Conservation Biology 24:1644-1653.

Ironwood Consulting. 2013. Periodic avian mortality reports from the Desert Sunlight Solar Project in the Mojave Desert of eastern Riverside County, California.

Kriska, G., B. Bernath, R. Farkas, and G. Horvath. 2009. Degrees of polarization of reflected light eliciting polarotaxis in dragonflies (Odonata), mayflies (Ephemeroptera) and tabanid flies (Tabanidae). Journal of Insect Physiology 55:1167-1173.

Lundy, M.G., A. Harrison, D.J. Buckley, E.S. Boston, D.D. Scott, E.C. Teeling, W.I. Montgomery, and J.D.R. Houghton. 2013. Prey field switching based on preferential behavior can induce Levy flights. Journal of the Royal Society Interface 10.

McCrary, M., R. McKernan, R. Schreiber, W. Wagner, and T. Sciarrotta. 1986. Avian mortality at a solar energy power plant. Journal of Field Ornithology 57(2):135-141.

Rosenberg, K.V., R.D. Ohmart, W.C. Hunter, and B.W. Anderson. 1991. Birds of the Lower Colorado River Valley. University of Arizona Press. Tuscon, AZ, 416 p.

Shuford W.D., N. Warnock, K.C. Molina, K.K. Sturm. 2002. The Salton Sea as critical habitat to migratory and resident waterbirds. Hydrobiologia, 473:255-274.

[Service] U.S. Fish and Wildlife Service. 2009. Yuma clapper rail (Rallus longirostris yumanensis) recovery plan. Draft first revision. U.S. Fish and Wildlife Service, Southwest Region, Albuquerque, New Mexico. 73 pp.

[Service] U.S. Fish and Wildlife Service. 2014a. Yuma clapper rail survey data 2006-2013. Dated January 31, 2014. U.S. Fish and Wildlife Service, Ecological Services, Phoenix, Arizona.

[Service] U.S. Fish and Wildlife Service. 2014b. Avian Mortality at Solar Energy Facilities in Southern California: A Preliminary Analysis. Prepared by the National Fish and Wildlife Forensics Laboratory, Ashland, Oregon.

COMMENTER	DATE
The Metropolitan Water District of Southern California – Office of the General Manager, Deirdre West, Manager, Environmental Planning Team, Los Angeles, CA	**April 9, 2015**

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

April 6, 2015

Via Electronic & U.S. Mail

Mr. Larry Ross, Principal Planner
County of Riverside
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501-3634
Email: lross@rctlma.org

Mr. Cedric C. Perry, Project Manager
U.S. Bureau of Land Management
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553-9046
Email: blm_ca_desert_quartzite_solar_project@blm.gov

Re: **Notice of Preparation of Draft Environmental Impact Statement/ Environmental Impact Report**
Desert Quartzite Solar Project
Riverside County Conditional Use Permit No. 03721
BLM Project Number: CACA # 049397

To Whom It May Concern:

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Desert Quartzite Solar Project (Project) and the Notice of Intent to Prepare an Environmental Impact Statement for the Desert Quartzite Solar Project and a Possible Amendment to the California Desert Conservation Area Plan, Riverside County, California (Feg. Reg., Vol. 80, No. 44, 12195 (March 6, 2015)). Metropolitan is pleased to submit comments for consideration by the County of Riverside (County) and the U.S. Bureau of Land Management (BLM) in the preparation of the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR). In sum, Metropolitan provides these comments to ensure that any potential impacts on its facilities in the vicinity of the Project and on Colorado River water resources are adequately addressed.

Background

Metropolitan is a public agency and regional water wholesaler. It is comprised of 26 member public agencies serving approximately 19 million people in six counties in Southern California. One of Metropolitan's major water supplies is the Colorado River via Metropolitan's Colorado River Aqueduct (CRA). Metropolitan holds an entitlement to water from the Colorado River. The CRA consists of tunnels, open canals and buried pipelines. CRA-related facilities also include above and below ground reservoirs and aquifers, access and patrol roads, communication facilities, and residential housing sites. The CRA, which can deliver up to 1.2 million acre-feet

of water annually, extends 242 miles from the Colorado River, through the Mojave Desert and into Lake Mathews. Metropolitan has five pumping plants located along the CRA, which consume approximately 2,400 gigawatt-hours of energy when the CRA is operating at full capacity.

Concurrent with its construction of the CRA in the mid-1930s, Metropolitan constructed 305 miles of 230 kV transmission lines that run from the Mead Substation in Southern Nevada, head south, then branch east to Parker, California, and then west along Metropolitan's CRA. Metropolitan's CRA transmission line easements lie on federally-owned land, managed by BLM. The transmission lines were built for the sole and exclusive purpose of supplying power from the Hoover and Parker projects to the five pumping plants along the CRA.

Metropolitan's ownership and operation of the CRA and its 230 kV transmission system is vital to its mission to provide Metropolitan's 5,200 square mile service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Project Understanding

Pursuant to the Project Description in the Notice of Preparation, the Project involves the construction and operation of a 300 megawatt solar photovoltaic (PV) electrical generation facility on a total of approximately 5,003 acres of public and private land (4,843 acres[1] of BLM-managed land and 160 acres of private land). The facility would include a solar array field utilizing single axis solar PV and fixed-tilt arrays, a system of interior collection power lines, and associated infrastructure which includes substations, maintenance facilities, site access and a 230 kilovolt transmission line that will interconnect the generation facility to the statewide electrical transmission grid through the Colorado River Substation.

The Project site is located approximately 2.8 miles west of the City of Blythe in an unincorporated area of Riverside County, California.

Land Use Issues: Potential Impacts on Metropolitan Facilities

Although Metropolitan has not yet identified any direct impacts, the Project is in the general vicinity of Metropolitan owned agricultural lands in the Palo Verde Valley, perhaps as close as 3 miles, a portion of which Metropolitan fallows to increase its water supply. As described above, Metropolitan currently has a significant number of facilities, real estate interests, and fee-owned rights-of-way, easements, and other properties (Facilities) located on or near BLM-managed land in southern California that are part of our water supply and distribution system. Metropolitan is concerned with potential direct or indirect impacts that may result from the construction and

[1] Metropolitan used the acreage numbers from the County's notice. There were discrepancies between the numbers listed in the various notices, for example, the Federal Register notes this is 4,845 acres of public land.

operation of any proposed solar energy project on or near our Facilities. In order to avoid potential impacts, Metropolitan requests that the DEIS/DEIR include an assessment of potential impacts to Metropolitan's Facilities with proposed measures to avoid or mitigate significant adverse effects.

Metropolitan is also concerned that locating solar projects near or across its electrical transmission system could have an adverse impact on Metropolitan's electric transmission-related operations and Facilities. From a reliability and safety aspect, Metropolitan is concerned with development of any proposed projects and supporting transmission systems that would cross or come in close proximity with Metropolitan's transmission system. Metropolitan requests that the DEIS/DEIR analyze and assess any potential impacts to Metropolitan's transmission system.

Water Resources: Potential Impacts on Colorado River and Local Water Supplies

Metropolitan is also concerned about the Project's potential direct and cumulative impacts on water supplies, specifically potential impacts on Colorado River and local groundwater supplies. As noted above, Metropolitan holds an entitlement to imported water supplies from the Colorado River. Water from the Colorado River is allocated pursuant to federal law and is managed by the Department of the Interior, Bureau of Reclamation (USBR). In order to lawfully use Colorado River water, a party must have an entitlement to do so. *See* Boulder Canyon Project Act of 1928, 43 U.S.C. §§ 617, et seq.; *Arizona v. California*, 547 U.S. 150 (2006).

The BLM Notice of Intent and the County NOP do not provide any information regarding a source of non-potable water to be used during construction and operation. If the Project proposes to utilize groundwater from on-site wells, Metropolitan is concerned that the wells would draw water from a groundwater basin that is hydro-geologically connected to the Colorado River, within an area referred to as the "accounting surface." The extent of accounting surface area for the Colorado River was determined by the U.S. Geological Survey (USGS) and USBR as part of a proposed rule-making process. *See* Notice of Proposed Rule Regulating the Use of the Lower Colorado River Without an Entitlement, 73 Fed. Reg. 40916 (July 16, 2008); USGS Scientific Investigation Report No. 2008-5113. To the extent the Project uses Colorado River water, it must have a documented right to do so. A map of the proposed Project in the relation to Metropolitan's Facilities and the Colorado River accounting surface area is enclosed for reference.

Entities in California are using California's full apportionment of Colorado River water, meaning that all water is already contracted and no new water entitlements are available in California. Thus, Proponents would have to obtain water from the existing junior priority holder, Metropolitan, which has the authority to sell water for power plant use. Metropolitan is willing to discuss the exchange of a portion of its water entitlement, subject to any required approvals by Metropolitan's Board of Directors, through an agreement with Metropolitan.

Metropolitan requests that BLM and the County also assess the potential cumulative impacts of the use of the scarce Colorado River and local groundwater basin resources in light of other pending renewable energy projects within the Colorado River Basin and the local groundwater basins. Metropolitan requests that the DEIS/DEIR and possible amendment to the California Desert Conservation Area Plan address the Proponent's water supply and any potential direct or cumulative impacts from this use.

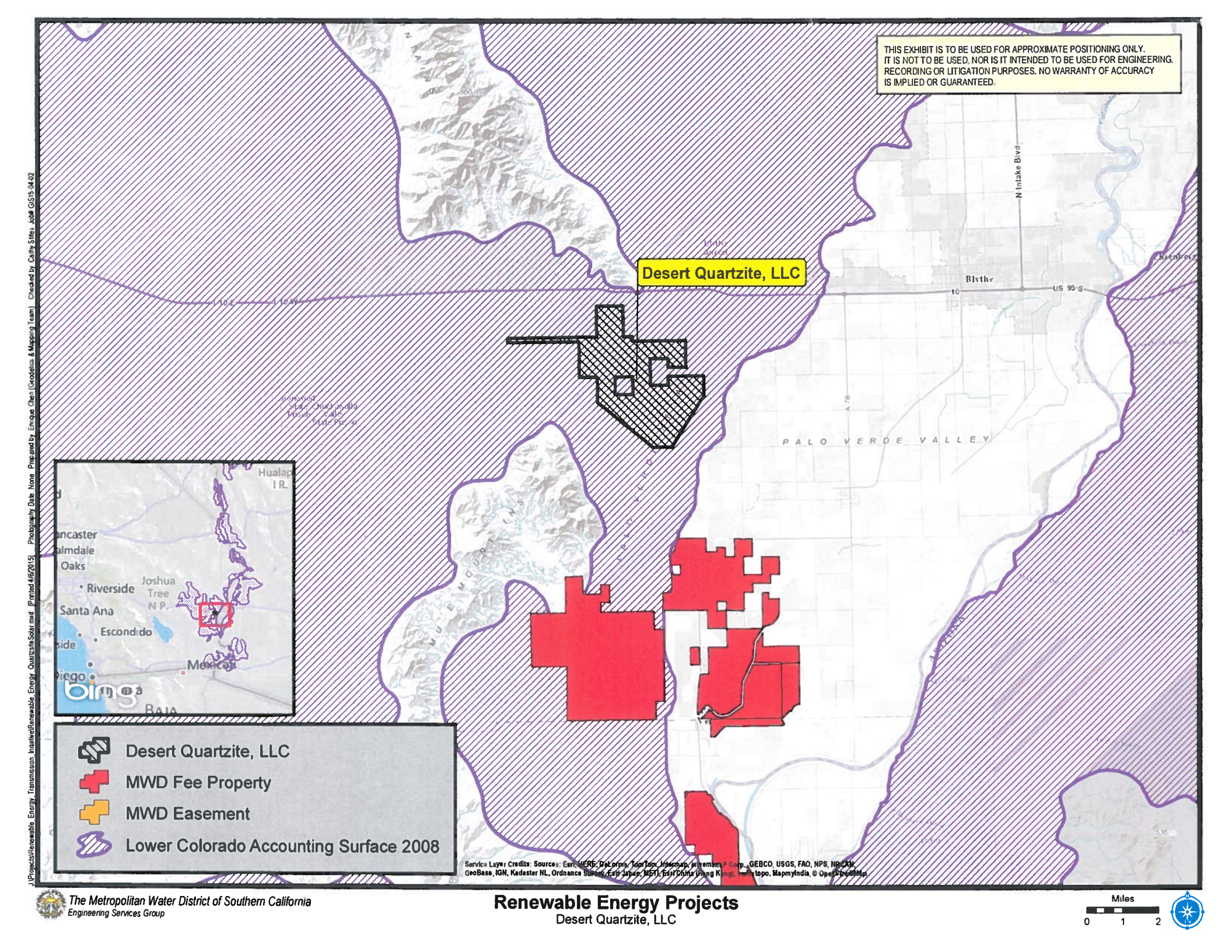
We appreciate the opportunity to provide input to your planning process and we look forward to receiving and reviewing the DEIS/DEIR on the Desert Quartzite Solar Project. If we can be of further assistance, please contact Mr. Michael Melanson at (916) 650-2648.

Very truly yours,

for Deirdre West
Manager, Environmental Planning Team

Enclosure (map)

cc: Ms. Tanya Trujillo
Executive Director
Colorado River Board of California
770 Fairmont Avenue, Suite 100
Glendale, California 91203-1068



The Metropolitan Water District of Southern California
Engineering Services Group

Renewable Energy Projects

Desert Quartzite, LLC

Miles
0 1 2

COMMENTER	DATE
California Native Plant Society, Greg Suba, Conservation Program Director, Sacramento, CA	**April 13, 2015**

CALIFORNIA
NATIVE PLANT SOCIETY

April 13, 2015

Cedric C. Perry, Project Manager
Bureau of Land Management
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553-9046

Sent via email to: blm_ca_desert_quartzite_solar_project@blm.gov

Dear Mr. Perry;

Thank you for the opportunity to provide scoping comments to help guide the preparation of a Draft Environmental Impact Statement ("DEIS") and Proposed Amendment to the California Desert Conservation Area ("CDCA") Plan for the proposed Desert Quartzite Solar Project ("Project"). The California Native Plant Society recommends the following biological issues be addressed in the DEIS.

1. **Desert washes supporting microphyll woodlands**. The Plan of Development indicates there are three primary drainages occurring within the expanded study area for biological resources. It is unclear to that extent these woodland communities occur in drainages on the Project site. The Plan indicates that Dry Desert Wash Woodlands would be avoided and that PV panels would not be placed in "significant drainages." It is unclear what constitutes "significant drainages" but we assume they are those supporting varying amounts of microphyll woodland plant species.

The 2013 Vegetation Map developed in support of the Desert Renewable Energy Conservation Plant (2013 DRECP Vegetation Map) indicates stands of *Parkinsonia florida - Olneya tesota* (Blue palo verde - Ironwood) microphyll woodland alliance occur across the northeastern corner of the proposed project area. Due to time and budget constraints, the 2013 DRECP Vegetation Map delineated microphyll woodland stands only if they occurred in washes 90 feet wide or greater. Therefore, there may be additional microphyll woodland stands within the project site in washes < 90 feet wide, and the project applicant must complete project-level vegetation mapping to determine this. Project-level vegetation mapping might also reveal additional rare vegetation alliances (NatureServe state rarity rank of S1-S3) that weren't resolved by the 2013 DRECP Vegetation Map.

Project-level vegetation mapping must conform to the National Vegetation Classification System and be done at the alliance level, though association level would be most informative, to meet California state standards and be comparable to the new 2013 DRECP Vegetation Map.

We recommend that that washes supporting microphyll woodland species be fully delineated and that a protective buffer (no disturbance zone) of at least 200 feet be established on either side of these drainages. The draft DRECP called for a 200foot buffer around microphyll woodlands within development zones. In addition, since these drainages are most often used by various wildlife species for feeding, shelter, breeding and movements, we recommend that wildlife passages across the Project perimeter be required rather than blocked by the proposed perimeter fence.

The 2013 DRECP Vegetation Map also indicates that rare stands of *Pleuraphis rigida* vegetation alliance (with a NatureServe state rarity rank of S2) occur along the eastern boundary of the proposed project site.

These stands of rare vegetation should be avoided. Figure 1 illustrates 2013 DRECP Vegetation Map information related to the proposed project site.

2. **Maintaining vegetation under PV arrays.** Emerging research based on 4 years of field studies at the Ivanpah Solar Energy Generating System (ISEGS) in Ivanpah Valley, CA indicates that, despite some negative effects of persistence within the solar field, survival and recruitment of rare native plants under and between heliostats in the three units of ISEGS provides clear benefit over conventional utility-scale solar design in which entire developments are graded (*Measuring and Evaluating Rare Plant Demography in the California Desert: Implications for Solar Energy Development.* Final Report to the California Energy Commission. Moore and Pavlik, in press).

Vegetation on the Project site is very low density and low in overall height. Because of these site conditions, we recommend strong consideration is given to simply leaving vegetation in place between the access roads located between rows of solar panels. This would greatly reduce need for vegetation removal and soil compaction; would reduce fuel consumption and cost for site preparation; aid in water infiltration; and reduce the costs associated with site restoration upon Project decommissioning.

3. **Proposed project is within the terminal end of sand transport cooridor.** Figure 2 illustrates the proposed project area in relation to the Chuckwalla Valley's sand transport corridor. Many desert sensitive species of plants and animals are dependent upon this natural feature. The DRECP's Alternative 3 proposed a Development Focus Area design that would avoid impacts within this ecologically important sand transport corridor. The proposed project site would not have conformed to DRECP Alternative 3's conservation goals (see Figure 3). The DEIS must assess how the proposed project site would avoid and/or mitigate for impacts to plant and animal communities dependent on the sand transport corridor.

4. **Carbon sequestration by desert vegetation, root systems, microbes, and soils vs. GHG benefits of proposed project.** Recent research has concluded that desert vegetation, especially woodland vegetation, and desert pavements contributed significantly to atmospheric carbon sequestration.

"Data shows that caliche is dynamic, and the processes of formation and weathering can occur within the time scales of solar unit deployments. Undisturbed vegetation produces CaCO3 as long as Ca is present or coming in by wind or water erosion. But, CO2 appears to be lost from CaCO3 where the vegetation has been removed.

Siting solar developments on previously disturbed lands are recommended. Desert riparian woodlands should especially be avoided for the protection of sequestered, and their ability to increase that C sequestration. Their deep roots and microbial associations continue to sequester both organic and inorganic carbon.

It is also recommended that solar developments be revegetated. Short-statured plants, such as cacti and shrubs such as *Encelia farinosa* also respire CO2, but continue to produce organic C and build up both organic and inorganic soil C. The modeling work under these shrubs is continuing, but these steps alone should provide the critical information to allow solar developments to produce needed, "green" energy and simultaneously reduce C loss and sustain buried inorganic and organic C." (Allen et al., 2013 p. 26)[1].

[1] Allen, Michael F., G. Darrel Jenerette, Louis S. Santiago. (University of California, Riverside). 2013. ***Carbon Balance in California Deserts: Impacts of Widespread Solar Power Generation.*** California Energy Commission. Publication number: CEC-500-2014-063.

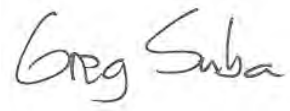
The CO2 sequestration benefits of intact above ground desert vegetation, their below ground root systems and associated microbes, and the carbon storage provided by undisturbed carbon soils must be accounted for and analyzed as part of a carbon budgeting related to the purpose and need of this proposed project.

As part of a GHG emmissions / carbon sequestration analysis for the proposed project, the DEIS must analyze the amount of CO2 sequestration lost annually for every acre of proposed project site disturbed. This analysis must include:
i. carbon sequestration reduction/loss of above ground desert vegetation (non-woodland species)/acre/year,
ii. carbon sequestration reduction/loss of microphyll woodland species /acre/year, and
iii. amount of carbon dioxide potentially emitted into the atmosphere due to dissolution of carbon-rich soils that would be disturbed and exposed to atmospheric moisture during project construction and operation.

4. **Rare plant surveys, avoidance, and mitigation.** A review of the most recent update (April 2015) of the California Natural Diversity Database (CNDDB) for rare plants indicates that rare plant surveys were performed across the proposed project site in Spring 2012 and 2013, and summer-fall 2012. These surveys were performed under unfavorable conditions for germination of desert annual plants.

Spring and late summer / fall field surveys for the occurrence, distribution and abundance of rare annual species must occur in multiple years in anticipation of making observations during favorable, mediocre, and unfavorable years. Distributions, density, and demographic rates of desert annuals can vary dramatically in different types of years. Without multiple types of survey years, the essential relationships between population performance and very subtle landscape features and environmental triggers will most certainly remain undetected. Individuals conducting surveys for annual species must be appropriately trained in the response of annual species to landscape subtleties. They must anticipate, observe, and record distributional variation within survey sites and over multiple seasons in order to design effective management, mitigation, and restoration strategies. In many cases, sound management will require additional detailed demographic and distributional studies over multiple active seasons. The DEIS must contemplate these factors.

Thank you for fully considering these comments.
Sincerely,



Greg Suba
Conservation Program Director, CNPS

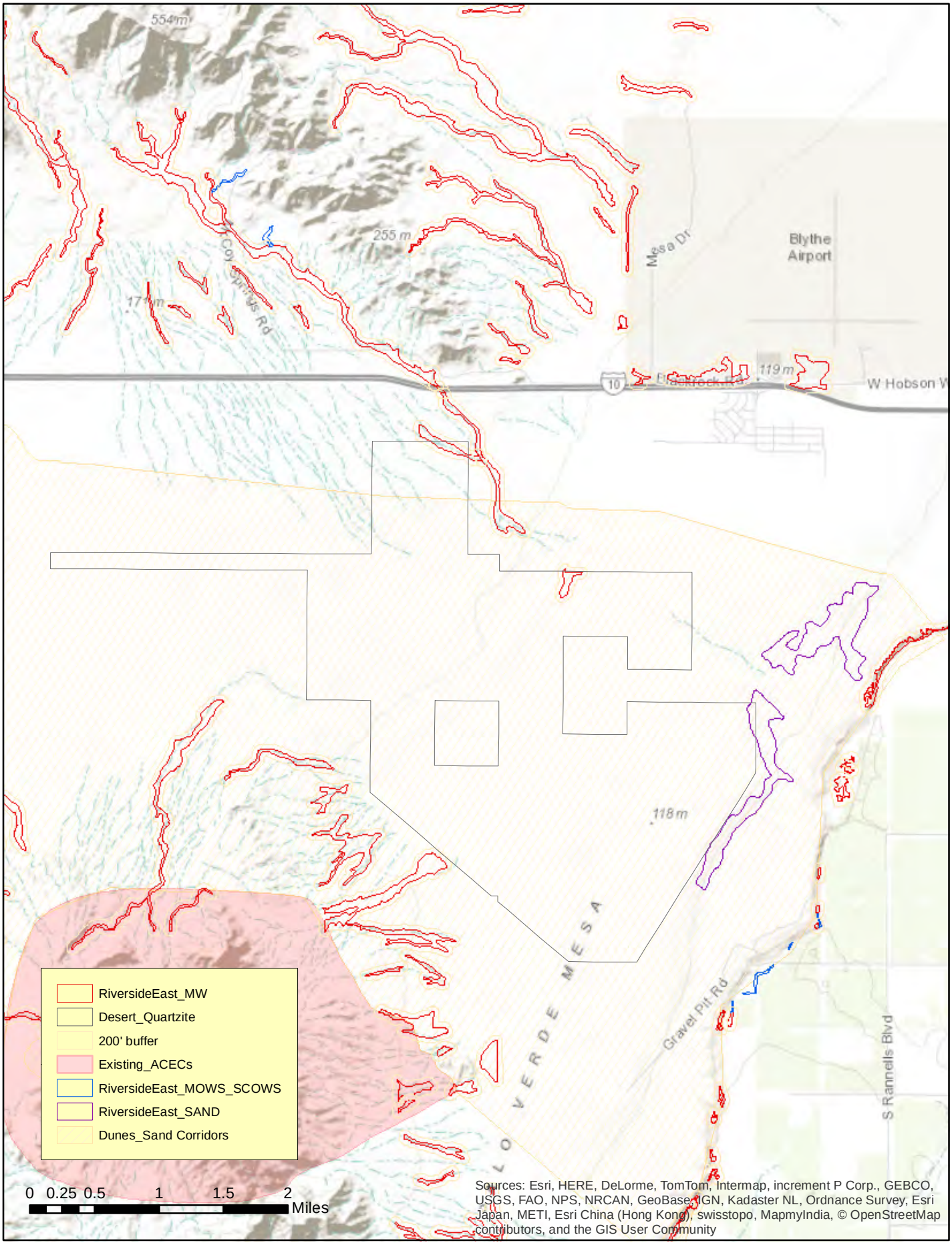


Figure 1. 2013 DRECP Vegetation Map alliances relative to proposed project site. MW = microphyll woodlands; MOWS = DRECP Mojavean semi-desert wash scrub natural community; SCOWS = DRECP Sonoran-Coloradan semi-desert wash scrub natural community; SAND = DRECP North American warm desert dunes and sand flats natural community (Pleuraphis rigida)

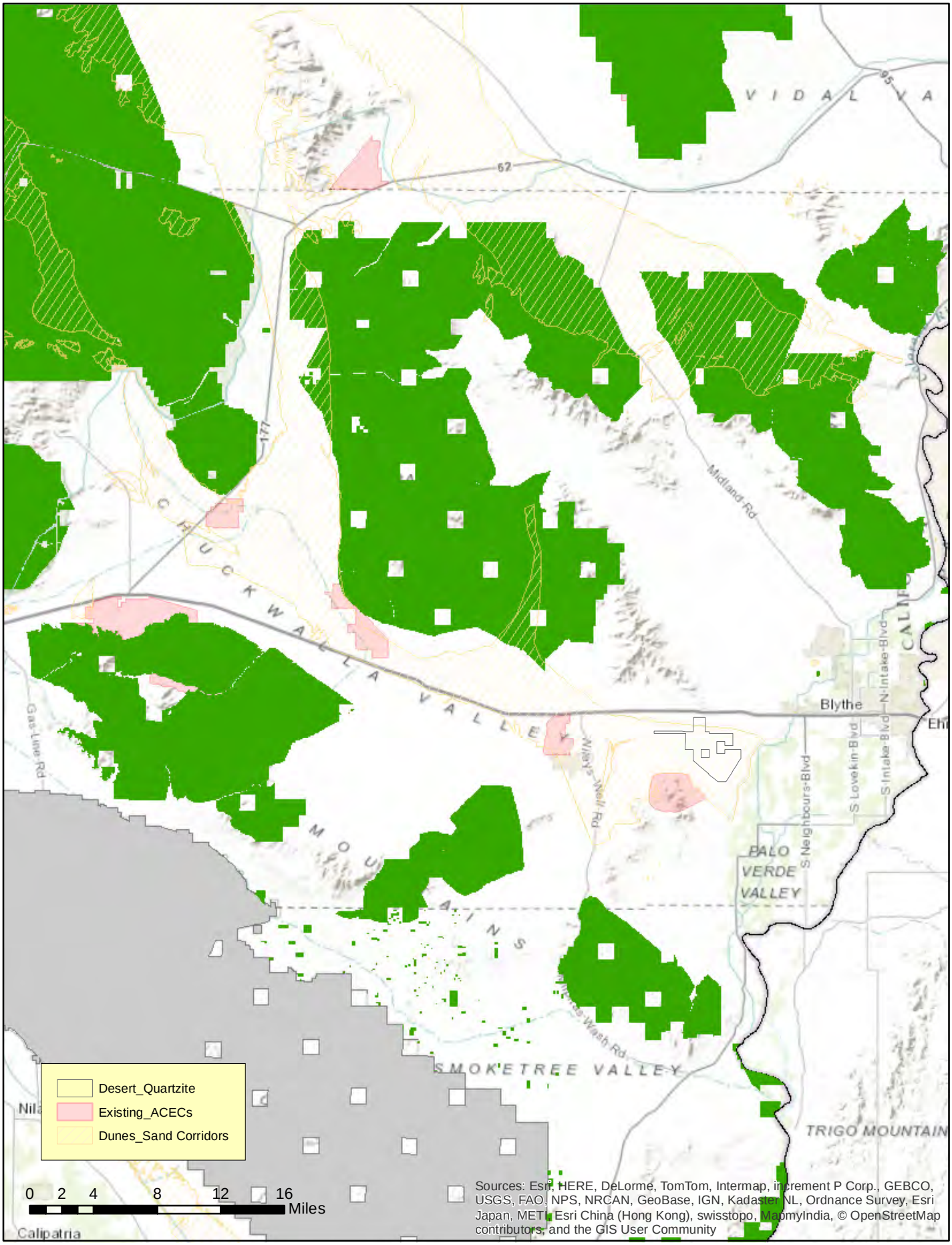


Figure 2. Proposed project site relative to Chuckwalla Valley sand transport corridor.

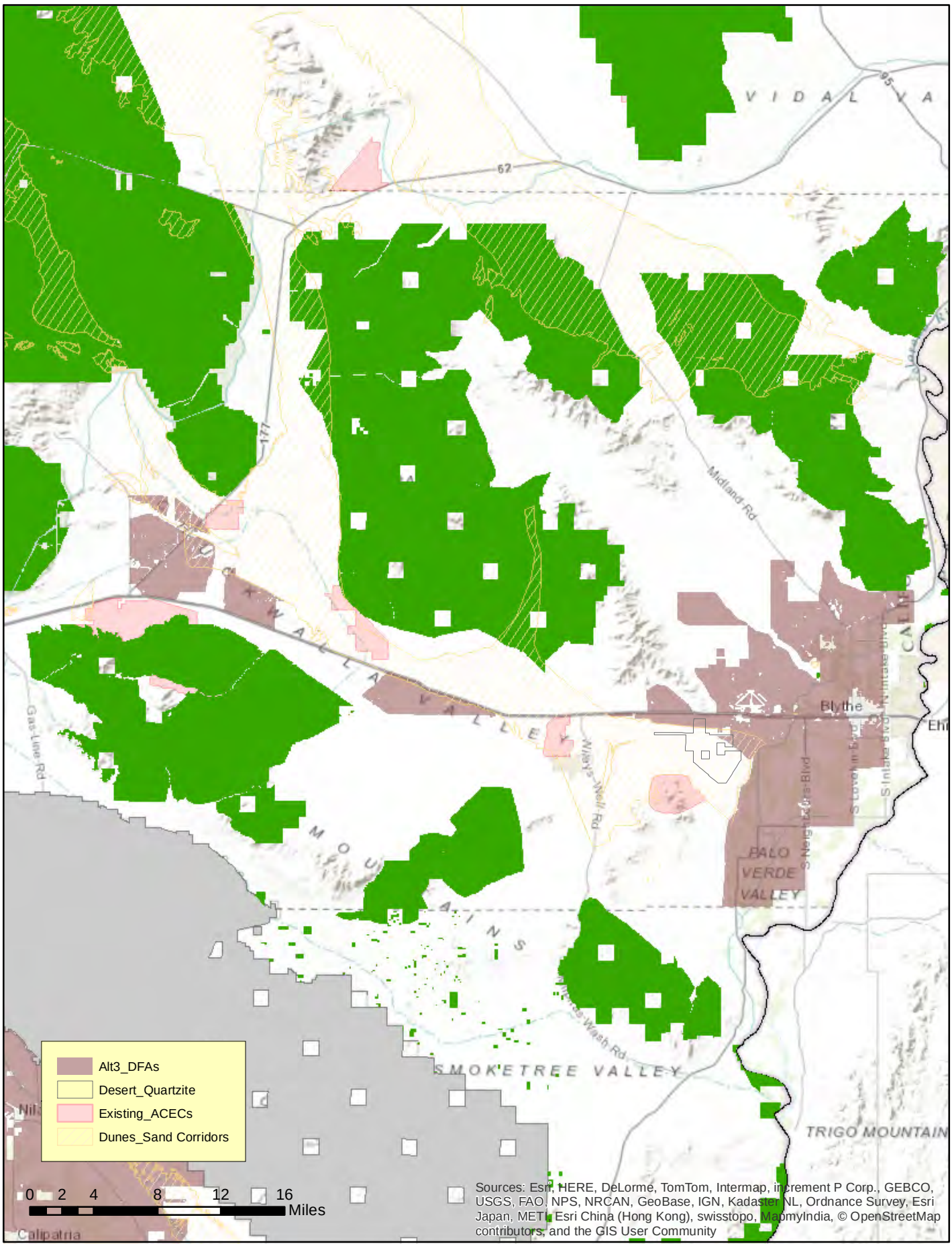


Figure 3. DRECP Alternative 3 DFA alignment avoids impacts to ecologically important sand transport corridor. The proposed project site would not conform to those conservation goals.

COMMENTER	DATE
Defenders of Wildlife, Jeff Aardahl, California Representative, Natural Resources Defense Council, Helen O'Shea, and Sierra Club, Sarah K. Friedman	**April 13, 2015**

Defenders of Wildlife
Natural Resources Defense Council
Sierra Club

April 13, 2015

Cedric C. Perry, Project Manager
Bureau of Land Management
22835 Calle San Juan De Los Lagos, Moreno Valley, CA 92553-9046
Sent via email to: blm_ca_desert_quartzite_solar_project@blm.gov

Dear Mr. Perry;

Thank you for the opportunity to provide scoping comments to help guide the preparation of a Draft Environmental Impact Statement ("DEIS") and Proposed Amendment to the California Desert Conservation Area ("CDCA") Plan for the proposed Desert Quartzite Solar Project ("Project").

These comments are submitted on behalf of Defenders of Wildlife ("Defenders"), the Natural Resources Defense Council ("NRDC") and the Sierra Club, all non-profit public interest conservation organizations with offices in California as well as elsewhere in this country, and many members and supporters in California.

Brief description of the proposed project and Federal action:

The Project site is located in eastern Riverside County, approximately 2.75 miles southwest of the western extent of the City of Blythe, California and south of Interstate Highway 10 (I-10) and approximately 2.5 miles to the southwest of the Blythe Airport. The corridor for the Gen-Tie Line will run generally west from the proposed on-site substation near the northwestern edge of the Project to the Colorado River Substation, located approximately 2.8 miles to the west of the Project fenceline.

The Project will occupy approximately 2,453 acres, and the 600-footwide Gen-Tie Line study corridor occupies approximately 205 acres. The Gen-Tie Line is approximately 2.8 miles long (portion outside solar facility fenceline up to near northern boundary of SCE Colorado River Substation) and will occur within a 160-foot wide operational ROW corridor occupying approximately 55 acres.

We offer the following comments regarding issues that should be addressed in the forthcoming National Environmental Policy Act analysis:

1. **Groundwater**. The Project applicant is considering the use of local groundwater to support the construction and operation of the Project. We understand that groundwater studies will be undertaken to determine if this is a viable option or if another source of water would be pursued, such as from the local irrigation district. About 1,300 to 1,800 acre feet (AF) of water would be required for construction, and approximately 20 AF/year would be used for process water, fire protection, dust control, vegetation management, and at the O&M building, and 18 AF per year would be used for up to two annual panel washings. We strongly support an analysis to determine a viable and sustainable source of water for all aspects of the project, including whether or not use of groundwater would affect inflow into the Colorado River. Groundwater impacts should be mitigated sufficiently to ensure that storage is not adversely impacted and inflow into the Colorado River is not adversely impacted.

2. **Ground preparation**. The project applicant has proposed to prepare the land surface for the Project using a technique called "disc and roll" and micrograding. This technique has been used on other projects which results in removal of all vegetation and pulverizing the surface soil layers. It is typically followed by watering and compaction, and stabilizing loose soil particles with a chemical-based binder.

Vegetation on the Project site is very low density and low in overall height. Because of these site conditions, we recommend strong consideration is given to simply leaving vegetation in place between the access roads located between rows of solar panels. This would greatly reduce need for vegetation removal and soil compaction; would reduce fuel consumption and cost for site preparation; aid in water infiltration; and reduce the costs associated with site restoration upon Project decommissioning.

3. **Desert washes**. The Plan of Development indicates there are three primary drainages occurring within the expanded study area for biological resources. It is unclear to that extent these woodland communities occur in drainages on the Project site. The Plan indicates that Dry Desert Wash Woodlands would be avoided and that PV panels would not be placed in "significant drainages." It is unclear what constitutes "significant drainages." We consider any drainage supporting Microphyll Woodland species of plants to be significant.

We recommend that the drainages supporting Microphyll Woodland species (blue palo verde, smoke tree or desert ironwood) be fully delineated and that a 100 yard protective buffer (no disturbance zone) be established on either side of these drainages. In addition, since these drainages are most often used by various wildlife species for feeding, shelter, breeding and movements, we recommend that wildlife passages across the Project perimeter be required rather than blocked by the proposed perimeter fence.

4. **Mojave fringe-toed lizard**. The Plan of Development indicates numerous Mojave fringe-toed lizards were observed during site surveys on the western portion of the project and the gen-tie route.

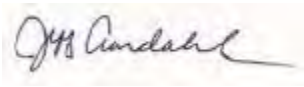
Consideration should be given to modifying the PV solar panel layout to avoid patches of suitable habitat occupied by the species. Any unavoidable impacts to their habitat should be compensated at a ratio of 3:1.

5. **Birds and Bats**. A Bird and Bat Protection Plan should be developed for the project and included in the Draft NEPA analysis. This draft plan should be open to public review and comment. Recent field studies indicate various species of water-associated birds may be attracted to vast arrays of PV solar panels due to what is called "lake effect" caused by reflected polarized light. The proximity of the Project to the Colorado River, a known migratory bird flyway, necessitates that robust, systematic monitoring and reporting be required, and that a timely and effective adaptive management plan is in place to mitigate significant bird mortality that may occur.

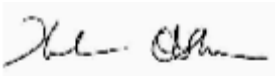
6. **Wildlife Habitat Connectivity**. Connectivity corridors have been identified and mapped by SC Wildlands that intersect the northwest corner of the proposed project's Right of Way (ROW) footprint. Analysis is required to determine the impact of the proposed project on potential wildlife habitat connectivity corridors and ensure important linkages are not severed due to development of a solar facility in this area. Modifications to the proposed project ROW should be considered to remove the portion that conflicts with the identified wildlife corridor.

This concludes our issue scoping comments and recommendations for the Project. We hope you find them helpful in preparing a Draft Environmental Impact Statement for the Project.

Sincerely,



Jeff Aardahl
California Representative
Defenders of Wildlife
jaardahl@defenders.org



Helen O'Shea
Natural Resources Defense Council
hoshea@NRDC.org

Sarah K. Friedman Sierra Club
Sarah.friedman@sierraclub.org

COMMENTER	DATE
The Wilderness Society – BLM Action Center, Alex Daue, Assistant Director, Renewable Energy, Denver, CO, and CALWild (California Wilderness Coalition), Ryan Henson, Senior Policy Director, Anderson, CA	**April 13, 2015**

April 13, 2015

Submitted via email to (blm_ca_desert_quartzite_solar_project@blm.gov)

Cedric C. Perry
Project Manager
Bureau of Land Management
22835 Calle San Juan De Los Lagos
Moreno Valley, CA
92553-9046

Re: Desert Quartzite Solar Scoping Comments

Dear Mr. Perry,

The Wilderness Society and California Wilderness Coalition support responsible, well-planned and sited renewable energy development, including on appropriate public lands, as part of a strategy for addressing climate change, along with aggressive efforts to increase energy efficiency, build distributed generation such as rooftop solar, and reduce demand with demand-side management. Areas with important and sensitive resources and values are inappropriate for development, and disturbed and degraded lands, including both public and private lands, will best serve as areas for focusing renewable energy development away from areas of greatest biological importance or sensitivity.

We support the guided development approach established in BLM's Solar Programmatic Environmental Impact Statement (Western Solar Plan), including the focus on development in appropriate areas within Solar Energy Zones (SEZs). The proposed Desert Quartzite Solar Project (Desert Quartzite) is within the Riverside East SEZ. All energy development should follow the mitigation hierarchy of avoiding, minimizing and mitigating impacts through compensatory, off-site mitigation. BLM should follow the guidance in Secretarial Order 3330[1] on mitigation and BLM's Regional Mitigation Manual[2] in establishing mitigation requirements for Desert Quartzite. Implementation of these policies is a fundamental requirement under the Federal Lands Policy and Management Act (FLPMA) to protect the diverse resources of our public lands.

These scoping comments focus on BLM's policies regarding inventory and management of lands with wilderness characteristics. We understand that other groups are submitting comments that address potential wildlife and other impacts.

Section 201 of FLPMA requires the BLM to maintain on a continuing basis an inventory of all public lands and their resources and other values, including lands with wilderness characteristics. IM 2011-154 and Manuals 6310 and 6320 set forth the agency's current policy for implementing

[1] http://www.doi.gov/news/upload/secretarial-order-mitigation.pdf
[2] http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information_Resources_Management/policy/im_attachments/2013.Par.57631.File.dat/IM2013-142_att1.pdf

that requirement. The IM directs BLM to "conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified lands with wilderness characteristics in land use plans and when analyzing projects under [NEPA]." Manual 6310 requires BLM to consider whether to update or conduct a wilderness characteristics inventory when a project that may impact wilderness characteristics is undergoing NEPA analysis (Manual 6310 at .06(A) (4)). Manual 6320 requires BLM to ensure that "wilderness characteristics inventories are considered and that, as warranted, lands with wilderness characteristics are protected in a manner consistent with this manual in BLM planning processes" (Manual 6320 at .04(C) (2)).

BLM must analyze potential impacts to lands with wilderness characteristics from Desert Quartzite utilizing updated inventory information, either from inventories that have been recently completed as part of the Desert Renewable Energy Conservation Plan or by conducting new inventories for the project area. If lands with wilderness characteristics are found within the proposed project area, BLM should avoid impacts to those lands by excluding them from the development area. If there are unavoidable impacts to lands with wilderness characteristics, BLM should off-set them through compensatory mitigation. The Western Solar Plan established a number of measures for avoiding, minimizing and mitigating impacts to lands with wilderness characteristics, which BLM should use to address potential impacts from Desert Quartzite. (Western Solar Plan Record of Decision[3] pp. 54-56; excerpt included as Attachment 1)

We appreciate the opportunity to comment and look forward to working with you.

Sincerely,

Alex Daue
Assistant Director, Renewable Energy
The Wilderness Society – BLM Action Center
1660 Wynkoop Street, Suite 850
Denver, CO 80202
alex_daue@tws.org
(303) 650-5715

Ryan Henson
Senior Policy Director
CalWild (California Wilderness Coalition)
3313 Nathan Drive
Anderson, CA 96007
rhenson@calwild.org
(530)-365-1455

[3] http://solareis.anl.gov/documents/docs/Solar_PEIS_ROD.pdf

Attachment 1 – excerpt from Western Solar Plan Record of Decision (pp. 54-56)

A.4.1.2 Design Features for Specially Designated Areas and Lands with Wilderness Characteristics

The following design features have been identified to avoid, minimize, and/or mitigate potential impacts on specially designated areas and lands with wilderness characteristics from solar energy development identified and discussed in Sections 5.3.1 and 5.3.2 of the Draft and Final Solar PEIS.

A.4.1.2.1 General

LWC1-1 Protection of existing values of specially designated areas and lands with wilderness characteristics shall be evaluated during the environmental analysis for solar energy projects, and the results shall be incorporated into the project planning and design.

(a) Assessing potential impacts on specially designated areas and lands with wilderness characteristics shall include, but is not limited to, the following:

• Identifying specially designated areas and lands with wilderness characteristics in proximity to the proposed projects. In coordination with the BLM, developers shall consult existing land use plans and updated inventories.
• Identifying lands that are within the geographic scope of a proposed solar project that have not been recently inventoried for wilderness characteristics or any lands that have been identified in a citizen's wilderness proposal in order to determine whether they possess wilderness characteristics. Developers shall consider including the wilderness characteristics evaluation as part of the processing of a solar energy ROW application for those lands without a recent wilderness characteristics inventory. All work must be completed in accordance with current BLM policies and procedures.
• Evaluating impacts on specially designated areas and lands with wilderness characteristics as part of the environmental impact analysis for the project and considering options to avoid, minimize, and/or mitigate adverse impacts in coordination with the BLM.

(b) Methods to mitigate unavoidable impacts on specially designated areas and lands with wilderness characteristics may include, but are not limited to, the following:

• Acquiring wilderness inholdings from willing sellers.
• Acquiring private lands from willing sellers adjacent to designated wilderness.
• Acquiring private lands from willing sellers within proposed wilderness or Wilderness Study Areas.
• Acquiring other lands containing important wilderness or related values, such as opportunities for solitude or a primitive, unconfined (type of) recreation.
• Restoring wilderness, for example, modifying routes or other structures that detract from wilderness character.

• Contributing mitigation monies to a "wilderness mitigation bank," if one exists, to fund activities such as the ones described above.
• Enacting management to protect lands with wilderness characteristics in the same field office or region that are not currently being managed to protect wilderness character. Areas that are to be managed to protect wilderness characteristics under this approach must be of sufficient size to be manageable, which could also include areas adjacent to current WSAs or adjacent to areas currently being managed to protect wilderness characteristics.

A A.4.1.2.2 Site Characterization, Siting and Design, Construction

LWC2-1 Solar facilities shall be sited, designed, and constructed to avoid, minimize, and/or mitigate impacts on the values of specially designated areas and lands with wilderness characteristics.

COMMENTER	DATE
Colorado River Indian Tribes (CRIT), Chairman Dennis Patch, CRIT Tribal Council, Parker, AZ	**April 13, 2015**

COLORADO RIVER INDIAN TRIBES

Colorado River Indian Reservation

26600 MOHAVE RD.
PARKER, ARIZONA 85344
TELEPHONE (928) 669-9211
FAX (928) 669-1216

April 13, 2015

Via E-Mail and U.S. Mail

ATTN: Cedric C. Perry
Project Manager
BLM California Desert District Office
22835 Calle San Juan de Los Lagos
Moreno Valley, CA 92553
E-Mail: blm_ca_desert_quartzite_solar_project@blm.gov

Re: **Environmental Impact Statement for the Desert Quartzite Solar Project and Possible Amendment to the California Desert Conservation Area Plan, Riverside County, CA**

Dear Mr. Perry:

Per BLM's Notice of Intent, 40 Fed. Reg. 12195 (Mar. 6, 2015), the Colorado River Indian Tribes ("CRIT" or "Tribes") submit these comments to help guide the scoping and content of the Environmental Impact Statement the BLM is preparing for the Desert Quartzite Solar Project ("the Project"), a 300-MW photovoltaic energy-generating facility, which is proposed on 4,845 acres of public land, partially located within the Riverside East Solar Energy Zone (SEZ), southwest of Blythe, California. CRIT is a federally recognized Indian tribe whose members include Mohave, Chemehuevi, Navajo, and Hopi people. The southwestern edge of CRIT's reservation is approximately 10 miles from the Project site, consequently, CRIT is traditionally and culturally affiliated with the subject area as CRIT's Mohave and Chemehuevi members and their ancestors have lived and traveled in the Project area since time immemorial.

Because of the Tribes' past, present, and future connection to the land on which the Project is proposed, CRIT has grave concerns about the Project's potential for significant cultural resource impacts. The Desert Quartzite Project is one of dozens of renewable energy projects either approved or under consideration by BLM in the area. The collective impact of this transformation of the desert has had, and will continue to have, considerable adverse impacts on the Tribes and the cultural, spiritual, and religious practices of CRIT members. CRIT is increasingly concerned that the federal government intends to approve all renewable energy projects, no matter what the cost to affected tribes, native plants and animals, and the desert ecosystem as a whole.

CRIT is extremely concerned about cultural resource impacts relating to this Project, as it is located in an especially sensitive cultural resource area; the cultural resources and artifacts that

will be excavated, collected, and possibly damaged or destroyed to make way for the Project are both sacred and finite. According to the belief system of CRIT's Mohave members, the disturbance of any cultural resources affiliated with their ancestors is taboo, and thus considered a severe cultural harm. CRIT therefore cannot support any project that will likely result in the disturbance or destruction of thousands of cultural resources and artifacts.

The National Environmental Policy Act and the National Historic Preservation Act require BLM to fully analyze the Project's impacts to cultural resources before it publishes the draft environmental impact statement, to prepare and present measures to avoid or lessen impacts on cultural resources, and to consider impacts to Tribal members throughout its impact analysis, as detailed below.

I. The DEIS Must Broadly Consider Impacts to Cultural Resources.

CRIT is concerned about the cultural harm that will result from both the unearthing and destruction of cultural resource artifacts and the Project's impacts on other resources. In preparing EISs for other solar energy facilities in the region, BLM has artificially constrained the definition of "cultural resources," thereby undermining the accuracy and quality of its subsequent analysis. In particular, BLM has taken the position that significant cultural resources are only those buildings, sites, structures, objects, and districts eligible for inclusion on the National Register of Historic Places. However, NEPA guidelines specify that EISs must address impacts to "historic *and* cultural resources" (40 C.F.R. § 1502.16(g) (emphasis supplied)), thus requiring a more expansive analysis than the one required by the National Historic Preservation Act. Such resources necessarily include viewsheds and landscapes, plants and animals used in and/or central to cultural and religious practices and creation stories, and religious and customary practices (e.g., hunting and gathering, religious ceremonies, and trail-walking). By using the correct definition of cultural resources for this Project, BLM will ensure that impacts to a host of important tangible and intangible resources are properly considered.

In addition, the DEIS must avoid conflating eligibility for the National Register of Historic Places under the NHPA and significant adverse effect under NEPA. In the past, BLM has taken the position that impacts to archaeological resources are significant for purposes of NEPA only if they are eligible for listing on the NRHP. This classification muddles two separate statutory schemes. Impacts to archaeological resources considered ineligible for listing on the NRHP—perhaps because of their lack of integrity—may nevertheless be significant for NEPA purposes.

II. The DEIS Must Ensure that Potential Impacts to Known and Unknown Cultural Artifacts Are Analyzed and Avoided.

Given CRIT's ongoing experience with utility-scale solar development on BLM land near its Reservation, the Tribes are concerned with the Project's likely impact on both known and unknown archaeological resources. Many of these cultural artifacts are intimately linked to current CRIT members, who consider their disturbance and/or damage to be a significant cultural harm. While cremation sites are of unique importance to the Tribes, other types of artifacts, including

groundstones, ceramics, and lithics, are also held sacred. CRIT is also concerned about visual impacts to cultural resources, which have the potential to degrade cultural resource value.

The May 23, 2014 Revised Plan of Development (POD) for the Project states that "a Class I cultural resources records search and literature review has been completed and a Class III field survey of the Project Site will be performed in the future." Revised POD, p. 51. The results of the Class III survey have not yet been made available to CRIT, but the POD did state that the "Project Site is in an area known to be rich with cultural resources" and referenced the "wide variety of cultural resources" found at the nearby Blythe Solar Power Project and Genesis Solar Energy Project. *Id.* The POD surmises that "[t]he high density of cultural resources [at the Project Site] can be attributed to the proximity of the Colorado River and other natural resources," as "[p]rehistoric occupation of this area began several millennia ago." *Id.* Surveying reports and assessments conducted for nearby renewable energy projects corroborate this characterization of the Project site's cultural resource significance. For instance, an Ethnographic Assessment (EA) carried out for the McCoy Solar Energy Project in March 2013 identified substantial cultural resources in the Project's vicinity and recommended "[a]dditional archaeological research and pedestrian inventory." . McCoy EA, p. 71.

The Class III cultural resource survey must be completed prior to the DEIS's cultural resource analysis,, so that the environmental review can take a hard look at potential impacts to the identified resources. CRIT encourages BLM to pursue non-invasive options for determining NRHP eligibility, such as an ethnographic report rather than destructive excavation and testing. BLM's formal government-to-government consultation, as required under Section 106 of the NHPA, can also be used to gather information related to the eligibility of these sites.

CRIT also reiterates that NRHP-eligibility is not determinative of NEPA significance. Given the strong connection between CRIT's members and these archaeological resources, the DEIS must analyze the potential harm from any disturbance to these items and potential methods for mitigation. CRIT does not consider excavation and "data recovery" adequate mitigation for the cultural harm caused by disturbance of these resources; as such, the DEIS must consider avoidance of such resources. If avoidance is not considered feasible, the DEIS must carefully document and justify this reasoning.

Finally, BLM has typically relied on Programmatic Agreements or Memoranda of Agreement to comply with Section 106 of the NHPA for utility-scale solar projects, which often improperly defers consideration of cultural resource impacts until after a project has already been approved. A programmatic agreement is **not** appropriate for this Project, as effects on known historic properties can, and must, be fully determined prior to Project approval. 36 C.F.R. § 800.14(b)(1). All cultural resources should be surveyed, inventoried, and evaluated in a manner that does not harm the resources or remove them from the site prior to preparation of the DEIS so that the environmental analysis fully and adequately takes cultural resource impacts into account. BLM has provided CRIT with early information regarding the Project, and now must consult with CRIT prior to beginning its DEIS cultural resource analysis in order to take into account CRIT's concerns related to adverse effects on known historic properties and potential impacts on

unanticipated cultural resources. 36 C.F.R. § 800.6(a). All information regarding sensitive historic properties and cultural resource information should be kept confidential. BLM must also ensure that cultural resource mitigation and treatment plans are in place prior to any ground disturbing activities at the site.

III. The BLM Must Explain Why the Plan of Development Requires Desert Quartzite, LLC to Obtain a Cultural Resource Use Permit Under the Archaeological Resources Protection Act.

The May 2014 POD states that Desert Quartzite, LLC will need a cultural resource use permit under the Archaeological Resources Protection Act (ARPA) "based on the planned cultural resources investigations." Revised POD, p. 28. Yet, the ARPA only requires a permit where individuals are planning to excavate, remove, damage or otherwise alter archaeological resources—none of which would be necessary for a Class III survey. CRIT urges Desert Quartzite, LLC, Riverside County, and BLM to pursue a policy of cultural resource avoidance whenever possible; however, where avoidance is not feasible, *in-situ* reburial provides the next best option for cultural resource mitigation. A reburial policy further eliminates the need for an ARPA permit, as no cultural resource removal or excavation would take place.

BLM has told CRIT in the past that the ARPA prevents the agency from pursuing CRIT's preferred mitigation measure, but the law does not support this position. Companies are not required to obtain ARPA permits where they are conducting activities on public lands pursuant to other permits or entitles, such as a right-of-way grant. *See* 43 C.F.R. section 7.5(b)(1) (no ARPA permit is required "for any person conducting activities on the public lands under other permits, leases, licenses, or entitlements for use, when those activities are exclusively for purposes other than the excavation and/or removal of archaeological resources, even though those activities might incidentally result in the disturbance of archaeological resources"); *see also Attaki v. U.S.*, 746 F.Supp. 1395, 1410 (D. Ariz. 1990) ("As evidenced by the language of the statute and the exemptions to its applicability, the Act is clearly intended to apply specifically to purposeful excavation and removal of archaeological resources, not excavations which may, or in fact inadvertently do, uncover such resources."); *Quechan Tribe of Ft Yuma Indian Reservation v. U.S. Dept. of the Interior*, 927 F.Supp.2d 921, 947 (S.D. Cal. 2013) (ARPA permit not required where Project's purpose was to provide reliable source of wind energy and not to excavate or remove archaeological resources). Thus, BLM should clarify and revise its position with respect to the ARPA permit and allow CRIT to rebury any artifacts that cannot be avoided.

IV. The DEIS Must Adequately Consider Cumulative Impacts to Cultural Resources.

The BLM must take a hard look at cumulative impacts to cultural resources. NEPA requires agencies to consider cumulative impacts, meaning "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions." 40 C.F.R. §§ 1508.7, 1508.25(c)(3). "Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time." 40 C.F.R. § 1508.7.

As CRIT has explained, the collective and continual destruction and removal of cultural resources from the Tribes' ancestral lands due to renewable energy projects has already caused tremendous spiritual harm to CRIT members. In addition to triggering extensive cultural resource removal, these renewable energy projects are often sited in a way that severs the connectivity between cultural resource sites—a connectivity that is vital to the traditional value of these cultural resources. In considering the potential cultural resources impacts of the Desert Quartzite Project, BLM must analyze those impacts in light of other past, present, and reasonably foreseeable future actions impacting cultural resources in this region. BLM must also describe the methodology it uses to assess cumulative resources and list out the other projects it considers in analyzing cumulative impacts.

V. The DEIS Must Include a Distributed Generation Alternative.

BLM must take care in identifying its "Purpose and Need" for the Project to ensure that the DEIS properly considers an adequate range of alternatives. For other projects in the area, BLM has artificially constrained its alternatives analyses by stating that the purpose and need for solar energy projects is to "respond to the Applicant's application" for a right of way grant. *See, e.g.*, DEIS for the McCoy Solar Energy Project at ES-2. But under Ninth Circuit precedent, BLM is prohibited from "adopting private interests to draft a narrow purpose and need statement that excludes alternatives that fail to meet specific private objectives." *National Parks & Conservation Ass'n v. Bureau of Land Management*, 606 F.3d 1058, 1072 (9th Cir. 2010). For this Project, BLM must identify the *public purposes* to be achieved, rather than simply reacting to the whims of the developer.

In addition, BLM has frequently stated that it is mandated to develop utility-scale renewable energy projects on public land in order to meet requirements set forth in the Energy Policy Act of 2005, Executive Order 13212, and Secretarial Order 3285A1. However, these federal laws and policies, while encouraging such development, do not require it, particularly when renewable energy projects will have significant and adverse environmental consequences. The "Purpose and Need" for the project should also include a commitment to protecting cultural and biological resources, as well as the visual integrity of the desert landscape.

For these reasons, CRIT urges BLM to adopt a Purpose and Need statement that allows for the consideration of a broad range of alternatives. In particular, the statement should focus on the public benefits to be achieved: reduction in greenhouse gas emissions, increased energy independence, and economic development. A statement of Purpose and Need focused on these topics will allow the DEIS to properly include both a distributed generation and disturbed lands alternative. Such Projects can achieve the same goals as utility-scale solar projects, but with far fewer impacts to cultural resources and other environmental resources. Relatedly, the DEIS must include consideration of an environmentally superior alternative with respect to cultural and biological resources.

VI. BLM Must Consider the Environmental Justice Impacts of the Desert Quartzite Project.

The vast transformation of an entire cultural landscape has significant environmental justice implications. The renewable energy benefits of the Project will flow to energy customers in southern California and the shareholders of large energy companies. The impacts of the Project, however, will be uniquely felt by CRIT and other area tribes and their members whose interests in this area extend beyond economics to its cultural and spiritual value. As acknowledged by CEC Commissioner Karen Douglas in a siting proceeding for another utility-scale solar project proposed in this region, "Indian tribes maintain long-standing ancestral and traditional practices that connect their identities as Indian people to the environment, unlike other populations that do not have territories linked to their collective identities." Palen Solar Electric Generating System PMPD at 6.3057. Shifting the burden of renewable energy development to unique communities that have occupied this landscape since time immemorial, while providing such communities with no identified benefits, is the very definition of environmental injustice. BLM must both recognize and address such realities.

VII. BLM Must Implement Early Consultation on the Desert Quartzite Project.

According to the Notice of Intent, "BLM will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13175 and other polices," presumably including the NHPA and its implementing regulations. This language implies that BLM will begin consultation at some point in the future—perhaps after the DEIS has been developed. But the regulations implementing Section 106 of the NHPA state that "[a]gencies should consider their section 106 responsibilities *as early as possible* in the NEPA process." 36 C.F.R. § 800.8(a)(1) (emphasis added); *see also id.* § § 800.2(c)(2)(ii)(A) ("The agency official shall ensure that the section 106 process is initiated early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process for the undertaking."); *id.* § 800.2(c)(2)(ii)(A) ("Consultation should commence early in the planning process . . . .").

Though BLM has sent CRIT written notifications regarding the early stages of the application process, these documents and invitations to public meetings are not a substitute for BLM's Section 106 consultation obligations. For numerous renewable projects throughout the region, including the Genesis Solar Energy Project, the Modified Blythe Solar Energy Project, and the Six-State Solar Programmatic EIS, BLM utterly failed to engage CRIT in meaningful consultation regarding the impacts of the projects. Instead, the agency has resorted to generic form letters arriving late in the process to fulfill its responsibility under the NHPA and other federal policies. Thus, CRIT requests that BLM promptly engage with the Tribes on a meaningful, government-to-government level for this Project. Consultation provides an appropriate forum for CRIT to communicate sensitive cultural resource information regarding the Project site, rather than having to do so in a public comment. CRIT also requests that BLM include a summary of all consultation with affiliated tribal entities and the State Historic Preservation Officer (SHPO), including identification of NRHP-eligible sites and development of cultural resource management and monitoring plans.

The DEIS should also address Executive Order 13007, distinguish it from Section 106 consultation, and discuss how BLM will avoid adversely affecting the physical integrity, accessibility, and use of sacred sites in the Project area.

Thank you for considering CRIT's comments. To best understand how these comments are taken into account in the DEIS, we request that BLM provide written responses to our concerns, either in a letter to the Tribe and/or in the DEIS. Please copy Rebecca A. Loudbear, CRIT Attorney General, at rloudbear@critdoj.com, and Nancy H. Jasculca, CRIT Deputy Attorney General, at njasculca@critdoj.com, on any written correspondence to the Tribe.

Sincerely,

Chairman Dennis Patch
Colorado River Indian Tribes

Cc: CRIT Tribal Council
Rebecca A. Loudbear, CRIT Attorney General
Nancy H. Jasculca, CRIT Deputy Attorney General
Wilene Fisher-Holt, CRIT Museum/Cultural Resources
David Harper, Chairman, Mohave Elders Committee

WRITTEN COMMENTS RECEIVED DURING PUBLIC SCOPING PERIOD REGARDING THE CEQA PROCESS

COMMENTER	DATE
Riverside County Airport Land use Commission (RCALUC)	April 13, 2015

AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY

April 7, 2015

County Administrative Center
4080 Lemon St, 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Mr. Larry Ross, Principal Planner
Riverside County Planning Department
4080 Lemon Street, Twelfth Floor
Riverside CA 92501
VIA HAND DELIVERY

RE: Notice of Preparation of Draft Environmental Impact Report – Conditional Use Permit No. 3721 (CUP03721)

Dear Mr. Ross:

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a copy of the Agency Notice of Preparation of an Environmental Impact Report to analyze the site-specific and cumulative impacts of a proposed 300 megawatt solar photovoltaic (PV) electrical generating facility on a site of over 5,000 acres located southerly of Interstate 10, westerly of Rannells Boulevard, and southwesterly of the unincorporated community of Mesa Verde within the Palo Verde Valley Area Plan. Over 95 percent of the site is located within public lands managed by the United States Bureau of Land Management, but the site does include 160 acres of privately owned land. This provides the County with land use jurisdiction over at least a portion of the project.

A number of other solar projects have either been approved or are in the process of approval within this area. The Blythe Airport could ultimately be surrounded by solar projects, with consequent impacts on flight safety due to glint/glare and proliferation of aboveground electrical transmission lines. ALUC is growing increasingly concerned that the cumulative glint and glare effects of the multiple solar power plant projects and the cumulative effects of multiple transmission lines may affect the usability of Blythe Airport.

The 160-acre area of privately owned land is not located within an Airport Influence Area, but the overall project boundary including the public land extends into Compatibility Zones D and E of the Blythe Airport Influence Area. While ALUC has no official jurisdiction over development on federal lands, this project would be constructed and operated by a for-profit private entity. We would appreciate an opportunity to formally review the project at a public hearing through the ALUC application process. Projects submitted by April 29, 2015 and determined to be complete would be eligible for consideration at ALUC's meeting on June 11, 2015.

We appreciate the opportunity to comment on this proposal and look forward to working with both the Riverside County Planning Department and the Bureau of Land Management as this project proceeds through the evaluation process. ALUC reserves the right to issue additional comments as the project moves forward, in order to ensure that all potentially significant impacts upon the safety of air navigation are mitigated. We would like to receive a CD copy of the Environmental Impact Report upon its release, and would like to remain on your mailing list for subsequent notifications.

If you have any questions, please contact John Guerin, ALUC Principal Planner, at (951) 955-0982 or jguerin@rctlma.org.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

JJGJG

cc: Cedric C. Perry, U.S. Bureau of Land Management (Moreno Valley office)
Simon Housman, ALUC Chairman
Daryl Shippy, Riverside County EDA – Aviation Division
ALUC Staff

Y:\ALUC\Blythe\Desert Quartzite Solar Project CUP03721 - ltr to County Plng.doc

APPENDIX F

COURT REPORTER TRANSCRIPTS

PUBLIC SCOPING MEETING, PARKER, AZ, MARCH 23, 2015
PUBLIC SCOPING MEETING, BLYTHE, CA, MARCH 24, 2015

PUBLIC SCOPING MEETING, PARKER, AZ, MARCH 23, 2015

PUBLIC SCOPING MEETING FOR THE DESERT QUARTZSITE PROJECT

REPORTERS' TRANSCRIPT OF PROCEEDINGS

Taken on Monday, March 23, 2015

At 1115 12th Street

Parker, Arizona

At 6:47 p.m.

REPORTED BY: JULIETTE L. VIDAURRI CCR, RPR
AZ CR #50359/CA CSR #11081/NV CCR #748

SPEAKERS:

Cedric Perry, Project Manager, Bureau of Land Management

John Kalish, Field Manager, Bureau of Land Management

Lynnette Elser, Coordinator, Bureau of Land Management

Larry Ross, Principal Planner, Riverside County Planning Department

James Cook, Direct, Project Development, First Solar

Public Comments:

Keith R. Nopah Sr.

Daphne Hill-Poolaw

Amanda Barrera

Cheryl Esquerra

MR. PERRY: Welcome, everyone.

My name is Cedric Perry, Project Manager for the Desert Quartzsite Solar Project. I'm out of the -- now I'm out of the Palm Springs South Coast Field Office. So a little transitioning there. We have another member coming in.

We will get started. We just got started with the presentation. So we have a nice presentation coming from the BLM, Riverside County's Larry Ross. I will introduce all the speakers as we progress through.

Again, my name is Cedric Perry. We have welcome remarks from Mr. John Kalish, Field Manager, the meeting organization and introduction as far as the First Solar staff, my NEPA staff, and the archeologist, and we will go through a few personnel here.

We have a presentation -- BLM presentation with Lynnette Elser. She will cover the NEPA process.

And, Mr. Larry Ross, you want to --

MR. ROSS: I'm Larry Ross.

MR. PERRY: Thank you. You have presentation to give.

And Mr. James Cook has a presentation and introduce his staff, and at that time we will open up to the public comments, and then we have an open house if you have some questions for the applicant, and at 8:30 we will

adjourn.

Next slide, please.

Before we get here, I want to introduce Mr. Kalish. Welcome.

MR. KALISH: Yeah. My name is John Kalish. I'm the Field Manager for the Bureau of Land Management from the Palm Spring South Coast Field Office. We're part of the California Desert District, which really encompasses all of the desert lands in the southern third of California, but our office that we manage out of the Palm Springs area covers all of the BLM lands in Riverside County, Los Angeles, and San Diego Counties and a little bit of BLM lands in San Bernardino County. So we handle about one million seven hundred thousand acres of public lands.

The -- and of course the one area that we handle is the Eastern Riverside County within the designated Solar Energy Zone and the location of the project we are going to be talking about tonight, the Desert Quartzsite Project.

You'll hear about -- in fact, you will get a presentation about the National Environmental Policy Act Process. One component part of that very early on is the scoping process. That is very important in terms of people being the -- public being able to provide us with issues, concerns that they have regarding the potential permitting of the project as it is proposed. So by receiving these

comments, we can incorporate these concerns and issues very early on in the process as we go through analyzing the impacts of the proposed project and going through the permitting.

So we very much appreciate the attendance here today. I certainly recognize a few of you, and so thank you for coming, and we will keep it as informal as possible, and certainly feel free to provide any issue or comment or concern or any -- anything that you would like us to address within the permitting and the environmental analysis process for the Desert Quartzsite Project.

So on behalf of BLM, thank you.

MR. PERRY: Thank you, John.

These are the regulations that cover the whole processing. This application.

Next slide, please.

And now I would like to introduce Miss Lynnette Elser to go over the NEPA process.

MS. ELSER: Some people ask: Why are we doing this? Why are we starting meetings? Why are we talking about a project? How did it get picked? Why are we even considering the solar application on federal land?

And the way that the process starts is that an applicant comes to us and says we would like to develop a solar facility here on your land. We would like to have a

right-of-way. So we look at it and we do an initial screen, and we see if it's suitable based upon our land classification, which is kind of a little bit like a zoning.

We look at the resources that are there at a very superficial high level. Is it wilderness, something that would screen it out? If it meets our initial screen, then we go ahead and tell the applicant to come up with a plan of development of what they really want to do, and we accept their application, but we haven't made a decision that we are going to allow it.

The NEPA process is the way that we look at a project to decide whether or not we should allow it to happen, and that's what we're starting now. NEPA is at the very beginning stages of this project.

We have an application. We have a plan of development. We want to write a comprehensive environmental report, which is an environmental report that's probably going to be about that thick, several hundreds to thousands of pages. Some of them are like about 3- to 5,000 pages right now for solar. EIS's. They are called Environmental Impact Statements.

So we don't have all the answers now. We're just starting, and part of starting is to involve the local communities and people that have interest in this land, either currently or historically, people who know about this

land that have anything that they would like us to think about and consider when we are considering whether we should go ahead and issue a right-of-way.

So we are starting at the very beginning stages of the EIS, and that starts with us publishing in the Federal Register a Notice of Intent.

So next slide.

When we go through the process, we're going to analyze all of these different resources. You can see that we're analyzing everything. We're not leaving out anything in this project. We want to look at everything comprehensively. Some of these things, there may not be very much information, but we're still going to look at it and see whether or not it has impacts from this project that we are considering.

Next slide.

We are at this Notice of Intent stage, and we published in the Federal Register that we're going to be looking at this application. We are going to be doing an Environmental Impact Statement. We are going to be considering all those resources, and this is the public scoping period now.

There's 30 days where we solicit comments from public. You can give comments tonight at this meeting. You can give us comments in writing, mail them to Cedric. There

will be an address later. We will consider those comments as we write a Draft Environmental Impact Statement.

We will look at alternatives. They may -- the applicant may say we want to do it this way. We might look at it and say, but there's biological resources here. There's cultural resources here. We would like you to reconfigure your project and leave out these areas or we would like you to mitigate some of the impacts by doing certain things. We don't know now what because we don't have the information now to make those decisions.

But before we write the report, we're going to look at alternatives to reduce impacts, and we will publish the Draft. When we publish the Draft, we will come back here. We will probably come back here. John Kalish makes the final decision where we go for public meetings, but we will have public meetings somewhere, and we will ask for your comments again.

We will say we wrote this report. We think we covered all the resource areas. We think we've listened to you and heard what you said and tried to address your concerns. How did we do? Is there something we left out? Is there something we need to change?

And so there will be a public comment period where we will again solicit comments, and then we will rewrite that whole document correcting any errors, putting in more

information if we left something out and come up with a final. So this isn't your only chance to participate. This is just the first one.

The second chance is actually a better one because you will actually see how we were looking at the project and what we found as potential impacts, and so you can see a little bit better how the project could impact you or the things you are concerned with.

After we have the Final EIS, if there is a plan amendment, which means that our land use kind of plan governs the area, which is the California Desert Plan for the whole desert, if that plan needs to have a change to it to accommodate the project, then there would be a plan amendment.

The plan amendment could be appealed -- not appealed -- protested, and there's a 30-day period after the Final EIS that it can be protested. You can't protest other things. You can't protest you didn't consider an alternative I really liked. You can only protest the plan amendment that is being proposed.

Then there is a final decision that is signed. We don't know who is signing the decision for this project. If there's no plan amendment, it could be signed by the field manager. If there's a plan amendment, it would have to be signed by at least the State Director or above. If it's

signed by somebody at the Department of Interior, then there isn't an appeal right. If it's signed by the State Director or somebody below, then there's an appeal right after the decision is signed.

After we have a final decision, then we would issue a right-of-way, and after that there would be a Notice to Proceed.

Public participation opportunities are this meeting and this comment period, either here or in writing give us comments. There's also going to be comments on the Draft EIS that will usually be a 90-day public comment period, and then you can become informed to know when the Draft will come out by looking at this web page. You can go to the BLM web page, and it will have a little thermometer that has the step that the project is at so you can always see where we are.

Next.

And if you have comments, contact Cedric. He is going to remain the project manager here. I am going to be transferred to another office. So I will be leaving this and John Dalton will take over as the new coordinator shortly, and you can contact John Dalton at the California Desert District Office or the Palm Springs office or you can contact Cedric and he will get John for you.

MR. PERRY: Okay. So Larry Ross for

Riverside County has a presentation.

MR. ROSS: As Cedric mentioned, I'm Larry Ross, Riverside County Planning Department. The portion of the project -- we actually have a much smaller portion of the project than the BLM. We have a hundred and sixty acres out of the 4,000 some-odd acres. So we are the lead agency with that tiny little -- well, not a tiny little bit. In prospective of the project, a hundred and sixty acres.

And we are the lead agency for the California Environmental Quality Act, and the California Environmental Quality Act mirrors the whole NEPA process. So a lot of what the previous speaker mentioned is mirrored in the California process.

So what we will be doing is preparing the Environmental Impact Report, and that's going to be a joint document with the EIS. So it will be -- everything -- we will be looking at the exact same things.

Next slide, please.

So very much like we were talking about earlier, it starts with the initial study and Notice of Preparation. On our initial study we decided that we are going to look at everything. We weren't going to take anything out. So we decide to look at all those different items as mentioned by the previous speaker, and we issued a Notice of Preparation and the scoping meeting.

Our noticing period is slightly off of the BLM period. We have 30 days, but we didn't got our ads out in the same time that the BLM was able to. So ours are extended by about a week and a half, two weeks.

Um, so this is the point of the project when the public can tell us what their concerns are; and just like the previous speaker said, we use those concerns and incorporate them into the formation of the EIR, and then we go to the Draft EIR portion of it, and then we go to another public comment period.

That will be when we do the Notice of Availability and that is basically the same thing as the previous speaker mentioned. We will have another series of meetings, take in more comments. After that, um, we issue a Draft EIR, and we do response to the comments that we received during this public comment period.

It is not just a public comment. It is all the different agencies. I think we did about -- sent out about 210 to different agencies, whether they are interest groups or districts, what have you. There's all -- we picked the whole landscape of who wants to -- you know, who would want to be notified and who would be interested in the project.

And then it goes to the Final EIR period, and that's when the responsive comments will get put into the document, and what we do, instead of the signing process

that previous speaker mentioned, we go through a public hearing process. So what happens is we issue the Final EIR. We send out our responses to comments to the people -- the commenters that sent out -- that responded to us, and then we have a hearing before the Board of Supervisors, and those are elected officials within Riverside County.

Next slide, please.

So as mentioned before, submit your written comments or statements. We will incorporate them. Provide comments at public meetings, and I've already mentioned, provide written comments on the Draft EIR and the Final EIR/EA. It should be ERS.

So as I mentioned, our scoping period ends April 13th.

And when does yours end?

MR. PERRY: 6th.

MR. ROSS: Yeah. So we have a couple more days because of notice issues, and that concludes Riverside County's presentation.

MR. COOK: Good evening, everyone. My name is James Cook. I'm with First Solar. We are the project proponent. We are the applicant for the Desert Quartzsite Solar Project.

I wanted to quickly cover a little bit about First Solar. So we're headquartered here in Arizona. Actually,

in Tempe. We manufacture solar modules in Ohio and Malaysia, and we are one of the largest solar manufacturers in the world. We have 10,000 megawatts or ten gigawatts of solar panels installed worldwide, and we have more planned for the future.

When I first started working on this project about eight years ago we couldn't say this second line so convincingly, but we are now cost competitive with conventional energy sources, and in some places actually we are building projects where we will build a solar project and provide power to the grid at less than what that person is buying the power is paying for it right now, and, um, so we are proud to point that part of it out, and we are working in various different places and we have been innovators in the field.

Our technology is slightly different than a lot of the solar technologies like the solar panels you saw outside in the parking lot, and we do build large-scale projects.

And one of the things that we found particularly during the recession that was important is because we have built a number of projects, it's important that we are able to get financing for those projects, and we find that we're very reliable within the industry, and the company was founded in 1999, which makes the company a very old solar company, and we are publicly traded.

Some of you know about our Desert Sunlight Project, which is also in Riverside County, is now fully operational, and it's about an hour -- maybe an hour and 15 minutes, hour and a half away from where we are tonight, and it was also permitted -- it's on BLM-managed land and permitted through Riverside County, so similar field. So we like to highlight that project. So that project was started a number of years ago and now is fully operational, and that's an aerial image of the plant.

And then, as you can see from the map, there's a number of other projects that we are planning in the area, both in Arizona and California and other places, and the green dots are operational solar facilities. So we've got quite a track record at this point of projects also being in operation.

And it's important for us to develop these projects in a way that we can be proud of and that is seen as favorable by the community because we will have -- we will be operating those plants for decades to come, and we would like to build some more and so it's very important for us, and that's why we are here tonight to get your input on how you would like to see incorporated -- how you would like to see us incorporate different comments you have about the design.

So for the Desert Quartzsite Solar Project in

particular, we've planned a 300-megawatt project due south of the Blythe airport on the other side of the I-10, and we wouldn't expect the project to start construction until the end of next year, end of 2016.

What's important to note here is that we're -- we located the site within a Solar Energy Zone, and so we were sort of geared, pushed this direction by the federal government, and so there are a number of reasons why we choose this site, but that is one of the primary reasons, and also that it's -- I'll get into it later, but it's right next to an existing plant that we have built and it's operating, the Blythe 21 Solar Project.

We are also proud of the fact it is a quiet power plant, emissions free in its operation and generation of electricity. Low profile. It's not a very large visual impact, and we do generate electricity without using any water or -- to generate the electricity.

We'll -- we will get into a point where we use water for construction to keep down dust, but I think that's important in the time when we are in drought and in an area where we don't have much water to point this out.

The project does create quite a number of construction jobs, several hundred. We say 600 here and some -- also some maintenance in operations jobs once the plant is operational.

Finally, we are committed to hiring qualified local workers for the construction and operation jobs. This is something that we take very seriously.

And I know some of you have seen some of these slides here, but feel free to interject any questions you have as you go; but, again, the site was chosen very particularly for the large amount of sunlight that comes into the area, for the fact that it is adjacent to electrical transmission lines. So there are transmission lines on all three sides of the project.

So this is an area where there's -- you don't have to build large new transmission lines to augment something because they are already there. The Colorado River Substation was built right next to this site by Southern California Edison. It's also a large flat area. So it's ideally suited for this type of solar project. We are able to use existing roads. So we use Seeley Avenue coming off of the 10 and through 78 and down on Seeley.

And, um, the other attractive part for us when we were planning the site was the fact that the environmental impact is low, and in particular, as noted in the slide here, that the desert tortoise -- this is considered a -- not a superior desert tortoise habitat. And that was shown by the fact that when we did biological surveys there were no live tortoises found on the site. However, we know that

tortoises could be in the area so we will be planning for that, but we like the fact that compared to other places it is low desert tortoise habitat.

I will say here that I recognize there is an impact, a cultural impact. I do understand that and I do recognize that.

Um, so the fact that infrastructure is there is important for two reasons. One is having electrical infrastructure. We are able to connect into the grid easily without having to go a long distance, and the other thing, of course, is that there -- that those lines are there and so they define the site. There is this sort of infrastructure there that would indicate this would be a good place for electrical generation of solar.

Go ahead.

I think Cedric and Larry both mentioned and maybe Lynnette did as well did mention that the site is approximately 4,800 acres. We will not build on all of that in the end. And as we go through this process, as we do the surveys and find out what is on the land, we will be shrinking the size of the impact of the project, and, of course, we have a hundred and sixty acres of privately held land.

If you would mind going back one slide.

It's not highlighted in the green color, but that

is part of the project. That's the private land, and you can kind of see it when you look at this map why we would want to include that. You wouldn't want to have someone be surrounded by the solar project. So we do have an agreement that we are allowed to buy that land, and we are planning to put the solar project there or that's our proposal.

So we would expect to build the project in two distinct phases. They may come close together or they may come separated. We don't know at this point.

But the first phase we would expect to start, as I mentioned before, by the end of next year, by the end of 2016. This is approximately a two-year construction process for that phase. So we would imagine we would be done in 2018.

We are planning to use one of either a single-axis tracking technology or fix tilt. Although they look very similar in these slides, the key difference is that the fixed tilt is what you see at the Desert Sunlight Project or the Blythe 21 Project. The panels do not move. They are set in a frame and they're stationary.

We are now more commonly planning the single-axis tracking systems. The key distinction you would see in the ground is that they are faced in a -- the arrays go in a north-south direction rather than an east-west direction, and then the panels follow the course of the sun as it moves

from east to west during the course of the day. So they track singlely, and it's more likely that we will use that technology, but you will see in the permit application that we have both in case one or the other is preferable.

We would connect at two hundred and thirty thousand volts at this -- at the substation, at the -- as I mentioned, the Southern California Edison substation, Colorado River substation, and we do have actually two different interconnection requests that are being studied by Southern California Edison and the California Independent System Operator at this time as well.

I would like to go through in some detail just to make sure that everyone understands the -- the -- how the technology is used.

So you can go ahead and go to the next slide.

But the power plant works that sun does hit the modules that, again, we manufacture in the United States and in Malaysia. When the sun hits the panels, electrons are excited and create a flow, a direct current of electricity, and we combine all those into -- the next slide -- combiner boxes. Again, this is in direct current in about either a thousand or 1500 volts of direct current.

And the next slide.

We then take inverters, which transform the power from direct current to alternating current, which is the

kind of electricity we use in our homes and our workplaces.

Next slide.

And we -- there's a two-step process where we increase the voltage two different times. At this point in the plan architecturally increase the voltage from 11 -- sorry -- a thousand or 1500 volts to 34,500 volts, and that's where we -- through the plant. That's where the power is running into the next -- these combining switch gear. These little metal boxes.

And then we further transform the power -- the next slide -- when we get to our on-site substation, where we will want to connect -- we want to get the power so that it is -- meets the grid at the grid level and so that it's operating in a safe and efficient way.

We step up the power again to 230,000 volts or 230 kilovolts, and then connect into the grid.

At that point the power goes into the grid, and largely it will be flowing to the west, but it does flow in whatever direction it is pulled in by the load. The "load" being our homes, offices, schools, hospitals. So that's the basic structure of how this solar plant will work. At least, however, we're proposing.

It's important to note the construction techniques. I think about the project -- the project as being -- if you see an existing solar plant like the Desert

Sunlight Plant, it's virtually silent from off the -- from outside the power plant. There's no noticeable sound. There's no emissions of any sort. It's very benign in terms of the sensory impacts.

However, during construction there's, as you can imagine, quite a bit of work that goes on, and there's an impact through all that work. So I wanted to go quickly through the process of construction.

We prepare the site so that it's safe for people to walk around. You can imagine people walking with pieces of glass two by three feet. You don't want to have trip hazards nearby them. So there's site preparation we do mechanically.

Then we drive in metal posts into the ground with this machine here, and you can see -- even in this you can barely see, but it's very straight lines. So we methodically put in the posts. We also will dig a trench between 18 and 30 inches or so down to the ground, put in the cabling that we talked about before where we are bringing the power into combined space.

Once that has been done, we are putting in the -- more of the structure here around the panels. This is a fixed-tilt structure, but it's fairly similar on the tracking system -- slightly more hardware in the tracking system.

And this is where I was saying the power is combined and transferred into these -- we have these vaults that are installed.

And then, finally, the power will go up -- when it's at high voltage, it's coming into the on-site substation and then going into the grid from there.

The site layout. Again, here's that private piece. So that actually would -- our intention would be that modules would go in that place. This is sort of saying that if the entire site were covered with modules but for 300 megawatts. It will be less than that. You would actually in the end see less panels than that, and that will be based on the input you give us tonight, that we've received from you last week and before, we receive from other folks at the public hearing tomorrow.

And then also, in addition to the BLM's process of holding public scoping meetings and the county's process, we will be holding our own individual meetings with your community and with other communities to make sure that we get as much input as possible to put into building the best solar project that can be built on this site.

Part of the input that comes through that is the baseline surveys we do on biology. We have conducted a number of these surveys already. We are looking for what types of plants, how many of them, and the locations of

them.

We are also looking for animal life locations, and we did more of these surveys on birds than we have in the past. We have been doing those, and they will be ongoing.

And the botanical surveys. We identify the types of plants and where they are located. It's very important to have that full understanding as we come to laying out the project; and, in particular, I have noted -- we've noted a few different species here that we're looking for with particular interest: Desert tortoise, as I mentioned before, golden eagle, burrowing owl, and other species. So it's a fairly all-encompassing group, and, of course, you can't do it much justice with the one slide, but we wanted to make sure we've gone through that.

So the surveys were done. The plant surveys in particular were done in a time where there was some heavy rains. I think it was the summer before last when we had quite a bit of rain, and we sent a team out to take a look and make sure that we kind of get the highest number and the best viewing of these -- the desert plants.

As you can see, we found a number of different types of plants, and so those are also being noted as we get those out to the public and as we take input to creating the site plan.

In addition, there's the different vegetative

communities. We will -- we noted that the Desert Dry Wash Woodlands are mostly in the north end of the site. We will be staying out of those. The rest of the site is largely, if you are familiar with, a lot of you, is what they call the Sonoran Desert Scrub, and then there is an area on the site and off the site to the northwest of the site near the point of interconnection to the grid where we do have some sand dunes, fairly small, mostly on the site and stable, but we do want to note that's an important component of the area.

While we found no amphibians, we did -- of course, as I mentioned, we were looking particularly closely for the desert tortoise. They did find six carcasses and a set of tracks up in the northwest area where the -- our Gen-tie is planned. That's our connection between the site and the grid.

No live tortoises or burrows were found on the site, but we would expect that it's possible that tortoises could be on the site the next time we do surveys. We will be doing other surveys in particular before we would start construction and if we were approved to do so.

And then we would -- there's several different species of lizards. We picked these two because these are particularly notable species and ones that we would like to avoid in any solar plan. The next species as well on the

site. Again, probably not a surprise to anyone that lives in this area.

So this should say "there were no Golden Eagle nests within ten miles of the site." That's a species that we're watching out for, and I do believe that we did find a burrowing owl on the site, and so we would like to stay away from those species, and we do know that desert kit fox can be found on the site. In particular, one was found when they built the Colorado River substation. I know that. And there was a sign of American badger as well as we know that there are some bat recordings at the site as well.

As of the process, we would be identifying ephemeral drainages; and as we note here, they are primarily in the north, which also does line up with the wash areas, the Desert Dry Woodland wash areas, which are here and through here.

Um, as far as we've determined there's no surface connection to traditional navigable waters. I think I didn't probably make enough of a note of it, but we are just a few miles -- we are about seven miles to the west of Blythe, and then we are just about three or four miles off the -- maybe even less off the riverbed for the Colorado River. So there's the mesa up here, the sandy mesa, and then down below there's the river valley.

So we will request jurisdictional determination

from the U.S. Army Corps of Engineers and the Colorado Regional Water Quality Control Board as part of the permitting process.

Now, in particular interest to some of you would be the cultural surveys. I will just go through what has been done so far, which are the -- these literature review, and, um, doing an extensive review of this, and so we have both the more recent uses, mining, agriculture, and military training, and so I've seen out there sometimes where there's piles of cans -- rusting cans from World War II training, but also we know that there -- we would expect there might be some cultural artifacts in the area, and those, however, will be -- and I think I mentioned this last time we talked -- those will be identified within the cultural survey, which the survey itself has been done.

The surveyor did make sure that there was tribal involvement during the survey, and then they will be writing up a report, which should be coming out soon, a field report, which should be coming out and finalized soon. By that, I mean in the next few weeks, certainly in the next couple of months we would expect, but we aren't privy to the results of that survey. So some of you might know more than we do.

The Attorney General's Office might have some more information than the applicant does, but primarily this is

in connection with the BLM and some of the information is kept sort of at length from the developer. So we don't know much about what the findings are yet.

Next slide.

But the surveys have been conducted and, um, so we just wanted to point that out, and the way the survey was conducted is here, and they were conducted in the last few months -- last three or four months -- three months, I would say, of last year.

Next slide.

So as Lynnette mentioned, there's quite a lot that goes into that large document -- that we expect will be quite a large document. Air quality, visual, traffic and noise impacts are some of the things that are -- that are looked at by -- through the permitting of the project.

We have things like the vehicle emissions themselves while they are driving on the site. The dust that's created through construction. The visual impacts are looked at from multiple different angles, and we try to include sensitive resources including cultural resources in the view points and the visual impacts analysis.

And the traffic analysis talks about the construction as well as operations. So as I mentioned before, construction is where the real traffic impacts are and noise associated largely with the construction.

And then just as a rough idea of the time line here. We are in the -- we kind of come out of the initial planning phase. We are now into the environmental permitting process led by the BLM and the County of Riverside.

We are into the point where we've done some of that, and, you know, really in some ways we are kicking off the permitting process here right now with you all, and we expect that process to go for at least another year, perhaps a year and a half or more, and idea -- our goal is to be at least have the possibility, if approved, to start construction by the end of 2016.

And I think that's it for us, for the First Solar presentation. There are a number of us here. I do want to point out my colleagues: Dave Watkins over here; Ashley Hudgens, as some of you already now; Laura Abram, our Director of Public Relations and Governmental Relations; and Jill Yung is our outside counsel -- legal counsel; and, again, I'm your Project Developer James Cook from First Solar.

So we are here. We would love to get any comments, both formally through the process that we will begin right now and also informally if you want to stay afterwards and discuss any of the aspects of the project. I am glad to give you my card and we can keep in touch. You

can give me comments afterwards or, you know, in the next -- in the coming weeks and months.

So thank you all very much for your time.

MR. PERRY: Thank you, James.

This is the point of the presentation where we open the floor to your comments, and we appreciate if you put those comments in writing so we can respond to those appropriately.

So far I have one person that would like to comment. I would like for you to please spell your name and you have approximately three minutes, a little more depending on how many -- if we have any additional people that would like to speak.

Right now there's Mr. Keith R. Sr.

MR. NOPAH: My name is Keith Nopah. Do you want me to come up here? My name is Keith Nopah, and I'm a tribal monitor for the tribes. Um, I'm just here for support for the tribe. I would like to say I'm late. That's all I've got to say.

Thank you.

MR. PERRY: Thank you very much.

MR. ELSER: Keith, we have a court reporter here. A court reporter is writing down the contents, so we need to have the spellings for the names.

MR. PERRY: Can you spell your name for us,

please. How do you spell your name?

MR. NOPAH: K-e-i-t-h, Keith. R is middle name -- I mean, my middle initial. Nopah, N-o-p-a-h.

MR. PERRY: Senior?

MR. NOPAH: Senior.

MR. PERRY: Thank you.

Okay. Miss Daphen Hill-Poolaw.

MS. HILL-POOLAW: Poolah.

MR. PERRY: I'm sorry.

MS. HILL-POOLAW: Thank you.

My name is Daphne Hill-Poolaw. I'm a representative for the Colorado River Indian Tribes Mohave Elders Group, and I know -- Good to see you, John. You and I have bumped heads many -- for a couple of years now, haven't we? Some of you that are sitting here.

Um, I'm vocal about solar, and I'll just be blunt. I don't want to be hypocritical about this. I'm totally against it.

I know you're the applicant, sir. Is that correct?

MR. COOK: Yes, ma'am.

MS. HILL-POOLAW: And I always -- you know, I just totally oppose it. Totally oppose solar. And I speak for the rest of the Mohave elders who are not here. I've gotten ahold of them.

Although recognizing you said there will be 600 jobs possibly created for the community or the population thereabouts. Although that sounds good, but at the same time, you know, I look at the cultural.

And my elders that aren't able to be here, they are in their 80's plus almost 90, they would be totally against it as well.

We've had issues in the past; still having issues. We've got things out there. We've been here in memorial for many years before you all got here, all of you.

And the plants that you show, the listing of a hundred and twenty-six, I believe, you showed up there. I don't know if it means anything to any of you Anglos. They're medicine to us regardless whether it be off I-10 or I can be traveling in New Mexico and I can pull off the side of the road and know where I can get some tea or wild medicine grass to put on any wound, a bee sting or anything like that. I would know that, but I don't know if any of you would know that. Perhaps some of you that study plants or whatever, you would know that. But this land means a lot to us, the Native Americans.

Now, I just -- you know, question myself and ponder in my mind why would you want to dance around an area where there is a river and where there is hardly, you say, nothing. Just land. You say BLM land. It wasn't their

land. It was our land till you guys got here, and -- but I oppose it.

Years ago back in the early 1950's my grandfather had a solar -- he built his own solar, and he cooked off of it, and he pointed it to the sun. But in ending he said to us, you better get away because it's hot. "A-pel-pa Ma-hav-va." "Goo wrec," he said. Get away. Get far away from it because it will cook you.

And it wasn't a big solar. It was a round one that he made, and they cooked off of it. They cooked their deer meat. They cooked turtle, which you -- believe it or not, we cooked our rabbits and quails off of that, but that was used to cook. And when the sun went down, it was time to go to bed. You didn't have to wait for no, uh, turn the lights off. It was time to go. So we knew.

And all this that I see, you know, that's coming around. I totally strongly -- I don't know what other words to use except I oppose you and your application that you submitted to Quartzsite. I've dealt with some of the members of the community in Quartzsite. Some of them don't get along with Native Americans. I already know that. Okay.

Now, I'm very adamant about this solar project that is going to be coming up. Why here? Why -- we got -- we just won ground several years ago off I-10, the tribes

did after a hundred-year battle. We just won it, and it is right near there.

Why not go somewhere else and build your solar and do what you will with it?

But I'm totally against it. I know I only have three minutes to say what I've got to say. I am totally against it. Totally. And I speak for the Colorado River Indian Mohave elders as well as some of the elders that live on the reservation, which would be the Mohave, Hopi, Navajo, and the Chemehuevi. I speak against it.

But as I said in the beginning, I always say the white man has an agenda, and I'm not racist either. Okay. The white man always has an agenda. There is something in it for him. We live okay. We're all right.

And with all the tragedy that is going on in the United States with ISIS, you know, I'm concerned about that because I sure don't want no ISIS camp group coming around and hiding under the solar camps, you know. So we've had issues.

And as long as I'm alive -- and I may not have too long. I am probably older than some of you here, but as long as I'm alive I'm going to keep voicing it because I was raised old school. I believe old school.

Thank you for the tennis shoes that you guys made because I can wear that now. I don't have to wear my

moccasins anymore, but thank you.

But I am against it, and I'll keep speaking out against it. "Ma-hav-va."

You understand where I'm coming from. I'm not speaking from the mind or intellectually, but I'm speaking from my heart.

I heard a native chief back in the early '50s say, and with the Good Book, which is the King James version, he said one day we're going to have the white man, he's going to be so smart, so smart that he's going to outsmart himself and it's going to backfire on him. I believe that today. I truly believe that today. So -- and I say this is concern. With concern.

We have medicine out there. You say there's no turtles out there. There's turtles out there. I lived here all my life. They don't want to see you. They know when there's danger coming. They sense it. All animals sense it. They've got more sense than the human being.

So I say that all -- to all of you, those of you that are in involved in this, just the beginning stages, I look at the paper. You only give us so many days to respond. That's how they work. Give you last minute, and you got to hustle. I'm not no attorney. I know nothing about what you guys know. I got no document or paper, but I got experience, how to live and survive on the land. I got

the experience.

But I just want to say to you think about it. I am against it. I speak out against it, and I'm very adamant about it. Okay. Thank you.

MR. PERRY: Thank you.

I have Miss Amanda Barrera.

MS. BARRERA: Good evening. My name is Amanda, A-m-a-n-d-a, Barrera, B-a-r-r-e-r-a.

I'm a member of the Colorado River Indian Tribes. I'm a Chemehuevi Indian, but I'm also serving on tribal council as a tribal secretary.

I just have a few comments in regards to the Federal Register. In the notice it says 15 days notice. I want it to be noted that the tribes received theirs last week. Our newspapers just put it in last week. That's seven days. Less than seven days. Our paper comes out Wednesday, late Tuesday, so in six days you had the meeting. So a lot of people don't pick it up until last minute. Just a note.

The other thing I want to talk about is, you know, we talk about that area and that area being south of the I-10 and the history that we have there and all the solar project -- other ones are out there -- to Genesis, to McCoy, to Blythe Solar that's going on, and then now you have the proposal for the Quartzsite being on that same site as

Blythe Solar.

And we were just out at McCoy and meeting with Art and taking care of something that was uncovered on that end. We know more so about the history on that side and its impact. So be prepared.

The river ran wild. And you say not a very cultural impact, not an environmental impact. There is. And you need to understand Indian country. Cultural and environmental we are one.

So as you try to minimize it, you don't minimize it because the impacts are many, as you heard from one of our elders, when it comes to the medicine, when it comes to the animals that are out there who are one with us.

You know, before they put up the boundaries and told us where we can go and how we can do it there was a rhyme and a reason to all of them, and so that impact is very -- it is detrimental, especially to the Mohave people whose indigenous lands who you are incorporating in there.

The same with the Chemehuevi in our wanderings in through that area, the very bands that went through there, and you will see it and you hear it if you know it in our songs, the bird song and in the salt song, and the trail ways that are there, and you know that too being in there through that wave through the Coachellas just as it is through the Tehachapies and the woodlands and the medicines

that were identified over the mountains and in the oceans and in the grandmother. What they call the grandmother of waters, that being the ocean waters, and then water here, the Colorado River. Before it was tamed, it knew no boundaries. It ran its course. McCoy is like that. It's a riverbed, you know. So think about that. Think about that when you are considering it and those impacts because it is detrimental.

And I will fight long and hard with the council in whichever direction they take, but I do extend again an invitation to you to present to our tribal council in full on April 27th. We are still gearing for that date.

Okay. Thank you.

MR. PERRY: Thank you very much. I appreciate all of the information that was -- that you are submitting to us, and also would appreciate if you have any additional comments or information, please take the opportunity to put that information on those comment cards and send those to us to analyze the project.

Miss Cheryl --

MS. ESQUERRA: Esquerra.

MR. PERRY: Esquerra?

MS. ESQUERRA: Yes.

MR. PERRY: Would you spell your name for us, please.

MS. ESQUERRA: E-s-q-u-e-r-r-a. Cheryl, C-h-e-r-y-l.

I too am a member of the Colorado River Indian Tribes and an elder, and I do also represent our elder seniors, and I do believe the same information that Miss Barrera and Miss Poolaw represented tonight and speak.

Um, I too was taught many things by my grandfather and my grandmother years ago. We all learned the natural way, and I too believe that when you did a cultural survey, it showed a mining area and agricultural, military camp were noted in small areas. Now, that could be a factor also, and we also do have the runoff washes, and you never know what's going to be coming down those streams, and animals do survive in this desert, and they are a part of us. They represent meanings to us, and we've had that for years, many years in our forefathers.

And like Miss Poolaw said, we live off the land. We still do in this world today, the 20th century. We still live off the land. We still eat those wildlife, and I'm sure many of you have gone hunting. So, I mean, you're destroying what we have, what we live off of.

And I too am against it, and we've dealt with this for months and years, and we're not going to stop now just because you're a new plant. I mean, you've probably been in the process before I came along. I just joined within the

last year, two years, but I don't want to see any property destroyed.

We've seen the impacts of what those solar systems do to animals, to the planes up in the air, to their surroundings. You know, we don't want to see this. We don't need it here. We -- and I know Quartzsite doesn't want it. I am sure maybe for jobs, but that's not our point.

Our point is cultural, land and water; and our grandfathers told us many years and our forefathers before, if we don't take care of that, we have nothing. So that's what we fight for, and I do disagree. I do not want this, and I speak for many of my family and relatives.

Thank you.

MR. PERRY: Are there any others that want to speak?

(No response.)

MR. PERRY: Your comments, please, if you would like to submit those to me, you can either mail them to me at this address or submit them to the project specific email address, and the comment period ends April 6th.

Next slide.

At this point we open up the open house and you can peruse the poster boards back there and ask any questions of the applicant.

And at this point I want to thank everyone for coming to the scoping meeting, and please submit your comments to us. We will use that information to assist in analyzing the project.

So I've just been told we will be extending the comment period to match the county's time, which is April 13th.

MR. ROSS: It is on the slide.

MR. PERRY: Yes, April 13th.

All right.

MS. BARRERA: John, will notices go out officially to the tribe as the change from the 6th to the 13th then?

MR. KALISH: We will start by emailing that out in a day or two and then follow up with a letter, but we will start off with an email.

MS. BARRERA: Okay. Thanks.

MS. ELSER: We should get it changed on our website as well.

MR. PERRY: At this point also I would like to let everyone know in the future we will be trying to -- I am trying to set up a site visit so the tribes can go out and take a look at the various locations and various places. So we will get that letter sent out with the invitation to everyone to have. I will appreciate a response back to

RSVP.

MS. BARRERA: And the one tomorrow night in Blythe is that at city hall like they had before at 6:30?

MR. PERRY: Yes. It will be the same time, tomorrow at 6:30.

MS. BARRERA: All right.

MR. PERRY: Any other questions for me?

(No response.)

MR. PERRY: Any question of my lead coordinator archeologist?

(No response.)

MR. PERRY: Thank you very much.

(The proceedings were concluded at 7:53 p.m.)

CERTIFICATE OF REPORTER

State of Arizona)
) ss.
County of Mohave)

I, Juliette L. Vidaurri, CCR, RPR, do hereby certify that I took down in shorthand (stenotype) all of the proceedings had in the above-entitled matter at the time and place indicated, and that thereafter said shorthand notes were transcribed into typewriting at and under my direction and supervision, and the foregoing transcript constitutes a full, true, and accurate record of the proceedings had, all done to the best of my skill and ability.

In witness whereof, I have hereunto affixed my hand the 5th day of April, 2015.

Juliette L. Vidaurri, CCR, RPR
AZ CR #50359/CA CSR #11081/NV CCR #748

PUBLIC SCOPING MEETING, BLYTHE, CA, MARCH 24, 2015

PUBLIC SCOPING MEETING FOR THE DESERT QUARTZSITE PROJECT

REPORTERS' TRANSCRIPT OF PROCEEDINGS

Taken on Tuesday, March 24, 2015

At 235 North Broadway

Blythe, California

At 6:34 p.m.

REPORTED BY: JULIETTE L. VIDAURRI CCR, RPR
AZ CR #50359/CA CSR #11081/NV CCR #748

SPEAKERS:

Cedric Perry, Project Manager, Bureau of Land Management

John Kalish, Field Manager, Bureau of Land Management

Lynnette Elser, Coordinator, Bureau of Land Management

Larry Ross, Principal Planner, Riverside County Planning Department

James Cook, Direct, Project Development, First Solar

Public Comments:

Juan Gonzalez

Alfredo A. Figueroa

MR. PERRY: Welcome again. My name is Cedric Perry. I'm the Project Manager for the Desert Quartzsite Solar Project. I'm a project manager for the Bureau of Land Management out of the Palm Spring South Coast Field Office, originally out of California Desert District Office in Moreno Valley, but due to transition, I work for that office now.

And here we are starting the scoping meeting for this solar project, and this is right before the start of the NEPA process. This is when we would like to entertain your comments to help us to analyze, let us know information that we may not know about the project, about the area so you can help us to analyze the information.

Okay. I'm Cedric Perry, Project Manager. We have welcome remarks by Mr. John Kalish, the Field Manager, and this is the itinerary of what we try to follow.

Okay. Right now I have opening welcome by Mr. John Kalish.

MR. KALISH: Yeah. Welcome. On behalf of BLM, I would like to welcome you to the scoping meeting for the Desert Quartzsite Project. We on the federal side are just beginning to start the permitting process for this solar energy project, and so now is the time that we open up the process in the very beginning for people to identify issues or concerns or provide information that -- that you

or they would like us to address within the environmental analysis process for the overall project.

So I certainly appreciate all of your attendance here tonight. I would really like to keep this very informal, and don't hesitate to -- when after the presentations and we open this up to the public comment to share with us what your thoughts are relative to moving forward and analyzing this proposed solar energy project.

Again, on behalf of BLM, welcome, and we'll continue on with the presentations.

MR. PERRY: Thank you, John.

To let everyone know, we have numerous -- two or three presentations we will have here.

I would like to introduce a couple of my people that are on my team. There's Miss Lynnette Elser, NEPA coordinator -- current NEPA coordinator; George Kline, the archeologist, BLM; and Larry Ross. He's from Riverside County Planning, and James Cook, who is the applicant. He will be introducing his staff.

Okay. Also, we have a court reporter here that will be recording everything. So we need to make sure that when we get to that point, I will ask everyone to -- if you would like to speak, please fill out a comment card, a business card. So when we get here, I can have you come up. Please spell your name and speak clearly so the court

reporter can record all the information.

We have a BLM presentation by myself and Miss Lynnette Elser. We have County of Riverside, Larry Ross will be giving a presentation, and then the applicant will have a presentation.

After that, I will open up the floor for comments from you, and I will call your name by the comment cards or the cards that have been submitted to me.

After that, we have a public open house where the applicant will be -- go outside and you can ask them various questions about the project, and the meeting we expect to adjourn approximately around 8:30.

These are the regulations that we use to govern the analysis of the project. Take time to jot those down if you would like. If you don't have that, I will give that to you later, the NEPA process.

And now Miss Elser.

MS. ELSER: The reason that we're having this meeting is because we received an application from First Solar to develop a solar project on land that's managed by the Bureau of Land Management.

When we first get the interest, even before we accept an application, we talk to the applicant and we ask them about their project. We ask them to develop a plan of development. We look at it. We see if it looks like it

preliminary may fit with the land that they are applying to use. For example, if they want to do development in a wilderness area, laws and regulations prevent that. Or if they want to do it in an area that has, say, another active project on it that's already encumbered by different right of way? That's not compatible.

So the initial screen showed us that this is a project that can be compatible with this land. So the next step is we start to do a Notice of Intent so that we can let the public know that we are considering an application to build a solar project.

We published the Notice of Intent in the Federal Register on March 6th. We announce these public meetings on our web page, on the BLM web page on March 6 to inform the public of these meeting. We send out postcards and we do notifications in newspapers to inform the public of these meetings because we want your participation.

The whole NEPA process is to allow the public to have input into the government's decisions to make sure that the government decision-maker has all the information that they need to make a good decision.

We've looked at the potentials for this project, and we determined that we need to do an Environmental Impact Statement, which is the highest level of NEPA documents that we do. The other type that we typically would do would be

an environmental assessment, which is a smaller, less intense look at the project.

In our Environmental Impact Statement we will be looking at all of these issues. If you can look at it, you can see it's a pretty complete list. We've not eliminated any issue from consideration, and so the report will actually probably be several thousand pages thick. They are running like 3- to 5,000 pages thick, and they will cover all of these topics.

When you have an opportunity to ask questions or tell us your concern, if you see anything that's not here that you would like us to consider, put that in. If you have detail or specific concerns about any of these issues, let us know that.

The NEPA process has several steps, and there's a couple of different opportunities for public involvement. We've already done the Notice of Intent, and we are now in the public scoping period.

The public scoping period is 30 days, and it started March 6th. For BLM it would typically have ended April 6th, but we are doing a joint document with the County of Riverside. The County of Riverside's timing and ours didn't mesh at the beginning of the scoping period. So the County of Riverside has until April 13th for their public comments.

Since it is a joint document, there's no reason for us to say if you have a comment after April 6th, give it to the county then we can consider it. We're going to accept the comments jointly for both agencies up through April 13th in a common document.

We are going to look at the comments and then we are going to come up with alternatives. One alternative will be no action. BLM denies a right of way, and we leave the land the way it is and don't do any changes to it.

One alternative will be is what the applicant has proposed in their plan of development, but we'll also look at the different resources and concerns and then develop other alternatives. Then we will analyze those alternatives based on all those resources on the previous slide, and we will publish a Draft Environmental Impact Statement.

The Draft Environmental Impact Statement may have a proposed plan amendment. It may not. There will be a public comment period after that. That's a 90-day public comment period. We'll have meetings again so that you can come and tell us if we hit the mark, if we need to change things in the document.

It's a draft. We know we are not going to get everything perfect and right the first time. So we will invite the public back to tell us where did we miss the mark, what do we need to change, what do we need to look at

again, and then we will take those comments and make a Final Environmental Impact Statement, and we will -- if we are going to propose a plan amendment, then would propose a plan amendment and that document.

A plan amendment is like a land use zoning kind of a thing. It means that the current way of managing the land doesn't necessarily completely include the project or a part of the project, and so we may have to make a change in it, and that's because our land use management plan was originally done back in 1980, and at that time period there were certain things they couldn't project, and so there wasn't a lot of concern at that time for certain types of, say, energy development and transmission lines. They projected where they thought they might want to have transmission lines, but not necessarily where the population in California grew.

So instead of trying to guess everywhere, they said, if it comes up later and they need to do energy development or put in transmission lines, you go through a plan amendment process to do that.

The difference between having the plan amendment process and not having a plan amendment process is the 90-day public comment period. It can be short if you don't have a plan amendment.

And the other step is after the Final EIS is

published, if there is a plan amendment, there is a 30-day protest period. The protest period is only for the plan amendment. You can't protest you didn't include an alternative I like or you left out a species of animals. You can't protest basic things. You can only protest if the plan amendment is something that the land should be managed for if that change should occur.

So if there is a 30-day protest, it would be right after the Final EIS is published. Then we would have a Record of Decision. Depending on who signs the Record of Decision, there may be an appeal process. If the decision has a plan amendment, it has to be signed be the State Director of BLM or higher. If it doesn't have a plan amendment, it could be signed by the field manager.

If it does happen to get signed by somebody in the Department of Interior instead of BLM, there's no appeal because the appeal is actually taking a BLM decision and going to the Department of Interior and saying look what BLM did. Give it a second look. We don't think they did it right. But if the Department of Interior signs the decision, then there's no appeal because there's no one to appeal it to. The Department signed the decision.

After we have a signed decision and the appeal has been processed, there could be a stay or not a stay. Then we would have a Notice to Proceed for the applicant, and

then they can begin construction if the decision was to approve the project and issue a right of way.

So the public participation opportunities, they're now; and then after the Draft is published, those are the two main opportunities you have. You can give comments here at this meeting. You can give us comments in writing. You can email them or write them hard copy, get them to Cedric, and you can continue to be informed on the status by going to our web page. There's a little thermometer there. It will tell you which stage we are at in the project, and you can kind of see as the thermometer gets full when we are getting closer to the next step.

The project manager for your comments is Cedric, and it has the web page to get the information from, and you can send the comments to this address and this email address. We recommend you do not send public comments to Cedric's email address. The reason is it can get full and reject them. So we set up project websites. The project websites have an unlimited amount of space so he can get as many comments as are sent.

MR. PERRY: Thank you.

There are comment cards that were given to you as you entered the facility here. You can turn those in tonight or you can email those to me or scan a copy or you can mail them to me, and they will be accepted until the

13th.

Now we have Larry Ross, Riverside County Planning.

MR. ROSS: Hi. I'm Larry Ross, Riverside County Planning Department. The -- today's -- County's portion is smaller than the BLM's portion. We have about a hundred and sixty acres of BLM's project that's about 4,000 acres. We are the lead agency for the CEQUA, for California Environmental Quality Act. California Environmental Quality Act -- I got stuttering there in the beginning.

The California Environmental Quality Act is kind of a mirror of what a federal process. We just add -- you know, because it's California, we have to add and change a couple of things, so but it's fairly similar. And there will be a preparation of Environmental Impact Report as opposed to a Environmental Impact Statement.

Okay. So how our process. You will see it's very similar to what she mentioned just a couple of minutes ago. We have an initial study which sets up what subjects we will be looking at, and basically for this project we will be looking at them all. Just like she mentioned, all those -- all those particular items, we'll be looking at those exact same items. This will be a joint document, a joint EIR/EIS.

And right now we are at the Notice of Preparation Scoping Meeting. Like they mentioned before, the county was a little bit delayed in getting its noticing out, so the BLM

was gracious enough to catch up to us. So the final date for comments will be April 13th.

After that, we will go to a Draft EIR, which will be when all the studies and everything -- the document is started -- prepared based on the information we get from you all today and various studies and stuff.

Now, after that Draft EIR is prepared, we'll go into a public comment period. That will -- from the County's prospective we will be issuing a Notice of Availability. A Notice of Availability saying, okay, we're opening another comment period, and this will be your opportunity to comment on the actual document and see if we got everything right like she had mentioned or if we need to improve a document or if we are missing something.

And then after the public comment period is closed, the consultants will work on all the comments from the various agencies and the public, working on it trying to improve a document to the point where it is deemed more or less complete.

At that point we start preparing the document for hearing, and we release the responsive comments. So we respond to all the different commenters, and we set the project for a hearing before the Board of Supervisors, which is a public body, five supervisors from various districts. This project will be in the Fourth District.

Once at the Board of Supervisors, the Board of Supervisors will hear the item; and if they decide to approve the item, they will certify the EIR. This is our highest body. So there's no appeal at this point.

So submit written comments or statements. Provide comments at both the public meeting and the one that will be in the future, and written comments on the Draft ERS and the Final ERS; and as I mentioned before, the scoping session and the NOP comment period for Riverside ends Monday, April 13th.

That concludes the County of Riverside's presentation.

MR. COOK: Good evening, everyone. Thank you for coming tonight. I really appreciate it. We are here to discuss our application for the Desert Quartzsite Solar Project, and not only to discuss it, but to get your input because that's the way we make the project a better project, and so that's the purpose of tonight's meeting. I appreciate you coming for that purpose.

And I'll be talking about the Desert Quartzsite Project because I'm the developer for the project, but I'm here with my colleagues and it's definitely a team effort. So I do want to point out Jill Yung, Laura Abram, Ashley Hudgens, Dave Watkins. Thank you guys for being here and making the project work.

I'll discuss First Solar briefly in order to sort of establish our credentials for proposing this project.

We have over 10,000 megawatts or, as the slide says, ten gigawatts of solar panels worldwide. We have several gigawatts of planned projects coming in the future.

The company is committed to providing low cost, clean energy that's renewable and sustainable.

We are cost competitive today with conventional energy sources, and that's critical because when we started this a few years ago we were getting close to that, but we are there now in a lot of places.

We work with companies like NRG to provide modules, construction services, and development work, as well as operation plants throughout the globe.

We are an innovative company, bankable company. We finance a large number of these projects, and the company is a -- considered an old solar company being founded in 1999, and we are a publicly traded company.

Another way of pointing out our -- what we believe are credentials are is to point out the experience we have in actually developing and building and operating these power plants.

If you look at the slide -- especially I like the picture up here on the top right-hand corner. The County of Riverside and the BLM in a very similar process than the one

we want to take Desert Quartzsite to and the County and the BLM have discussed.

We would like to build a project like Desert Sunlight, which is just about a 45-minute drive west of here out on I-10 and just to the north of Desert Center.

And the projects are listed here from the ones that we have that are in development through the ones that are in construction and also in operations. So there's a slight typo down here. So the -- these yellow or orangy ones are under construction and the blue ones are the ones like Desert Quartzsite, which are under development, and then the operational ones are these lime green ones.

As you can see, we have projects throughout the county, also counties to the south and north in Imperial and in Riverside -- in San Bernardino County as well as other parts of California and in other parts of the west.

So Desert Quartzsite. We planned this as a 300-megawatt solar project mostly on BLM land west of here just south of the Mesa Verde community. You know the exit off the freeway where the airport is to the north, this site is to the south. We've also built a solar project right here we call Blythe 21. It's in operation and has been since 2009.

We plan to begin construction by the end of next

year, and so that, of course, depends on both getting through the permitting process and being approved by both the key entities, our friends here at the BLM and Riverside County.

The project is located in the Riverside East Solar Energy Zone, and we propose it as a quiet, low lying, emission-free generation of electricity with no water required to actually generate electricity. We do use water during construction primarily to keep down dust. The water used during operations is mostly for domestic purposes.

We want to point out that the project does create up to 600 construction jobs during the course of construction and up to ten jobs for the operations of the plant, and we are committed to hiring locally, and you've seen that on projects we have built recently in the area.

So site selection, it's a fantastic -- as you all know, it's a fantastic area for sunlight, and another key component for us is the electrical infrastructure, which actually surrounds the site on all three sides, and importantly the Southern California Edison's Colorado River substation, which is just under two miles to the west of the site, and these are key characteristics because obviously it's less expensive. We don't have to send our -- the transmission line, the Gen-tie line from the project site to the grid interconnection there at the substation very far

because of this co-location, and you have transmission lines all around the site. In some ways we see that as an ideal site for solar.

In addition, we chose the site because there aren't that -- we found compared to other places in the area and other places in California in the desert we find a lower population of desert tortoise. So that's a key indicator of sort of the -- the -- what impacts we might have on species.

As I think Cedric and Lynnette mentioned and Larry did, we're proposing this on 4,800 acres of federal land, a hundred and sixty acres of privately-owned land that we have control over, and we won't actually need all that space, but we've -- we've planned for that in case we need to move around within the site for various comments that you will provide and constraints that we will find with the various surveys and through the permitting process.

We expect the project to be build in two distinct phases. The first phase, as I mentioned before, which will be half the site, a hundred and fifty megawatts will be started construction at the end of the next, ideally.

We propose both single-axis and fixed-tilt configurations. Typically we build the fixed-tilt. You've seen that in the Blythe 21 Project, Desert Sunlight are done that way. The single-axis trackers are what we are building currently for our partners NextEra at the McCoy site. So

not very far away, and there are a number of folks in the area working on that project now.

As I mentioned, we have a generation tie-line. They typically look something like this, and we do have interconnection -- two interconnection requests into the Grid Operator for the project.

I do want to go quickly through the design of the plant and how solar really works. The important thing here is that we harness the energy that the light photons have from the sun. We are trying to absorb as much energy from the sun as possible as opposed to either solar thermal technology were you're actually using the heat from the sun or in solar ovens where you are using heat. We are using the power that the photons have to knock loose electrons and create a stream of electricity.

The electricity changes several times during the -- within the architecture of the plant from what's considered a relatively low voltage, a thousand and 1500 volts DC eventually to getting up to the grid which at this point would be connecting at 230,000 volts.

So the panels take that energy from the sun absorbing as much of it as possible. The power within the arrays is combined in different combiner boxes and sent to the inverter system. The inverters take is what a direct current of electricity coming out of the panels to an

alternating current, which is what we use in this building, our homes and schools within the rest of the grid.

At this point in the architecture we do use transformers to increase the voltage from a thousand to 1500 volts to 34,500 volts. Again, that power is combined through the we call them PCS's, photovoltaic combining switchgear, and that's sent to our substation on the site.

The substation at McCoy is up and running. Looks fairly similar to me and to a lot of you probably to what you have the configuration at the Colorado River substation, just a little bit smaller. This is where we transform the energy one last time from the 34,500 volts up to the 230,000 volts to get into the grid.

I will also walk you through quickly the construction techniques. We do prepare the site typically with a till and roll methodology. Till and roll takes the existing site conditions and does two things. We want to be able to combine safety with minimal environmental impact. So we try to reduce the amount of foot trip hazards there are on the site and at the same time we want to keep the seed -- local seed bank in the soil so the seeds and the plants are tilled into the soil and will remain there.

As I mentioned, we put in single dual axis trackers -- sorry -- single-axis trackers or fixed-tilt trackers. This is a fixed-tilt.

And the steel poles are driven straight into the ground with this machine right here. Depending on the soils condition, that will dictate the depth and the size of those poles.

We trench for underground cable here, some of that when we are combining the power. We will be bringing it through these trenches. The trenches are anywhere from 18 to 30 inches deep and brought into those volts, which were, as I mentioned, the PCS system and then brought overhead into the substation.

Important to note that at the end the plant will be decommissioned at the end of life of the project, and this equipment you see above ground will be removed.

So current site layout except for we forgot to add in Larry's hundred and sixty acres here. That's right in this location. Right now we show modules covering most of the project site. In the end we'll cover somewhat less than this. Again, taking your input, taking the input of the biological surveys, cultural surveys to make the project as good as we can, and that eventually will look slightly different than this, but in this vicinity.

We are -- we have done and are doing biological surveys to the site looking for mainly different -- what different types of plants and animals there are and how many there are and where they're located.

Importantly we are looking for some specific species, but we do a broad survey to see actually what all is there on the site.

Here's some of the things we found. Some of the more obvious vegetative communities are Dry Woodland Washes, which we will be staying out of. The most common is this Sonoran Desert Scrub, which you see in the image over here, and there are sand dunes primarily northwest -- in the northwest corner of the site and off the site. Obviously, we have sand throughout the site looking like this. Mostly stabilize throughout the site.

Different species of plants. Again, that helps us determine what the final layout. When we can avoid different plants and animals' habitat, we will.

Although no amphibians were found, we did -- and we did not find any actual live tortoise on the sight. The assumption this is desert tortoise habitat, not a very fine one. Carcasses of tortoise have been found, one set of tracks was found in the north-west of the site. Again, we are going over almost 5,000 acres of land. Very little site of these animals.

We do have Mohave fringe toed lizard, particularly in the northwest of the side back here in this area where there is looser sand, and Colorado desert fringe toed and then we found some snake species as well.

I did want to point out that no golden eagle nests were found within ten miles of the site. So typically that's a distance where you got a cut off for where they might be forging into the area. You might be concerned about that.

Burrowing owls can be found on site and desert kit fox can be found on site. So we will be adjusting the design accordingly because of the species, and we will be working with the agencies as well as BLM to make sure the design is done as well as it can be.

As part of the permitting process we do a jurisdictional delineation. It's not a huge factor on this particular site mostly found these -- they don't connect to a waterway, but they are found in the northern portion of the site, and it actually lines up pretty well with the Dry Woodland Washes I mentioned before. They kind of go throughout this area here on and off the site.

Cultural surveys have been conducted on the site. We have initially began with literature review, and so this covers prehistoric. Mostly we are looking for prehistoric as well as his historic uses, and field surveys have been conducted. So these were conducted at the end of last year and soon a field report will be coming -- will be given to the BLM. The BLM having reviewed it, will then also be submitting it to -- for tribal input and review.

Oh. I just wanted to point out one thing here. Last night, of course, the BLM did hold a scoping meeting in Parker, Arizona, and a number of members of tribal communities were there.

The BLM will be conducting a thorough government-to-government consultation. We are doing, in addition to that non-government-to-government meetings with the tribes, we have begun those meetings. We had some last week. We had some this week, and we did meet with them in the fall of last year as well, and important to us and the BLM there was tribal participation during the cultural surveys themselves.

We are looking -- as Lynnette mentioned, we're covering a number of areas. Studies will be done on air quality, visual impacts, traffic impacts as well as noise impacts. Just to give you a brief rundown of these, air quality of course the plant does not have any emissions. So the air quality during the operations is, I assume, nothing or next to nothing during. There is some emissions that are created during construction.

Visual. We find that the plants are fairly hard to see. You barely notice the existing Blythe 21 Project when you drive off the freeway, but we, of course, will be testing that theory by taking a look at a number of different points.

Traffic is, of course, created mostly during construction, and, again, noise is mostly during the construction phase.

We did project planning and are now in the permitting process. Really sort of at the beginning of that process with the permitting, although there's quite a number of studies and work that goes into getting to this point. We hope we can get through in this time frame and start construction by the end of 2016, which will depend, of course, on approval by the BLM, by the county, and then whether or not we are ready to build primarily hinges on whether or not we have a contract to sell power.

So that's it for my presentation. I really appreciate you listening through all the way and looking forward to hearing your comments.

And like Cedric mentioned, myself and the team will be here to answer questions now and after the meeting, and I also have business cards if anyone wants those. Some of you I handed them to. I would be glad to answer any questions coming up in the future.

That's it. Thank you very much.

MR. PERRY: We begin now the public comment period where you're welcome to come up here and give us some of the information to assist us again, um, in the process as far as evaluating information that you give us.

Please -- when I call your name, please come up here, spell your name, speak clearly so our court reporter can get all that. Spell your names properly. We have approximately three minutes, depending on how many speakers may come available up here. Please give respect to the speaker and let them say what they want to say about the project and give us the information so it can help us out.

Again, this is the address where you can send those comments to me. And the project-specific email address, it has an unlimited storage capacity.

First of all, I would like to call Mr. Juan Gonzalez.

MR. GONZALEZ: Juan Gonzalez, J-u-a-n G-o-n-z-a-l-e-z.

Um, I was born and raised here in Blythe, California. There's a lot of stuff out here in the desert, lot of pristine geoglyphs, petroglyphs that are precious to the tribes here and in the surrounding valleys.

I'm going to be honest, I didn't know most of the stuff existed during my childhood, but under the last six years I've been studying under Alfredo Figueroa. He's my mentor and elder.

I had no problems against the solar project. There's plenty of room. There's plenty of other desert land that is already barren or been -- it's kind of destroyed.

And we would appreciate, you know, to protect those geoglyphs if there's any out there and all those sites.

I had a question also. Now, those species that you found out there, are those moved to a better habitat or are you just going in there and destroying their homes or are they moved out and put somewhere else?

MS. ELSER: We have not made that determination yet. When we go through the draft document, we do look at different species. Typically if there's tortoises, they will be moved somewhere else. Lizards and snakes typically aren't moved somewhere else. If it's a fox, sometimes we do monitoring of the burrows and we will try to encourage the fox to leave when there's no young. So if the burrow's inactive, then there's no issue; but if we find a fox that's got young or it's in breeding season, then we typically try to protect that area and tell the developer to do that part last. Wait till they're gone, and then you can go into that area.

So we try to look at the different species there, and the special status species listed in endangered species threat and endangered species, they both have some form of protection. Unfortunately, we don't really have a protection plan for most snakes or lizards.

MR. GONZALEZ: Well, that's -- Well, we see

that as a problem because every animal out there is precious to us or to everybody out here, but, I mean, it's not breeding season the whole year around, you know, so we don't understand that because all animals should be protected even though they are snakes or lizards. They can move by themselves.

But if I'm a bulldozer driver, because I used to work in the agriculture, and I would be cutting hay and sometimes I will be cutting up rattle snakes left and right, you know, but I would ask why can't we go and do something, you know, and move them out or scare them away? Oh, they will come back, but that's not right, you know. That's just my comment -- my theory or my view.

Okay. Thank you.

MR. PERRY: Thank you.

Mr. Alfredo Figueroa.

MR. FIGUEROA: I have to go way up there?

MR. PERRY: Yes, sir.

MR. FIGUEROA: Thank you.

MR. PERRY: That's Alfredo A. Figueroa.

MR. FIGUEROA: A-l-f-r-e-d-o F-i-g-u-e-r-o-a.

I am from the reservation, but I was born in Blythe, and I'm the monitor for the Chemehuevi Tribe Sacred Sites. So it looks like an old story here, but here we are.

Let me tell you, in 2000 we were able to divert

the North Baja Gas -- Natural Gas Line from that same area. Those geologists from the North Baja Pipeline recognized that we knew what we were talking about. So they diverted it and went south.

They didn't go over here and then south because we showed them the trail, the Quechan Trail that goes all the way from what we call land and goes all the way to Yuma.

So -- and also right there is where we have the four zeros that are in the Aztec calendar. The whole Aztec calendar is laid out in the area of the Colorado River. That's why we were able very successful with the Mohave out at Mule Mountain to stop the Rio Mesa. I don't know if it's stopped or not, but anyway we haven't seen much progress.

Because that main mountain is called "calli." That's where the name California comes from. The upside down mountain. That's why the Mohaves, they were molcajete, and we -- there's a nest. An eagle's nest is right there, and it is less than ten miles from the site.

So we know what we are talking about. We've been doing this for all our lives thanks to our elders and to the stories we've heard, and to our constant visualize of all these sites.

So on behalf of the cultural, this is the wrong place, just an extension of the grave damage that has been done already in the Blythe and McCoy Southern projects.

That is -- the main valley is the McCoy Solar Project Valley -- the McCoy Valley -- the main valley where the spirits descend.

So I know people -- the invading people are nice people. They want to continue with this manifest destiny. We don't know what we're talking about. Yet we have ten laws -- ten laws to project sacred sites and yet not one has been fulfilled by the government. Here they are. I record them all.

So the other day we had a big -- the government was upset because they were with sledgehammers some people over there, the Arab country. The Iraqs bringing the sledgehammer there. Iraq. My lands. So we say, here, "Which is worse, the sledgehammer or the bulldozer?"

This is for you, Mr. Perry

MR. PERRY: Thank you, sir.

MR. FIGUEROA: So which is worse; a bulldozer or a sledgehammer? It's going to be liquidated forever, and our children are not going to know what's going to happen -- what happened.

Let me tell you, things are going to move very fast. It's not us saying it. We have, you know, a nice group called the NASA. California runs out of water it says in a year. NASA. NASA. Boy, they know their business.

We have the saving the sea here, the Salton Sea.

My lands.

Diamond Lake in Perris. Good bye, Joe. If you want to go ride your car or your motor boat, you can't because it's dried up.

Lake Mead, one-third full.

Let me tell you, things are going to happen drastically within the next year, and you are going to say we are preaching. No. This is all how the cycles have happened, and we have been more interested in destroying than preserving.

So this is very upset -- And, also, you know, this barely came out in the paper just Wednesday when they had the meeting -- had the meeting in Mesa Verde and had the meeting in Ripley, so I don't know if people went or not. But let me tell you, this is very discouraging.

And to continue, even the name of the site, Quartzsite. People have gotten confused with the Quartzsite project in Quartzsite. Why would you name two projects Quartzsite? You know, there's no quartz there. There might be a little bit of the chips -- of the Creator's chips, which represents the cosmos there; but as far as quartz base -- I'm a miner. I'm a retired miner. So I know quartz. So I don't know why they call it. It's just confusing with Quartzsite.

So, anyway, what we are doing here, we are totally

in opposition of. This is going to be very -- as a matter of fact, you see the Blythe Mesa Project where they destroyed all those orchards, not all of them but the majority, offering jobs. Who do you think worked in those orchards, you know? Oh, probably a lot of you people don't work in farms, but our people here do work in farms, and that's why it's been very discouraging to see all those orchards destroyed because those orchards used to employ a lot of people.

Let me tell you, I was one of the farmers of the United Farm Workers. The guy named Cesar Chavez -- And we worked. We worked to get those orchards going, to get people employed, to have people live in Blythe and to get jobs, and they were getting better jobs than before the union. So this is just our comments that we are doing here.

We know that Kokopilli and Cicmitl. Cicmitl is ET. It's a cucuy, and they just bulldozed a big highway right straight through the meseta where Kokopilli and Cicimitl are. So we all have a conscience.

Right here. This mountain right here in the south in the Big Maria Mountains. It's called "kwikumalt." "Kwikumalt" on the -- on the Quechan, and we say "tezcalticoca," and he is the conscience. The conscience.

All of us have a conscience, and we know what we are doing here and yet we still continue because we've got

Wall Street and the guy where? Pennsylvania Avenue. I guess he wants this -- these projects.

But let me tell you, these projects have been the worst that have ever happened. We need the project where? Los Angeles. We need the projects where? On the roof tops. That's where we need projects, not these thousands -- and this right there. This is the pathway also of going down to the Cibola Refuge. So it affects all over, but our main concern is the culture and it affects all over.

So if you have any questions, I would be more than glad to ask you questions -- or answer your question because we can tell you.

As a matter of fact, I'm going to be at UCR with Dr. Fisher April the 8th. Go there. Three o'clock in the afternoon to UCR. Dr. Fisher is the -- one of the head guys of the -- it's called the process of where did we come from? Where are we going to? Humans.

Go there. It's sponsored by the UCR there. So you can see more of what we are talking about of the culture and how humans are here and where we're going. And if you want to be an associate of that, well, "tezcalticoca." "Kwikumalt." Take care of business.

Thank you. If you have any questions, let me know. I'm here. I'm 80 years old. And they say how long? And they say not long, so you'd better hurry up.

Thank you.

MR. PERRY: Thank you, sir.

Are there any other comments anybody have to speak?

(No response.)

MR. PERRY: We have displays outside where they will be available -- the applicant will be available to answer any additional questions you may have in the lobby. BLM staff will be here also. So we'll be here until approximately 8:30. So you are more than welcome.

Again, I would like to thank you for attending the scoping meeting here, and there will be additional meetings in the future.

Thank you for coming.

(The proceedings were concluded at 7:33 p.m.)

CERTIFICATE OF REPORTER

State of Arizona)
) ss.
County of Mohave)

I, Juliette L. Vidaurri, CCR, RPR, do hereby certify that I took down in shorthand (stenotype) all of the proceedings had in the above-entitled matter at the time and place indicated, and that thereafter said shorthand notes were transcribed into typewriting at and under my direction and supervision, and the foregoing transcript constitutes a full, true, and accurate record of the proceedings had, all done to the best of my skill and ability.

In witness whereof, I have hereunto affixed my hand the 5th day of April, 2015.

Juliette L. Vidaurri, CCR, RPR
AZ CR #50359/CA CSR #11081/NV CCR #748