

# U.S. Department of the Interior Bureau of Land Management

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December 2014

## Dry Lake Solar Energy Center Project

### ENVIRONMENTAL ASSESSMENT

**File Number: N-93337**

APPLICANT

Nevada Power Company d/b/a NV Energy

GENERAL LOCATION

Near Apex, Nevada  
North of U.S. Route 93

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## **BLM Mission Statement**

*It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.*



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## ACRONYMS AND ABBREVIATIONS

%	percent
AAQS	ambient air quality standards
AC	alternating current
ACEC	Area of Critical Environmental Concern
APLIC	Avian Power Line Interaction Committee
Applicant	Nevada Power Company, doing business as NV Energy
BBCS	Bird and Bat Conservation Strategy
BLM	Bureau of Land Management
BMP	best management practice
BO	biological opinion
CFR	Code of Federal Regulations
DC	direct current
DOE	U.S. Department of Energy
DOI	U.S. Department of the Interior
EA	environmental assessment
EIS	environmental impact statement
ERMA	extensive recreation management area
ESA	Endangered Species Act
FLPMA	Federal Land Policy and Management Act of 1976
FONSI	Finding of No Significant Impact
gen-tie line	generation-tie transmission line
GIS	geographic information system
I-15	Interstate 15
IEC	International Electrotechnical Commission
IM	Instruction Memorandum
km	kilometer(s)
KOP	Key Observation Point
kV	kilovolt(s)
MBTA	Migratory Bird Treaty Act of 1918
mm	millimeter(s)

MW	megawatt(s)
MWac	megawatt alternating current
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
NRS	Nevada Revised Statutes
O&M	operation and maintenance
OHV	off-highway vehicle
PCS	photovoltaic conversion station
PEIS	programmatic environmental impact statement
PL	Public Law
PM	particulate matter
PM <sub>2.5</sub>	particulate matter 2.5 microns in diameter or smaller
PM <sub>10</sub>	particulate matter 10 microns in diameter or smaller
POD	plan of development
Project	Dry Lake Solar Energy Center
PV	photovoltaic
RMP	Resource Management Plan
ROD	Record of Decision
ROW	right-of-way
SCADA	Supervisory Control and Data Acquisition
SEZ	Solar Energy Zone
Solar PEIS	<i>Final Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States</i>
SRMA	special recreation management area
SRMS	Solar Regional Mitigation Strategy
SWCA	SWCA Environmental Consultants
SWPPP	Stormwater Pollution Prevention Plan
T&E	Threatened and Endangered
U.S. 93	U.S. Route 93
USC	United States Code
USFWS	U.S. Fish and Wildlife Service
VRM	Visual Resource Management

## 1.0 PURPOSE AND NEED

### 1.1 Introduction

The Las Vegas Field Office of the Bureau of Land Management (BLM) has prepared this environmental assessment (EA) to analyze and disclose the environmental effects of developing the Dry Lake Solar Energy Center – Parcels 5 and 6 (Project), an up to 130-megawatt (MW) solar energy generation project proposed by Nevada Power Company, doing business as NV Energy (the Applicant). The EA is a project-specific analysis of potential impacts of the Proposed Action within the BLM's Dry Lake Solar Energy Zone (SEZ). The EA assists the BLM in project planning and ensuring compliance with the National Environmental Policy Act (NEPA). The EA is tiered to the *Final Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States* (herein called the Solar PEIS) (BLM and U.S. Department of Energy [DOE] 2012).

This EA will assist the BLM in project planning and compliance with NEPA and the Federal Land Policy and Management Act of 1976 (FLPMA). The EA is tiered to the July 2012 Final Solar PEIS. Tiering allows for the preparation of an EA and Finding of No Significant Impact (FONSI) for the Proposed Action (also referred to as a "Finding of No New Significant Impact" 43 Code of Federal Regulations [CFR] 46.140 (c)), so long as any significant effects of the individual action were analyzed in the Solar PEIS and any additional effects of the individual action not analyzed in the Solar PEIS are not significant. This EA will consider the impacts of the Proposed Action, tiering to the analysis of the effects analyzed in the Solar PEIS, and will help the BLM determine if the Proposed Action would result in significant effects not already considered in the Solar PEIS. "Significance" is defined by the Council on Environmental Quality's NEPA implementing regulations found at 40 CFR 1508.27. If the Proposed Action would result in significant effects not fully analyzed in the Solar PEIS, those impacts would either need to be mitigated below significance or an environmental impact statement (EIS) would need to be prepared before the BLM could authorize the Proposed Action (BLM NEPA Handbook H-1790-1, Section 5.2.2 [BLM 2008a]). This EA, in combination with the analysis in the Solar PEIS, is intended to serve as the necessary NEPA documentation for the Project and to identify any recommended compensatory mitigation measures.

### 1.2 Background

Through the Solar PEIS and Record of Decision (ROD), the BLM established a comprehensive Solar Energy Program (also known as the Western Solar Plan) for utility-scale solar energy development on BLM-administered lands in six southwestern states: Nevada, Arizona, California, Colorado, New Mexico, and Utah. The Western Solar Plan defines utility-scale projects as those with capacities of 20 MW or greater that generate electricity that is delivered into the transmission grid. As part of the Western Solar Plan, the BLM identified specific locations that are well suited for utility-scale production of solar energy (i.e., SEZs) where the BLM proposes to prioritize development, which included the establishment of the Dry Lake SEZ located in Clark County, Nevada. In accordance with the regulations that allow the BLM to resolve competition among right-of-way (ROW) applications (43 CFR 2804.23) by using competitive bidding procedures, on June 30, 2014, the BLM held a competitive auction for six parcels of public land within the Dry Lake SEZ located in Clark County, Nevada. NV Energy was one of three successful bidders to become a preferred applicant with the right to submit a ROW application and Plan of Development (POD) for a solar energy project within the Dry Lake SEZ. NV Energy has applied for a ROW grant to construct, operate, maintain, and decommission the Project on public land within Parcels 5 and 6 of the Dry Lake SEZ managed by the BLM. NV Energy proposes to construct a new solar photovoltaic (PV) facility capable of generating up to 130 MW of renewable energy near Apex, Nevada, approximately 23 miles (37 kilometers [km]) north of the Las Vegas Valley (Figure 1).

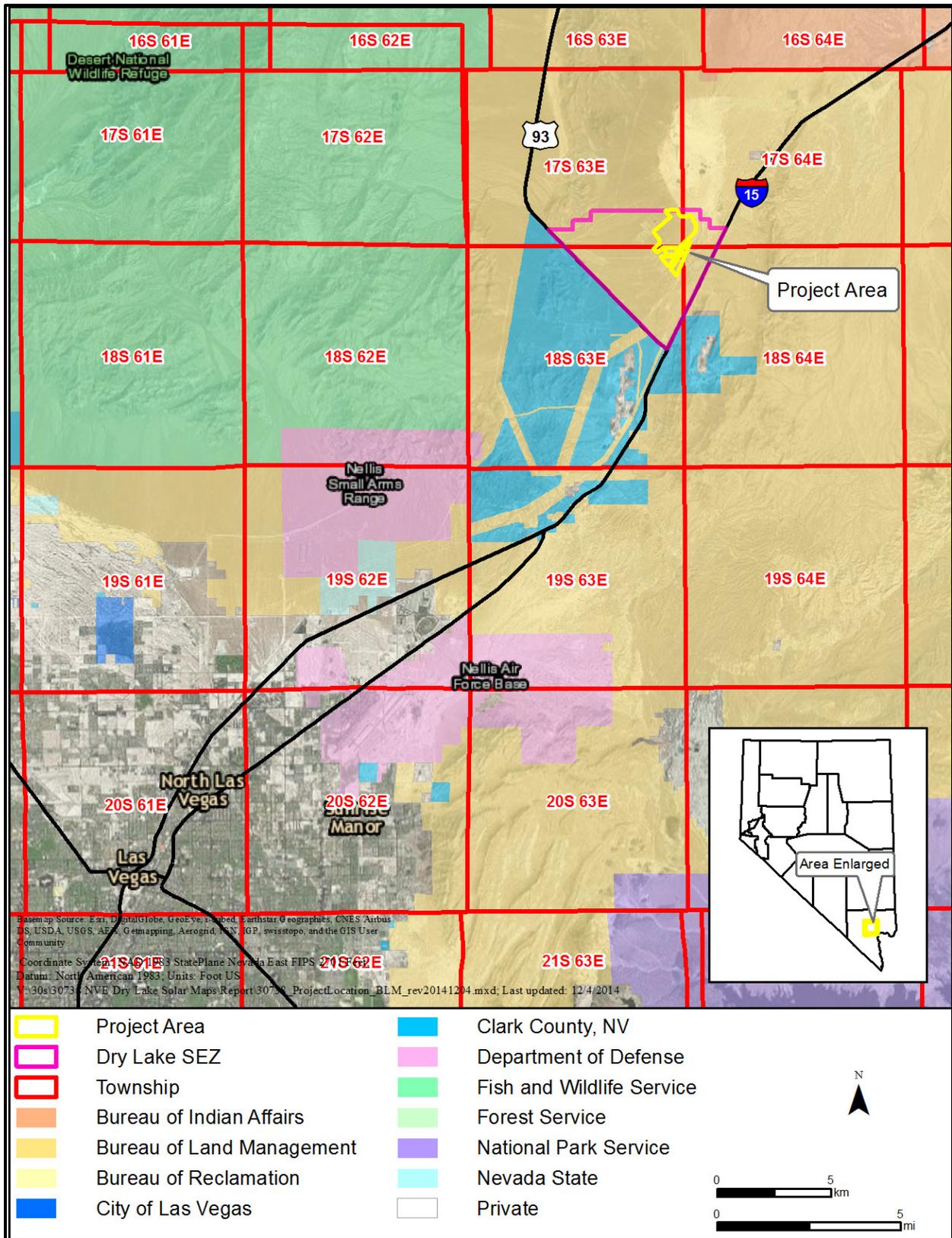


Figure 1. Project location map.

The approximately 694-acre project area (all on federal land) lies within portions of Sections 36, Township 17 South, Range 63 East; Section 31, Township 17 South, Range 64 East; Section 1, Township 18 South, Range 63 East; and Section 6, Township 18 South, Range 64 East; all Mount Diablo Meridian, Clark County, Nevada. Per Nevada Revised Statutes (NRS), the Proposed Action is defined as a renewable energy generation project (NRS 701.080).

The Project is located about 23 miles (37 km) northeast of Las Vegas in Clark County, Nevada (see Figure 1). The town of Moapa is located 18 miles (29 km) northeast, and the town of Overton is located 23 miles (37 km) east of the Project. Nellis Air Force Base is located approximately 13 miles (21 km) southwest of the Project. The nearest major roads accessing the Project are Interstate 15 (I-15), and U.S. Route 93 (U.S. 93), which runs from north to south along part of the southwestern border of the Project. The Union Pacific Railroad runs north to south, east of the Project boundary. All of the proposed project facilities are located on public lands administered by the BLM.

In addition, through the Western Solar Plan, the BLM adopted a policy that it would develop regional mitigation plans or strategies for SEZs (BLM 2012a). The BLM prepared the Solar Regional Mitigation Strategy (SRMS) for the Dry Lake SEZ, which it issued on March 17, 2014 (BLM 2014b). The SRMS for the Dry Lake SEZ presents an approach for compensating for the unavoidable impacts that are expected from development of the Dry Lake SEZ. The SRMS takes into account the resource conditions of the land and regional trends informed by the BLM's recent Rapid Ecoregional Assessments, and was developed in collaboration with stakeholders to address key issues such as off-site mitigation and the costs associated with implementation of mitigation.

### **1.3 Purpose and Need for Action and Decision to be Made**

In accordance with the FLPMA (Section 103(c)), public lands are to be managed for multiple uses that take into account the long-term needs of future generations for renewable and non-renewable resources. The Secretary of the Interior is authorized to grant ROWs on public lands for systems of generation, transmission, and distribution of electric energy (Section 501(a)(4)). Taking into account the BLM's multiple-use mandate, the purpose and need for the Proposed Action is to respond to a FLPMA ROW application submitted by the Applicant to construct, operate, maintain, and decommission a 130-MW PV solar facility and associated infrastructure on public lands administered by the BLM in compliance with FLPMA, BLM ROW regulations, applicable land-use plan, and other applicable federal laws and policies.

The lands associated with NV Energy's Project FLPMA ROW application have been identified as priority areas for solar energy development (i.e., SEZs) by the Solar PEIS ROD (BLM 2012a). The subject lands are part of the 5,717-acre Dry Lake SEZ established through an amendment to the Las Vegas Resource Management Plan (RMP; BLM 1998) by the Solar PEIS ROD. An SEZ is defined by the BLM as an area within which the BLM will prioritize and facilitate utility-scale production of solar energy and associated transmission infrastructure development (BLM and DOE 2012).

On March 17, 2014, the BLM published a Notice Seeking Public Interest in Solar Energy Development on Public Lands in the Dry Lake Solar Energy Zone in Clark County, Nevada in the *Federal Register* (78 *Federal Register* 14733). In response, the BLM received several solicitations of interest and ROW applications within the Dry Lake SEZ. The BLM's ROW regulations (43 CFR 2804.23(c)) authorize the BLM to use competitive bidding procedures if there are two or more competing ROW applications for the same facility or system. Applications for solar energy development are processed as ROW authorizations pursuant to Title V of the FLPMA. On May 30, 2014 the BLM published a Notice of Competitive Auction for Solar Energy Development on Public Lands in the State of Nevada in the *Federal Register* (79 *Federal Register* 31129) which provided instructions on the competitive sealed and oral bid process that the BLM would use to select a preferred applicant to submit a ROW application and plan of

development for solar energy development in the Dry Lake SEZ. In preparing the SEZ for competitive offer, the BLM reduced the developable acres in the SEZ by approximately 2,600 acres to avoid existing ROWs and potential resource conflicts (see Section 2.4 for more information).

The policies that guide the processing of ROW applications in an SEZ are outlined in the Solar Energy Program Policies (BLM Solar Policies; BLM 2014a) described in Appendix B of the Solar PEIS ROD (BLM 2012a). The BLM Solar Policies provide that the BLM may proceed with a competitive process to facilitate solar energy development projects in an SEZ. The BLM ROW regulations (43 CFR 2804.23(c)) authorize the BLM to use competitive bidding procedures if there are two or more competing ROW applications for the same facility or system. Because the BLM received several solicitations of interest and ROW applications for lands within the Dry Lake SEZ, the BLM used a competitive process to select preferred applicants to submit ROW applications and PODs for solar energy development in the SEZ.

The SRMS, released on March 17, 2014, was prepared to meet a commitment from the Solar PEIS ROD to develop regional mitigation strategies for each of the SEZs (BLM 2014b). Preparation of the SRMS involved a significant amount of public involvement, including four public workshops, several web-based meetings, and several public comment opportunities. The SRMS describes unavoidable adverse impacts and makes recommendations for off-site mitigation actions and costs that the BLM will consider when processing ROW applications in the SEZ. The mitigation actions and costs identified in the SRMS are recommended to compensate for loss of habitat, ecological services, and visual resources that are expected to occur from development of the Dry Lake SEZ.

On June 30, 2014, the BLM conducted a competitive auction for 3,083 acres of land (divided into six individual parcels) within the Dry Lake SEZ to select preferred applicants to submit ROW applications and PODs for solar energy projects. As per the March 17 *Federal Register* notice, NV Energy submitted a letter of interest with a preliminary ROW application expressing interest in pursuing a solar project within the SEZ. This preliminary application provided no rights to NV Energy or any obligation by the BLM to process. As per the May 30 *Federal Register* notice of auction, NV Energy submitted a formal sealed bid. On June 30, NV Energy participated in the competitive auction and was the successful bidder on Parcels 5 and 6 (661 acres) auctioned within the Dry Lake SEZ with the right to submit a project- and location-specific (Parcels 5 and 6) ROW application to be processed by the BLM.

In addition to the FLPMA and the regulations implementing FLPMA, the BLM's applicable authorities and policies include the following:

1. Executive Order 13212, dated May 18, 2001, which mandates that agencies act expediently and in a manner consistent with applicable laws to increase the "production and transmission of energy in a safe and environmentally sound manner."
2. The Energy Policy Act of 2005 (Public Law 109-58). Section 211 of the Act states, "It is the sense of the Congress that the Secretary of the Interior should, before the end of the 10-year period beginning on the date of enactment of this Act, seek to have approved non-hydropower renewable energy projects located on the public lands with a generation capacity of at least 10,000 megawatts of electricity."
3. Secretarial Order 3285A1, Renewable Energy Development by the Department of the Interior (DOI), dated February 22, 2010. This Secretarial Order establishes the development of renewable energy as a priority for the DOI and creates a Departmental Task Force on Energy and Climate Change. It also announced a policy goal of identifying and prioritizing specific locations (study areas) best suited for large-scale production of solar energy.
4. Instruction Memorandum (IM) 2011-59, National Environmental Policy Act Compliance for Utility-Scale Renewable Energy ROW Authorizations, dated February 7, 2011. This IM reiterates

and clarifies existing BLM NEPA policy to assist offices that are analyzing externally generated, utility-scale renewable energy ROW applications. It includes examples and guidance applicable to such applications that supplement information in the BLM's NEPA Handbook (H-1790-1) (BLM 2008a) that reflect that utility-scale renewable energy projects are distinct from many other types of land and realty actions due to their size and potential for significant resource conflicts, as well as the priority that has been placed on them by the DOI.

The BLM will review NV Energy's proposal, and in accordance with NEPA, FLPMA, and other applicable laws, and with land-use planning decisions in the Solar PEIS ROD, issue a decision to grant the proposed ROW; grant the ROW with modifications; or deny the ROW (43 CFR 2805.10 (a)(1)). Drawing upon the preliminary findings and recommendations in the SRMS for the Dry Lake SEZ, the BLM also will identify unavoidable impacts associated with solar development, evaluate potential compensatory mitigation measures to address those impacts, and, in its decision, identify any compensatory mitigation measures that it determines are appropriate.

## 1.4 Resource Management Plan Conformance

The Proposed Action is located on federal lands managed by the BLM Southern Nevada District Office under the October 1998 Las Vegas RMP (BLM 1998). The Las Vegas RMP was amended through the Solar PEIS ROD in October 2012 to incorporate the designation of the Dry Lake SEZ. This amendment identified the following as applicable to all new utility-scale solar energy projects on BLM-administered lands:

1. Priority areas for solar energy development that are well suited for utility-scale production of solar energy, including the 5,717-acre Dry Lake SEZ and the 8,479-acre Amargosa Valley SEZ (BLM 2012a:Appendix A Table A-1, p. 32).
2. 873,518 acres as potentially available for utility-scale solar energy development outside of the Dry Lake and Amargosa Valley SEZs (i.e., variance areas) (BLM 2012a:Appendix A Table A-1, p. 32).
3. 2,412,286 acres to be excluded from utility-scale solar energy development (i.e., exclusion areas) within the Las Vegas RMP area.
4. Required programmatic and SEZ-specific design features for solar energy development on public lands to ensure the most environmentally responsible development and delivery of solar energy (BLM 2012a:Appendix A Table A-5, p. 139 et seq.).

The principles of multiple-use management for the BLM are established through FLPMA. The current BLM Las Vegas RMP is consistent with FLPMA and guides the decisions for the BLM.<sup>1</sup> The Proposed Action is in conformance with the following management objectives and directions of the 1998 BLM Las Vegas RMP/EIS as amended (BLM 1998):

**Objective LD-2.** "All public lands within the planning area, unless otherwise classified, segregated or withdrawn, and with the exception of Areas of Critical Environmental Concern and Wilderness Study Areas, are available at the discretion of the agency, for land use leases and permits under Section 302 of Federal Land Policy and Management Act." (BLM 1998:18)

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<sup>1</sup> On Friday, October 10, 2014, the BLM issued a Notice of Availability of the Las Vegas and Pahrump Field Offices Draft RMP and Draft EIS, Nevada (79 *Federal Register* 61334-01). Following the conclusion of the public participation process for the proposed RMP revision and issuance of a Final EIS, the RMP revision will replace the existing Las Vegas RMP.

**Objective RW-1.** “Meet public demand and reduce impacts to sensitive resources by providing an orderly system of development of transportation, including legal access to private inholdings, communications, flood control, major utility transmission lines, and related facilities.” (BLM 1998:19)

**Management Direction RW-1-h.** “All public land within the planning area, except as stated in RW-1-c through RW-1-g, are available at the discretion of the agency for rights-of-way under the authority of the FLPMA.” (BLM 1998:19)

In addition, the Project is located in an SEZ and has been designed in accordance with the policies and procedures described for this particular land use allocation (BLM 2012a:Appendix B). According to the Solar PEIS ROD, no additional land-use plan amendments are expected to be required to approve projects in SEZs (BLM 2012a:Section B.4.2.1).

## 1.5 Relationship to Other Plans and Analyses

This EA complies with the Council on Environmental Quality regulations for implementation of NEPA (40 CFR 1500–1508), the DOI’s Implementation of NEPA Regulations at 43 CFR 46, and BLM’s NEPA Handbook (H-1790-1) (BLM 2008a). In addition, the Proposed Action would be consistent with other officially approved federal, state, and local plans, policies, and programs and with applicable federal regulations, policies, and laws. The following documents as they relate to the Proposed Action have been reviewed and considered as the EA has been developed:

- The *Clark County, Nevada Comprehensive Plan* (Clark County Department of Comprehensive Planning 2014) supports multiple uses of public lands outside of special management areas which do not negatively impact the environment.
- The Solar PEIS, which contained a comprehensive environmental review of all of the BLM's identified SEZs, including direct, indirect, and cumulative impacts for each SEZ, so that projects proposed with the SEZs could tier off the Solar PEIS resulting in limited project-specific NEPA analysis. The BLM, through the Solar PEIS, developed action plans for each SEZ identifying SEZ-specific actions that could be undertaken to facilitate future development within each SEZ. The action plan recommended within the Dry Lake SEZ that a Class III cultural resources survey be conducted. The analysis from the Solar PEIS informed the BLM in its designation of the SEZs and forms the basis for further evaluation of the potential environmental impacts of the specific projects within each SEZ.
- The *Solar Regional Mitigation Strategy for the Dry Lake Solar Energy Zone* (BLM 2014b) describes unavoidable adverse impacts and makes recommendations for off-site mitigation actions and costs that the BLM will consider when processing ROW applications in the Dry Lake SEZ. The SRMS recommended a per-acre fee that developers would pay for acres disturbed by development. The BLM’s selection of any compensatory mitigation measures will be consistent with the procedures described by IM 2013-142 (June 13, 2013) and draft Manual Section 1794, “Regional Mitigation,” which includes guidance for management of funds collected as part of the restoration, acquisition, or preservation portion of the total mitigation fee by an independent third party. The Dry Lake SRMS is incorporated by reference into this EA, where relevant.
- The Endangered Species Act of 1973, as amended (ESA) (16 United States Code [USC] Section 1531) programmatic biological opinion (BO) regarding the designation of the SEZs under the BLM’s Solar Energy Program was developed to help streamline the consultation process when evaluating individual projects (U.S. Fish and Wildlife Service [USFWS] 2012a). The programmatic BO concluded that BLM’s Solar Energy Program, which included the designation of the SEZs, is not likely to jeopardize the continued existence of any species listed under the

ESA or destroy or adversely modify designated or proposed critical habitat. The project-specific BO for the Proposed Action will tier to the programmatic BO.

- The Programmatic Agreement (BLM 2012b) regarding solar energy development on lands administered by the BLM was developed to establish the process the BLM will follow to comply with Section 106 of the National Historic Preservation Act of 1966 (NHPA). The Proposed Action will be consistent with the principles and procedures outlined in the Programmatic Agreement.
- The BLM's *Final PEIS Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States* (BLM 2007a) addresses human health and ecological risk for the proposed use of chemical herbicides on public lands within 17 western states, including Nevada, and provides a cumulative impact analysis addressing the use of chemical herbicides in conjunction with other treatment methods. The ROD (BLM 2007b) outlines the herbicides that are approved for use on public lands, and approves the continued use of 14 herbicides, including those with the active ingredient glyphosate.

## 1.6 Public Involvement and Identification of Issues

This EA focuses on the issues that have been identified through the public involvement processes attendant to the development and approval of the Solar PEIS, SRMS, Tribal consultation, and other actions that have been completed for the Dry Lake SEZ. See Chapter 4, Coordination for more information on consultation and coordination completed as part of the Solar PEIS and the Proposed Action. In addition, on September 17, 2014, a description of the Proposed Action was presented to the BLM interdisciplinary team. BLM resource specialists conducted a thorough review of the application and POD and identified the following issues were identified for further consideration:

- Air Quality
  - Temporary exceedances of ambient air quality standards (AAQS) for 24-hour and annual concentration levels of particulate matter 10 microns in diameter or smaller (PM<sub>10</sub>) and 24-hour concentration levels of particulate matter 2.5 microns in diameter or smaller (PM<sub>2.5</sub>) concentration levels at the SEZ boundaries and in the immediate surrounding areas during the construction of solar facilities.
- Vegetation
  - The spread of noxious weeds in disturbed areas and colonization of adjacent undisturbed habitats.
  - The deposition of fugitive dust from large areas of disturbed soil onto habitats outside the solar project area.
  - Removal of cactus and yucca species from the project area.
  - Cumulative loss and fragmentation of native plant communities and the ecosystem services they provide.
- Forestry
  - Direct impacts to special forest products (cactus and yucca) from the project area.
  - Direct and cumulative impacts to BLM lands used for commercial seed collection.
- Wildlife
  - Impacts to ground water dependent species including the federally listed Moapa dace (*Moapa coriacea*).
  - Impacts to federally listed Mojave desert tortoise (*Gopherus agassizii*) which will need to be translocated from the development sites within the SEZ.

- Impacts to the federally listed southwestern willow flycatcher (*Empidonax traillii extimus*), the Yuma clapper rail (*Rallus longirostris yumanensis*), and the threatened yellow-billed cuckoo (*Coccyzus americanus*).
- Impacts to birds and bats would require a Bird and Bat Conservation Strategy (BBCS).
- Impacts to wildlife habitat and individuals, including BLM sensitive species.
- Cumulative loss and fragmentation of wildlife habitat.
- Cumulative loss and fragmentation of habitat for BLM special-status wildlife.
- Cultural Resources
  - Indirect impacts to the setting and feel of the National Register of Historic Places (NRHP)–eligible section of the Old Spanish Trail/Mormon Road.
- Native American Concerns
  - Impacts to plant and animal species of cultural importance to the Southern Paiute.
- Specially Designated Areas and Lands with Wilderness Characteristics
  - Visual resource impacts in Arrow Canyon and the Muddy Mountains Wilderness Areas.
  - Impacts to Areas of Critical Environmental Concern (ACECs) associated with desert tortoise translocation.
- Visual Resources
  - Visual impacts on the SEZ and surrounding lands within the SEZs viewshed as a result of the potential for major modification of the character of the existing landscape.
  - A portion of the Proposed Action occurs on Visual Resource Management (VRM) Class III lands.
- Soils
  - Direct loss and cumulative impacts to soils and the ecosystem services soils provide, including the loss of desert pavement and cryptobiotic crusts.
- Water Resources
  - Groundwater withdrawal impacts to Garnet Basin could disrupt the groundwater flow patterns and adversely affect plant and/or animal communities on or near the SEZ or springs in the vicinity of the SEZ.

## 1.7 Summary

This chapter has presented the purpose and need for action, as well as the relevant issues, i.e., those elements of the human environment that could be affected by the implementation of the Proposed Action. Chapter 2 provides a detailed description of the Proposed Action including design features intended to avoid and minimize potential impacts, which were developed in accordance with the Solar PEIS ROD and any additional design features and/or mitigation measures identified through this NEPA and decision-making process. The affected environment and the potential environmental impacts resulting from the implementation of the Proposed Action and the No Action Alternative are discussed in Chapter 3. The information in Chapter 3 tiers to the analysis in the Solar PEIS and incorporates by reference to the extent practicable to reduce paperwork and redundant analysis in the NEPA process. Chapter 4 includes an overview of the coordination, consultation, and public involvement that took place as part of the Solar PEIS and SRMS for the Dry Lake SEZ as well as the additional activities undertaken for the Proposed Action.

## 2.0 PROPOSED ACTION AND ALTERNATIVES

### 2.1 Introduction

The BLM has implemented actions in support of U.S. renewable energy goals and objectives for solar energy development as described in its Solar PEIS (BLM and DOE 2012) and Solar ROD (BLM 2012a). Through the Solar PEIS and Solar ROD, the BLM has established a comprehensive Solar Energy Program (also known as the Western Solar Plan) that allows the permitting of future solar energy development projects on public lands in six southwestern states: Arizona, California, Colorado, Nevada, New Mexico, and Utah. As part of the Western Solar Plan, the BLM has identified specific locations on public lands that are well suited for utility-scale production of solar energy as SEZs. The proposed Dry Lake SEZ designation in the Draft Solar PEIS was approximately 15,000 acres but, in response to comments and in recognition of resource conflicts, the ROD ultimately designated only an approximately 5,000-acre SEZ, an area with the fewest resource conflicts.

The Western Solar Plan authorizes the BLM to resolve applicant competition for lands within an SEZ by using competitive procedures through a public auction to select preferred applicants to submit ROW applications for solar energy projects. On June 30, 2014, the BLM held a competitive auction for six parcels of public land within the Dry Lake SEZ located in Clark County, Nevada. The BLM selected NV Energy as one of three successful bidders to become a preferred applicant with the right to submit a ROW application and POD for a solar energy project on Parcels 5 and 6 within this SEZ and go through the processes toward receiving a ROW grant from the BLM.

The State of Nevada has established a Renewable Portfolio Standard (NRS 704.7821) for which NV Energy must meet specific solar electrical generation capacities every year through the year 2025. By calendar year 2025, not less than 25 percent (%) of the total amount of electricity sold by NV Energy to its retail customers in Nevada must be from renewable energy sources. Nevada's renewable portfolio standard further requires that through 2015, 5% of all electricity generated by NV Energy in the state must come from solar power, with the requirement increasing to 6% from 2016 through 2025. In addition, Senate Bill 123, which was codified by NRS 704.7311, Emission Reduction and Capacity Replacement plan with specific reference to NRS 704.7316(2)(b): the Emission Reduction and Capacity Replacement plan must provide for the construction or acquisition of, or contracting for, 350 MW of electric generating capacity from renewable energy facilities.

NV Energy has a three-part energy strategy to meet an overall goal of providing clean, safe, and reliable energy to its customers at reasonable and predictable prices. This strategy includes increasing energy efficiency and conservation programs, expanding renewable energy initiatives and investments, and also involves a diversified energy portfolio with a balanced mix of fuels for energy generation. This is in the best interest of its customers, shareholders, and the communities it serves.

One part of meeting this energy strategy is the need to meet the State of Nevada's Renewable Energy Portfolio Standard for solar energy by investing in, and partnering with, commercial solar project developers to purchase solar-generated power, participate in turn-key projects, and/or co-develop solar projects. Additionally, NV Energy is actively investigating opportunities to develop company-owned solar projects utilizing viable technologies and seeking locations of adequate solar insolation. Such locations would be considered ideal if found to be in proximity to existing electrical infrastructure to optimize the value of harnessing this renewable resource for electric power generation.

## 2.2 Proposed Action

NV Energy's purpose for the Proposed Action to design, construct, operate, maintain, and decommission a new 130-MW, commercial-scale solar energy generation station, and all associated facilities, on public land designated as Parcels 5 and 6 within the Dry Lake SEZ. A third-party firm(s) would design and construct the components of this new facility for NV Energy. The commercial operation date for the Proposed Action is December 2016.

### 2.2.1 Overview

The Applicant proposes to construct, operate, maintain, and decommission the Project, consisting of up to a 130-MW alternating current (MWac) solar PV power generating facility on approximately 661 acres of BLM-administered land located within Parcels 5 and 6 of the Dry Lake SEZ in Clark County, Nevada. Project components include on-site facilities, off-site facilities, and temporary facilities needed to construct the Project. The major on-site facilities comprise solar array blocks of PV modules, a substation, and operation and maintenance (O&M) facilities. The off-site facilities include an approximate 2,000-foot, 230-kilovolt (kV) generation tie transmission line (gen-tie line), access road, and electric distribution and communication lines. Temporary facilities, which would be removed at the end of the construction period, include mobilization, laydown, and construction areas and would be located within the 661-acre project area. Power produced by the Project would be conveyed to the Nevada Power bulk transmission system via the gen-tie line, which would interconnect to NV Energy's existing Harry Allen Substation.

### 2.2.2 Project Location and Existing Land Use

The Project is located approximately 23 miles (37 km) northeast of the City of Las Vegas and south and approximately 8 miles (13 km) south and east of the Moapa River Indian Reservation in an unincorporated area of Clark County, Nevada. U.S. 93 is located on the western boundary of the Project and I-15 is located less than 2 miles (3 km) east of the Project. The NV Energy Harry Allen Substation and an NV Energy high-voltage transmission line are located immediately adjacent to the Project's southern boundary (Figure 2).

All lands for the proposed facilities are federal lands administered by the BLM under the Las Vegas RMP (BLM 1998). The Project is located within the boundaries of the Dry Lake SEZ (Parcels 5 and 6), identified through an amendment to the Las Vegas RMP by the ROD for the Solar PEIS (BLM 2012b). Existing uses of the site are managed by the BLM in accordance with the Las Vegas RMP.

The Project site is located in portions of Section 36, Township 17 South, Range 63 East; Section 31, Township 17 South, Range 64 East; Section 1, Township 18 South, Range 63 East; and Section 6, Township 18 South, Range 64 East; all Mount Diablo Meridian, Clark County, Nevada.

### 2.2.3 Key Project Elements

The Project would include the following key elements:

- A solar facility consisting of:
  - solar panels (monocrystalline modules using single-axis trackers);
  - 1,200–square foot O&M building, and/or a control enclosure within solar facility;
  - interior access roads and a perimeter road;
  - collection system and power conversion stations;
  - on-site collector substation;
  - Project security fencing; and

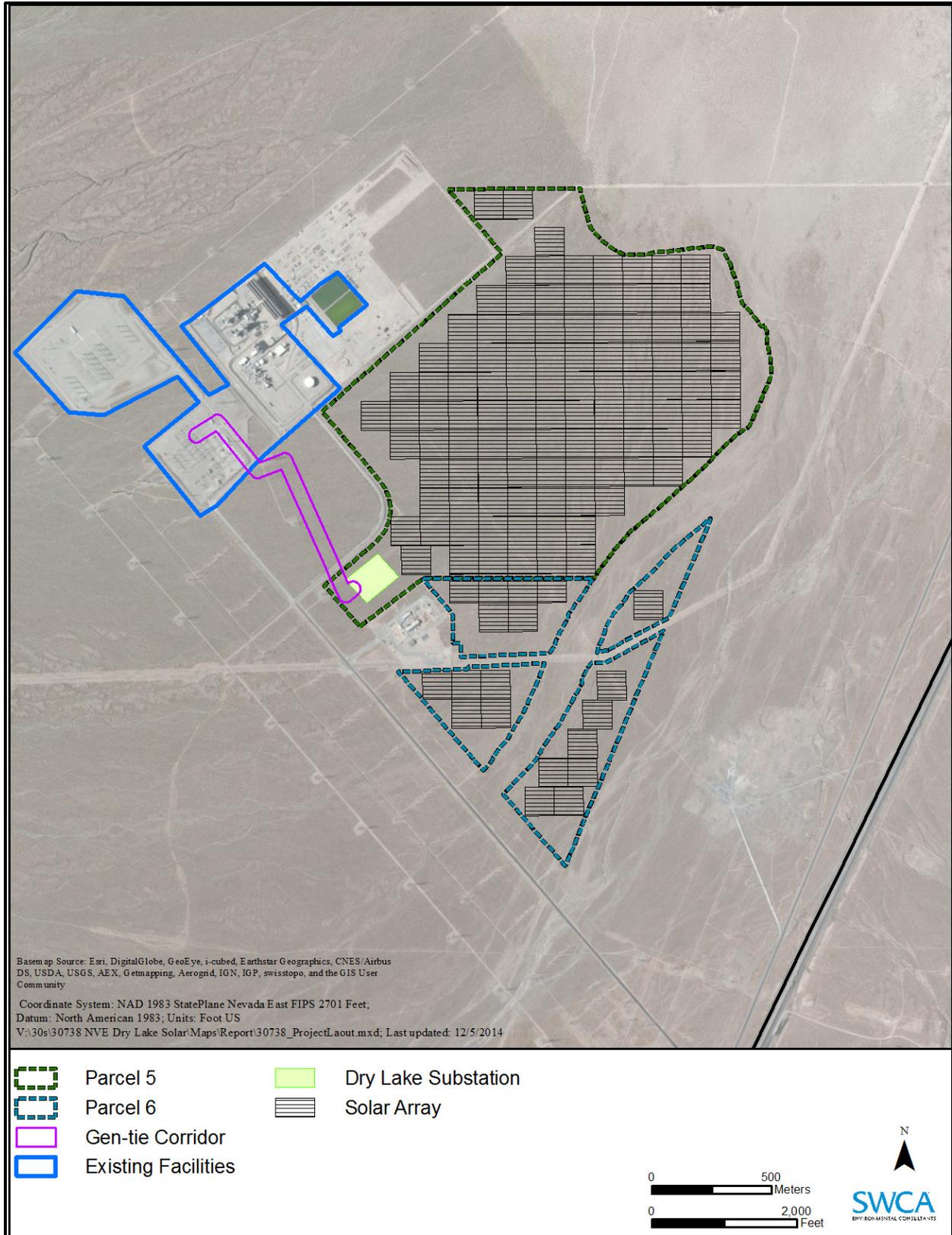


Figure 2. Project location.

- desert tortoise exclusion fencing.
- An approximately 3,800-foot-long, single-circuit, 230-kV gen-tie line to connect the on-site collector substation to the NV Energy Harry Allen Substation;
- Fiber-optic communications installed underground, or on overhead line along the Project gen-tie line; and
- Drainage control structures.

Project construction would also require the following temporary facilities which would be located within 660-acre solar facility footprint:

- a construction mobilization and laydown area within the solar facility footprint; and
- temporary generators to provide construction power.

**2.2.4 Dry Lake Solar Energy Center Facilities**

Within the 660-acre project area boundary, the Project would have short-term land disturbance effects during construction and long-term land disturbance effects during operations (Table 1). Any disturbed area that is not needed for operations would be reclaimed. The Project would generate up to 130 MW of electricity using multiple arrays of fixed-tilt or single-axis tracking solar panels connected to electrical infrastructure and transmitted via a gen-tie line to the interconnection point. Solar panels generate electricity using the photoelectric effect, whereby the cells that compose the panel receive the sun’s radiation in the form of photons and release electrons into the conduction band. The capture of these free electrons produces an electrical current that can be collected and supplied to the electrical power grid. Table 1 provides a summary of project components and associated short-term and long-term disturbance.

**Table 1.** Summary of Permanent and Temporary Disturbance for the Project

<b>Disturbance Type</b>	<b>Acres of Disturbance</b>	<b>Notes</b>
<b>Long-Term Disturbance</b>		
Solar Facility	660.00	130-W PV solar facility
Communication Line	0	Installed along gen-tie line
Substation	0	Located inside solar facility
Gen-tie Line Access Road	1.10	24-foot width along 2,000-foot length of gen-tie line located outside solar facility
Gen-tie Line Pole Pads	0.01	3-foot radius permanent footprint on 7 poles with 15 footprints (3 dead end, 2 H-frames, 2 tangent structures)
<b>Total</b>	<b>661.11 (rounded to 661)</b>	
<b>Short-Term Disturbance</b>		
Laydown area	0	Located inside solar facility
Pole construction area	6.44	200 × 200 feet per pole area (7 poles)
Pull sites	25.71	200 × 700 feet per pull site (8 pull sites)
<b>Total</b>	<b>32.15 (rounded to 32)</b>	

### 2.2.1.1 SOLAR PANEL ARRAYS

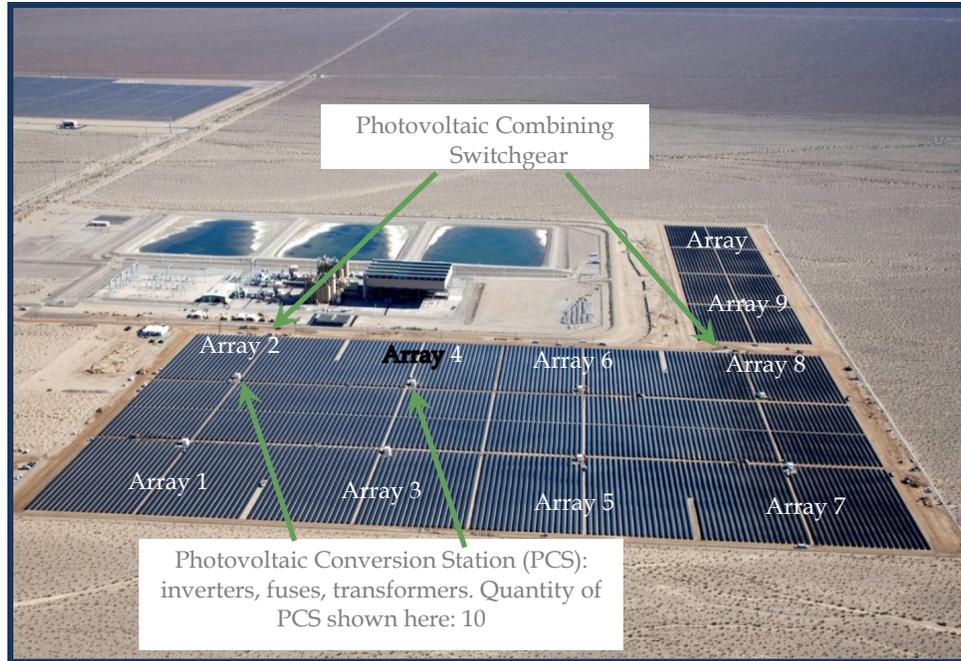
The proposed Project would use advanced and proven PV technology to convert sunlight directly into low-voltage direct current (DC) electricity, including the following major components: non-reflective PV modules mounted on fixed-tilt brackets, or single-axis trackers, and a racking system supported by embedded piers with associated combiner boxes, inverters, transformers, and switchgears. For a typical fixed-tilt PV module design, support piles are driven into the ground followed by the installation of fixed-tilt brackets with support beams and rails. The PV modules are then installed onto these fixed brackets (Figure 3). The modules and tracking assembly would have a ground clearance of approximately 2 feet when rotated, and approximately 5 feet when flat. The Project may be designed with this type of configuration and/or a combination of PV module configurations as determined by final design. The PV modules, combiner boxes, inverters, and transformers would be grouped into individual blocks, or arrays, that would generate approximately 1 to 4 MWac electricity per array. The number of arrays to be installed will be determined by final design to achieve the desired total plant output of approximately 130 MW (Figure 4). Within each array, the inverters would convert the DC power to alternating current (AC) power and the pad-mounted transformers would step-up the voltage to a higher voltage level (i.e., 12.5 kV or 34.5 kV) by electrical switchgear. The output from the pad-mounted transformers would travel to the substation via an AC power collection system.

#### 2.2.4.1 ELECTRICAL COLLECTION AND TRANSMISSION SYSTEM

The low-voltage power feeding into the collector substation from the arrays at the plant site would be stepped up to a higher voltage (i.e., 230 kV) by transformer(s) and transmitted to NV Energy's existing Harry Allen Substation via a new 3,800-foot-long overhead transmission line (the gen-tie line). Of the 3,800 feet, 1,987.5 feet are outside of Parcels 5 and 6, but remain within the existing Harry Allen complex (N-12873 in the Dry Lake SEZ). NV Energy's interconnection application process and studies will coordinate and identify the final routing and voltage of the gen-tie line, and the connection position at the Harry Allen Substation.



**Figure 3.** Typical fixed-tilt bracket configuration.



**Figure 4.** Example of 10 solar arrays adjacent to conventional natural gas generation plant.

#### 2.2.4.2 TELECOMMUNICATIONS

As required, the Project is anticipated to have two telecommunication pathways between the solar generation plant and NV Energy's Harry Allen Substation. Typically the primary telecommunication pathway would be via an overhead fiber-optic line installed on the gen-tie electrical line system, and the secondary pathway would be via microwave. As part of the interconnection application process and studies, the exact pathway routes and mechanisms will be determined in the final design.

The Project would connect to NV Energy's communications system at the existing Harry Allen Generation Station. During construction, the construction contractor and NV Energy would install communication lines via underground conduit to facilitate telemetering of data collected at the approximately 35-foot tall meteorological station(s). In addition, a Supervisory Control and Data Acquisition System (SCADA) connected to the substation via fiber-optic cable would provide remote communication capability and production metering would be installed within each solar array. The SCADA system allows for controlling and monitoring the facility as a whole from a central host computer or a remote personal computer. The SCADA system transmits critical information from the facility via fiber optics to a central control server located in the O&M building and to all other locations as required.

#### 2.2.4.3 SITE SECURITY AND FENCING

The Project would be protected by a perimeter chain-link security fence with barbed wire along the top and tortoise-proof fencing along the bottom. Access would be controlled by electronic and or keyed gates with tortoise guards. The layout of the Project would allow vehicular travel between PV modules and around the perimeter of the plant for internal site access, operation, and maintenance. Approved tortoise fencing would also be installed adjacent to or outside the security fence to prevent desert tortoise from entering the project area.

#### **2.2.4.4 OPERATION AND MAINTENANCE FACILITIES**

The Project would include an O&M building, meteorological station(s), inverters, and a communications enclosure that would contain metering and SCADA equipment that would be located within the 660-acre project site. All structures and facilities of the Project would be properly grounded for electrical protection, as required. The Operations Facilities would be custom designed, weatherproof, and would be approximately 300 to 1,200 square feet. The O&M building would have a paved parking lot. Site-specific plans and designs for the interconnection and system protection facilities and any necessary network and/or distribution upgrades would be determined in coordination with NV Energy through the interconnection application process.

Construction buildings, portable toilets, and materials such as panels, fencing, concrete, pipe, wire and cable, fuels, portable generators, etc., would be delivered to the site by truck and off-loaded by forklifts, booms, and/or cranes.

#### **2.2.4.5 ROAD SYSTEM**

Existing paved and a new access road would be used for access to the Project. Primary external site access would occur from an existing paved access road to NV Energy's Harry Allen Generation Station. Any new and/or improved access road(s) required would be located within the 660-acre solar facility footprint and would be between 24 feet and 50 feet wide (to accommodate turns) and would be maintained for erosion control. The roads would be native graded material, approximately 24 to 50 feet wide, and would be adequate to support the size and weight of construction, maintenance, and rescue vehicles. Because the Project is within the Dry Lake SEZ and adjacent to NV Energy existing utility infrastructure, coordinated efforts will be necessary among all parties to ensure traffic safety. During the construction phase, alternate access to the site would likely be utilized to accommodate construction personnel traffic, equipment, and material deliveries. Alternate access would be planned to utilize existing unpaved roads to the extent possible, that may require improvement, and/or new unpaved roads constructed temporarily during construction.

A 200-foot-wide permanent ROW would be needed for the approximately 3,800-foot-long gen-tie line. Within that ROW, a construction access road would be designated for access without significantly modifying the landscape, and access would be along the two-track road during infrequent maintenance and inspection events. Tortoise guards would be installed in the tortoise fencing at the primary access for equipment deliveries, and at the secondary access where the proposed gen-tie line exits the project area. Additional tortoise guards may be installed as needed.

#### **2.2.4.6 TEMPORARY CONSTRUCTION WORKSPACE, YARDS, AND LAYDOWN AREAS**

The laydown yard for staging and storage during construction would be located within the 660-acre solar facility footprint. Temporary construction and work areas would be utilized for various purposes such as, but not limited to:

- Temporary construction offices and portable toilets
- Parking for construction vehicles and equipment
- Laydown areas for materials and excess spoils
- Tool enclosures/containers
- Temporary work areas to allow room for movement of construction equipment outside the permanent ROW boundary
- Nurseries for salvaged plants, as needed

- Temporary water-storage tank/stand, raw water pond, or other method of temporary water storage for dust control and other construction uses

#### **2.2.4.7 LIGHTING**

All lighting would be designed to provide the minimum illumination needed to achieve safety and security objectives, and be directed downward and shielded to focus illumination on the desired areas. Lighting is planned to be installed at the exterior of the operations building and within the on-site substation. The Applicant would prepare a BLM-approved Lighting Management Plan.

#### **2.2.4.8 WASTE AND HAZARDOUS MATERIALS MANAGEMENT**

Construction wastes would be managed in accordance with applicable state and local regulations. Trash and food items would be placed in closed containers with lids. Limited quantities of hazardous wastes would be generated from construction activities, such as waste hydraulic fluids and lubricating oils and maintenance activities and the associated oil-soaked materials (i.e., rags, sorbents, and filters). Used hydraulic fluids and lubricating oils would be recycled when possible. The oil-containing solids would be managed as hazardous waste and sent to an approved off-site disposal facility in accordance with applicable policies.

A Spill Response Plan would be prepared and implemented during construction of the Project. Contractor personnel would be properly trained to control and clean up any spills. Industry best management practices (BMPs) would be used to prevent spills; however, if spills do occur they would be cleaned up completely, quickly, and safely and reported to authorities as necessary/required in accordance with the construction Stormwater Pollution Prevention Plan (SWPPP) and associated BMPs.

Fuel, oil, and hydraulic fluids used in on-site vehicles and equipment would be transferred directly from a service truck to construction equipment and would not otherwise be stored on-site. Service personnel and construction contractors would follow standard operating procedures for filling and servicing construction equipment and vehicles to reduce the potential for incidents involving hazardous materials.

#### **2.2.4.9 STORMWATER MANAGEMENT**

Site preparation for construction would include cut-and-fill grading and placement, and compaction of structural fill to serve as a sub-base. Drainage improvements such as channels and basins would be constructed to maintain existing drainage flow patterns and allow for the safe operation and maintenance of the facilities.

A SWPPP would be prepared and submitted to the Nevada Department of Conservation and Natural Resources Division of Environmental Protection to obtain coverage by Stormwater General Permit (NVR100000). The construction SWPPP would be prepared in accordance with standard engineering practices and would include a description of BMPs, good housekeeping, and structural controls to minimize impacts on water quality during construction. Structural controls implemented would meet the requirements of this permit and the design requirements of the Clark County Regional Flood Control District.

Site grading would be designed to maintain natural drainage patterns to the extent practical. Channel modifications, if necessary, would be designed to convey 100-year flood flows with the installation and use of culverts, riprap, and other structural methods as appropriate and where necessary.

### **2.2.4.10 VEGETATION MANAGEMENT**

Any new infestations of non-native, invasive plant species in the project area would be treated promptly per requirements of a BLM-approved Integrated Weed Management Plan. NV Energy proposes to reduce and control invasive plants within the project area by using herbicides in combination with manual methods to lessen the potential for the dispersal or increased abundance of existing and any new non-native, invasive plant species. Prior to any herbicide application, NV Energy would prepare a pesticide use proposal for submittal to the BLM using those herbicides as described in the BLM's programmatic environmental impact statement (PEIS) for vegetation treatments using herbicides on BLM lands (BLM 2007a). The PEIS addresses human health and ecological risk for the proposed use of chemical herbicides on public lands within 17 western states, including Nevada. It is anticipated that this would include the use of glyphosate (as found in Roundup PRO<sup>®</sup> and Aquamaster<sup>®</sup>).

During construction and O&M phases of the Project there is also the potential for undesirable invasive insect infestations in Project buildings and structures. NV Energy proposes to control undesirable insect infestations by using pesticides. Prior to any use of pesticides, NV Energy would submit a pesticide use proposal to the BLM proposing protocols and chemicals that can be used in the event that infestations arise during activities associated with the Project. It is anticipated that this would include the use of pesticides including Benzeneacetate and Bifenthrin. Any necessary pesticide use would be restricted to the insides, outsides, and the immediate vicinity of small, enclosed buildings, trailers, O&M buildings, and shelters. Pesticide bait traps would be restricted to use inside buildings. In addition, insecticides would not be stored at the facility and would be brought on-site during application periods.

### **2.2.5 Preconstruction and Construction Activities**

#### **2.2.5.1 OVERVIEW**

Construction would generally follow the sequence of staking/flagging the limits and boundaries of the proposed Project, plant and wildlife clearances/relocations, site grading, fence installation, assembly and installation of all facilities, demobilization, cleanup, and site reclamation.

Construction of the proposed Project, from site preparation and grading to commercial operation, would be expected to take 18 months or less to complete. Depending on ROW authorization and permit acquisitions, construction is anticipated to start in the second quarter of 2015 and proceed through December 2016, or earlier.

#### **2.2.5.2 SITE PREPARATION**

Several activities must be completed prior to the commercial operation date. The majority of the activities relate to equipment ordering lead time, as well as design and construction of the facility. Preconstruction, construction, and post-construction activities, some of which would occur concurrently, include:

- geotechnical analysis for proper foundation design and materials;
- finalize Project design;
- order all necessary components, including solar modules, inverters, and pad-mounted transformers;
- survey to establish locations of structures and roadways;
- construction of access roads to be used for construction and maintenance;
- installation of rack foundations (vibratory or pile driving);
- installation of racks;
- installation and stringing of modules;

- installation of underground cables;
- construction of underground feeder lines;
- design and construction of Project collector substation;
- commissioning of modules and inverters; and
- commencement of commercial operation.

On-site communications during the construction phase would be accomplished with cellular telephones and two-way radios. Air horns may also be used for emergency communications as necessary.

### **2.2.5.3 GEOTECHNICAL INVESTIGATION**

To develop a geological profile of the area underlying the Project site, the applicant would conduct a geotechnical investigation prior to construction to determine the engineering characteristics of local soils and geology. In addition, it would allow the identification of site-specific construction issues and to inform final design and necessary BMPs. Disturbance associated with vehicle travel and drilling activities in support of the geotechnical investigations would occur on land in the project area identified for long-term disturbance.

### **2.2.5.4 SURVEYING AND STAKING**

Prior to construction commencement, a licensed professional land surveyor would conduct a land survey of the Project to stake/flag the ROW boundaries, work areas (permanent and short-term use), cut-and-fill zones, access roads, structures, and offsets. Survey and staking would continue through the initial construction stages as the site is graded and prepared for facility installation, to mark locations of foundations, piers, gen-tie structures, and other site structures as necessary for construction. Staking/flagging would be maintained until final cleanup and/or reclamation is complete, after which all survey staking would be removed. Staking/flagging would include the use of wood lathe, colored flagging, steel nails with whiskers, capped rebar stakes, and/or other typical materials. No paint or permanent discoloring agents would be applied to rocks or vegetation to indicate survey or construction activity limits.

### **2.2.5.5 CLEARANCE SURVEYS AND FENCING**

Tortoise exclusion fencing would be installed around the 660-acre solar facility footprint prior to desert tortoise clearance surveys being conducted. In addition, plant salvage and geotechnical investigations may occur prior to desert tortoise clearance surveys being completed. Tortoise guards would be installed at project access locations. It is anticipated that these activities would occur under a limited Notice to Proceed and would require authorized desert tortoise biologists and monitors to be present. No additional construction activities would begin until 100% clearance surveys for desert tortoise are completed. Desert tortoises will be relocated from the Project in accordance with an approved Desert Tortoise Translocation Plan for the Dry Lake SEZ. Following installation of the desert tortoise exclusion fence around the 660-acre solar facility project area, an Authorized Biologist will supervise the performance of a full-clearance survey of the fenced area, in accordance with current USFWS clearance survey protocol. Tortoise would be relocated to a translocation area identified in the approved Translocation Plan.

### **2.2.5.6 VEGETATION REMOVAL AND TREATMENT**

There would be permanent and temporary disturbance to vegetation from construction of the Project. This includes detailed construction surveys, mobilization of construction staff, and grading. Site preparation would include vegetation clearing, grubbing, and contour smoothing would occur where necessary to allow for equipment access and stormwater management. Cactus and yucca present within the permanent

project area would be salvaged and disposed or otherwise relocated prior to construction commencement according to the site prescriptions as determined and required by the BLM in a Restoration Plan. Cactus and yucca present within temporary work areas would be left in place and avoided to the extent possible, or otherwise salvaged and maintained in temporary nurseries on-site until construction is complete, to be replanted back in place for restoration purposes as determined and required by the Restoration Plan. Reseeding temporary disturbance areas would be accomplished as required in the Restoration Plan.

#### **2.2.5.7 SITE CLEARING, GRADING, AND EXCAVATION**

Initial site preparation would involve vegetation clearing, grubbing and grading with the use of excavators, graders, scrapers, dump trucks, backhoes, compactors, and loaders, in addition to support from pick-up trucks, water pulls/trucks, and maintenance trucks. The majority of the efforts to grade the site would be completed within several months of commencement of construction activities. Minor grading would be ongoing in the form of excavation and backfill for foundations, underground wiring, duct banks, and other associated facilities for the duration of construction.

No clearing or grading would occur until the erosion-control measures have been installed. Excavations during construction would include trenching for the installation of electrical collection systems, communication lines and, if used, for the pre-cast concrete vaults that the power conversion stations and switchgear sit upon. Clearing, grading, and excavations would be required for the perimeter fencing and gates, tortoise guards, and at the collector substation and operations and maintenance building. The site would ideally maintain a positive terrain slope. Existing slope varies and would be determined by the detailed grading design.

#### **2.2.5.8 GRAVEL, AGGREGATE, AND CONCRETE NEEDS AND SOURCES**

Concrete, mechanical, and electrical works would be performed with the aid of graders, rollers, front loaders, dump trucks, trenching machines, drillers, concrete mixer and pump trucks, forklifts, cranes, and pick-ups. The construction contractor would likely purchase concrete and aggregate from a local source and truck it to the Project.

The project area surface would likely be graded, compacted, and stabilized as determined by final design. Concrete, aggregate, and/or gravel would be utilized for foundations, pads, and fencing. The O&M building would have a paved parking lot. Foundation pads for the medium-voltage transformers and the photovoltaic conversion stations (PCSs) and PCS enclosures are anticipated to be prefabricated and delivered to the Project site, as determined by final design and construction planning.

#### **2.2.5.9 CONSTRUCTION WATER USAGE AND AMOUNTS**

The construction contractor would be responsible for identifying and securing the rights to a permitted water source(s) for construction. The contractor may elect to install a temporary water stand(s), temporary lined pond, or other method of temporary on-site storage for the duration of construction. Water would be utilized for site and access dust control, construction needs, and fire suppression, as necessary. The total amount of water needed during construction would be approximately 140 million gallons (430 acre-feet).

In addition to using water for dust control, the BLM has previously allowed the use of several dust palliatives on other project within the Southern Nevada District. If dust palliatives are used in place of water for the Project, the total amount of water needed during construction would be reduced. The Applicant may opt to use such palliatives, as authorized by the BLM for the Project.

The soil binder/dust palliatives that are proposed for the Project, and for which BLM has previously allowed are:

- Road Bond 1000
- For roads and heavy traffic areas: Soil Cement
- For non-traffic areas on finer soils: Formulated Soil Binder FSB 1000
- For non-traffic areas on sandier/rockier soils: Plas-Tex

#### **2.2.5.10 SOLAR ARRAY ASSEMBLY AND CONSTRUCTION**

Solar array construction would begin with the installation of support structures and foundations. The final support structure design is unknown at this time and would be determined by results of the geotechnical survey, the solar technology, and construction contractor selected to complete construction.

Once foundations and support structures are in place, tracker assemblies would be constructed on-site and installed on the support structures. Final assembly of the trackers onto the support structures would require a variety of heavy equipment, including small cranes, tractors, welding machines, and forklifts.

#### **2.2.5.11 ELECTRICAL COLLECTION AND TRANSMISSION SYSTEM CONSTRUCTION**

##### **2.2.5.11.1 Collector Substation**

Installation of the collector substation would be done concurrently with the installation of the solar arrays. The collector substation would be located within the fenced 660-acre solar facility project area. Construction of the substation would begin with clearing of vegetation and organic material from the site. The site would then be graded to subgrade elevation. Structural footings and underground utilities, along with electrical conduit and grounding grid, would be installed, followed by aboveground structures and equipment. The site would be finish-graded and gravel-surfaced.

##### **2.2.5.11.2 Project Generation-Tie Transmission Line**

Connection to the electrical grid would be made at the NV Energy Harry Allen Substation via the Project 230-kV gen-tie line. A permanent ROW would be required for the approximately 3,800-foot-long gen-tie line for long-term operation and maintenance of the line. Final design will determine the type and quantity of structures to be used, as well as the necessary width of the permanent ROW, which is anticipated to be up to 200 feet wide. Each structure would require approximately 1 acre for construction (e.g., 200 × 200 feet). It is anticipated that the gen-tie line would consist of seven structures total: five angle structures and two tangent structures. Angle structures would be either a three-pole dead-end configuration or an H-frame dead-end. The two tangent structures would be a single-pole configuration. All structures would be tubular steel. Temporary construction areas for line pulling and tensioning are typically required at angle points, wire-splicing locations, and dead ends. These areas are typically up to 200 × 700 feet in size, and typically there are two such areas at each angle point. Following construction, the permanent disturbance would be approximately 3 feet around each pole, and the temporary disturbance area would be reclaimed following construction.

##### **2.2.5.12 ACCESS ROAD CONSTRUCTION**

All access roads would incorporate existing BLM standards regarding road design, construction, and maintenance such as those described in BLM Manual 9113 (BLM 1985), and the *Surface Operating Standards for Oil and Gas Exploration and Development* (i.e., the Gold Book) (U.S. Department of the Interior and U.S. Department of Agriculture 2007). All roads would be built at ground level.

Additionally, any public access roads would conform to all applicable county road regulations, as well as the Nevada State Fire Marshal’s fire safety regulations. Existing roads would not be closed to the public except during construction for safety purposes.

**2.2.5.13 ON-SITE BUILDING CONSTRUCTION**

Concrete foundations would be poured to support the O&M building. The O&M building is anticipated to be a modular steel building that would be erected on-site. An area adjacent to the building would be paved for parking and 4 inches of aggregate would be installed around the unpaved portion of the operations and maintenance area.

**2.2.5.14 SITE STABILIZATION, PROTECTION, AND RECLAMATION**

The permanent site facility would be designed and constructed according to the civil engineering design to ensure the site is stabilized and protected by adequate slopes, cover, and drainage features. All temporary work areas would be decompacted, recontoured, and closed according to BLM prescriptions as identified in a Restoration Plan to be developed in coordination with the BLM. Survey stakes, flagging, and other temporary identification markers would be removed. Reclamation would also include installation of cross drains for erosion control, as necessary.

Topsoil will be salvaged prior to construction in accordance with BLM recommendations and re-spread during reclamation. The Applicant will prepare a SWPPP as required and will include standard sediment control devices to minimize soil erosion during construction and during O&M. Soils will be stabilized by mulching or otherwise covering exposed surfaces and by using permanent and temporary erosion-control devices such as water bars, wing ditches, berms, silt fences, straw bales, netting, soil stabilizers, check dams, etc., as needed, to stabilize surfaces.

After construction, any area that was temporarily disturbed and no longer needed for ongoing operations would be reclaimed using a seed and plant mix as approved by the BLM and in accordance with a forthcoming Facility Decommissioning Plan and Site Reclamation Plan.

**2.2.5.15 WORKFORCE, SCHEDULE, AND EQUIPMENT AND MATERIALS**

Construction would involve a peak workforce of approximately 400 personnel including laborers, craftsmen, supervisory personnel, support personnel, construction management, and delivery drivers. Construction would also require additional support staff including construction inspectors, surveyors, project managers, and environmental monitors. Construction would take approximately 18 months and would generally occur between daylight hours, Monday through Friday; however, additional days/hours may be necessary to make up schedule deficiencies or to complete critical construction activities. For instance, during hot weather, it may be necessary to start work earlier to increase worker productivity and/or to avoid pouring concrete during high ambient temperatures. Anticipated construction equipment for the Project is provided in Table 2.

**Table 2.** Construction Equipment Anticipated to be Used on the Project

<b>Equipment</b>	<b>Use</b>
¾-ton and 1-ton pick-up trucks	Transporting construction personnel
Flatbed trucks; flatbed boom trucks	Hauling and unloading materials
Backhoes	Excavating and loading
Bulldozers	Excavating, grading, and reclaiming
Compactors	Site leveling

**Table 2.** Construction Equipment Anticipated to be Used on the Project (Continued)

<b>Equipment</b>	<b>Use</b>
Concrete trucks/pumps	Delivering and pouring concrete
Cranes	Loading, unloading, and lifting materials and erecting structures
Diesel generator	For on-site construction power (temporary)
Drum rollers	Smooth-rolling graded surfaces
Dump trucks	Hauling excavated materials and importing backfill
Excavators	Excavating trenches and foundations
Forklifts	Transporting and lifting materials
Foundation drills	Drilling concrete foundations
Fuel and equipment fluid trucks	Refueling and maintaining vehicles
Graders	Grading facility and roads
Lifts	Elevating personnel and equipment
Loaders	Excavating and loading soil
Scrapers	Grading
Tractors	Earthmoving
Water pulls	Moisture conditioning and dust control
Water trucks	Moisture conditioning and dust control
Welding machines	Welding structures

#### **2.2.5.16 CONSTRUCTION TRAFFIC**

No more than 200 employee vehicles are anticipated at the project area at one time. During construction, several types of light and medium construction vehicles would travel to and from the site. NV Energy estimates that there would be approximately 100 truck trips per day in the area during peak construction periods. The highest traffic volume would occur during the peak construction periods when the rack foundation posts, rack, and module assembly are taking place concurrently. Oversize and overweight loads are not expected.

#### **2.2.5.17 CONSTRUCTION POWER**

Until the Project becomes operational, construction activities would utilize a temporary power source such as portable generators.

### **2.2.6 Operations and Maintenance**

The Operations Facilities and associated facilities (i.e., parking, storage trailer, and portable toilets) described above would accommodate all operation and maintenance needs for the Project.

#### **2.2.6.1 MAINTENANCE ACTIVITIES, INCLUDING MIRROR WASHING AND ROAD MAINTENANCE**

On-site maintenance activities would include inspections, planned and unplanned maintenance, and panel washing. Inspections of the Project's electrical facilities, roads, and grounds would be conducted a minimum of 1 day per month. The equipment is modular and can be easily removed and replaced if necessary. Given the relatively small size, modules can be easily picked up with a small loader and placed on a flatbed truck. Preventative maintenance on the solar arrays and inverters would be conducted a minimum of twice per year. Panel washings would occur annually to increase the average optical

transmittance of the flat panel surface. The annual demand for water to wash the panels would be approximately 350,000 gallons (1 acre-foot). It is anticipated this water would be stored at the Operations Facilities in an on-site storage tank. Some minor road work and weed control would be performed as needed. During the operations phase, the peak traffic time would be during water haul-truck trips for panel washing, during which approximately 200 truck trips would be required over the course of 30 days annually.

#### **2.2.6.2 OPERATIONS WORKFORCE AND EQUIPMENT**

The Project would have approximately six full-time staff at the site to conduct monitoring and inspection of all systems, scheduled preventative maintenance, corrective maintenance, and ongoing inspections. NV Energy would conduct periodic patrols and inspections of the electrical and telecommunication gen-tie line facilities, and conduct any maintenance and repairs as needed. A complete schedule of O&M needs would be established before the start of commercial operations. All O&M activities would be conducted within the same regulatory requirements of all permits and authorizations as those for construction activities.

Maintenance equipment would be stored on-site in the Operations Facilities. Any additional equipment and tools needed would be brought by technicians during regular inspection or maintenance visits.

#### **2.2.6.3 FIRE PROTECTION**

Vegetation in the project area is sparse enough that the risk of wildfire is relatively low. The solar modules are designed to be resistant to fire and the racks are constructed of non-combustible steel and aluminum. The solar panels and other electrical equipment would meet applicable Underwriters Laboratories and International Electrotechnical Commission (IEC) ratings for their resistance to fire. Specifically, the modules are IEC 61730 certified, which requires tests to assess the potential fire hazard due to operation of a module or failure of its components. Tests are conducted associated with temperature, hot spots, fire resistance bypass diode thermal, and reverse current overload in order to certify the panels.

A Fire Management Plan would be prepared to minimize the occurrence of unwanted human-caused and naturally caused fires. The plan would describe an emergency notification procedure, site evacuation process, and fire prevention procedures. Fire extinguishers would be available in the control enclosure and at strategic locations throughout the Project. Access roads within the project area would be approximately 16 to 20 feet wide and would be adequate to allow rescue vehicles access.

#### **2.2.6.4 HEALTH AND SAFETY PROGRAM**

Potential safety issues for the Project include safe work practices, site security, emergency response procedures, fire control, heavy equipment use and transportation, traffic control, and others. A detailed and complete health and safety program that meets all requirements under the federal Occupational Safety and Health Administration regulations would be developed for the protection of both workers and the general public during the construction and operational phases of the Project. The health and safety program would be developed, implemented, and administered by the contractors during construction and by the owner during operations.

### **2.2.7 Decommissioning and Site Reclamation**

NV Energy anticipates that the Project would have a usable lifespan after which continued operation would not be cost-effective. This is expected to occur after approximately 30 years of operation. At that time, the Project would either be decommissioned and all equipment would be removed or new

technology would be proposed for installation. Once the usable lifespan of the Project has been reached, the site would be restored to as close to preconstruction conditions as possible, unless otherwise directed or required at that time. The primary activities necessary for decommissioning would consist of:

- removal of all buildings, equipment, fencing, drainage features, structures, wires, foundations, concrete, steel, etc., to be disposed of properly;
- decompaction and recontouring of the ground to original slopes and contours; and
- revegetation of the project area and long-term monitoring to ensure successful revegetation and restoration.

A final Decommissioning and Site Reclamation Plan would be developed consistent with BLM policy and objectives at that time, as approved by the BLM. The BMPs and stipulations that have been developed for construction activities would be applied to similar activities during decommissioning, as necessary.

**2.2.8 Permits and Approvals**

Table 3 provides a list of federal, state, and local permits, authorizations, or consultations that may be required for the Proposed Action.

**Table 3.** Permits, Certifications, and Authorizations

Authorization	Status	Statutory Reference	Permit or Authorization Trigger
<b>Federal</b>			
BLM ROW	Submitted ROW application in July 2014.	Federal Land Policy and Management Act of 1976 (Public Law [PL] 94-579; 43 USC 1761–1771; 43 CFR 2800); NEPA (PL 91-190, 42 USC 4321–4347, January 1, 1970, as amended by PL 94-52, July 3, 1975; PL 94-83, August 9, 1975; and PL 97-258, 4[b], September 13, 1982)	Federal land, federal permit
BLM National Historic Preservation Act Compliance	Completed as part of the Solar PEIS.	National Historic Preservation Act (36 CFR 800)	Cultural resources on federal land that are eligible for listing on the NRHP
Endangered Species Act	Desert tortoise is present; surveys will be conducted during the fall survey period.	Endangered Species Act (PL 93-205, as amended by PL 100-478 [16 USC 1531, <i>et seq.</i> ])	Section 7 consultation
USFWS Migratory Bird Treaty Act	No project-specific surveys completed to date, however, the BLM considers Great Basin Bird Observatory data from the area acceptable.	16 USC 703–711; 50 CFR Subchapter B	Potential to take migratory birds. An incidental take permit is not available; however, the USFWS recommends preparation of a BBCS to inform the decision making process
Clean Water Act	No waters of the U.S. or wetlands have been identified.	Clean Water Act Section 404	Placement of dredged or fill materials into waters of the U.S. or wetlands requires a federal permit.

**Table 3.** Permits, Certifications, and Authorizations (Continued)

Authorization	Status	Statutory Reference	Permit or Authorization Trigger
<b>State</b>			
Nevada State Historic Preservation Office (SHPO)	SHPO concurrence has been already been obtained during completion of the Solar PEIS and no additional SHPO concurrence will be required.		Consultation required under 36 CFR 800
Nevada Department of Transportation ROW Occupancy Permit	Permit will be obtained prior to commencement of construction.	Nevada Revised Statutes (NRS) 408.423, 408.210, Nevada Administrative Code 408	Construction within a Nevada Department of Transportation ROW
Nevada Department of Public Safety Uniform Permit (for Transportation of Hazardous Materials)	Permit will be obtained prior to commencement of construction.	Nevada Administrative Code 459.979	Transportation of hazardous materials in a vehicle on a public highway
Utility Environmental Protection Act, Permit to Construct	Permit will be obtained prior to commencement of construction.	NRS 704.820 to 704.900	Construction of energy-generating facility with nameplate capacity >70 MW, and/or transmission lines >200 kV
<b>County</b>			
Dust Control Permit	Permit will be obtained prior to commencement of construction.	Clark County Air Quality Regulations. Clean Air Act of 1977 and amendments (NRS 321.001, 40 CFR Subpart C, 42 USC 7408–7409)	Construction activities impacting greater than 0.25 acre.
Grading Permit	Permit will be obtained prior to commencement of construction.	Clark County Title 30.32.040	Grading activities in Clark County
Building Permit	Permit will be obtained prior to commencement of construction.	Clark County Title 30.32.030	Construction of a building in Clark County
Federal Emergency Management Agency Map Review and Clark County Regional Flood Control District Plan Compliance	Study will be completed prior to commencement of construction.	Clark County Regional Flood Control District Uniform Regulations for Control of Drainage	Requires an approved drainage study for sites associated with construction of a new facility requiring more than 2 acres within a Clark County, Nevada, ROW.

**2.2.9 Protective Measures**

The Solar PEIS established a number of requisite design features that will be incorporated as needed into the Project. All appropriate design features outlined in Volume 4, Section 11.3.10.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented. These design features and how they have been addressed are summarized in Table 4.

**Table 4.** Dry Lake Programmatic Design Features

Resource Type	Design Feature	Where Addressed	How Addressed
Lands and Realty	LR1-1; LR2-1	EA Section 3.16	<p>The Applicant has worked with the BLM to identify potential land use conflicts.</p> <p>The Applicant is having ongoing communications with current ROW holders in the project area.</p> <p>Impacts are evaluated in this EA.</p>
Specially Designated Areas and Lands with Wilderness Characteristics	LWC1-1; LWC2-1	EA Section 3.1	The project area does not include specially designated areas or contain lands with wilderness characteristics.
Rangeland Resources – Grazing	RG1-1; RG2-1	EA Section 3.1	There are no grazing activities in the project area.
Wild Horses and Burros	WHB1-1; WHB2-1	EA Section 3.1	There are no wild horse or burro herd areas in the project area.
Wildland Fire	WF1-1; WF2-1	EA Section 2.2.6.3	<p>The Applicant will prepare a Fire Management Plan.</p> <p>The Applicant will prepare an Integrated Weed Management Plan.</p> <p>A Worker Environmental Awareness Plan approved by the BLM will be prepared and provided to Project employees.</p>
Recreation	R1-1; R2-1	EA Section 3.18	<p>There are no recreation resources in the project area.</p> <p>The project area has been sited to ensure public access is not restricted to lands with recreational opportunities.</p> <p>Impacts are evaluated in this EA.</p>
Military and Civilian Aviation	MCA1-1	EA Section 3.17	<p>The project does not include structures greater than 200 feet and is not located under any Military Operating Airspace.</p> <p>Impacts are evaluated in this EA.</p>
Soil Resources and Geologic Hazards	SR1-1; SR2-1; SR3-2; SR4-2; SR4-3; SR3-1	EA Sections 3.13 and 3.14	<p>The Applicant will conduct a geotechnical investigation to determine the characteristics of local soils and geology.</p> <p>The Applicant will prepare the following plans:</p> <ul style="list-style-type: none"> <li>• Stormwater Pollution Prevention Plan</li> <li>• Spill Response Plan</li> <li>• Facility Decommissioning Plan</li> </ul> <p>Impacts are evaluated in this EA.</p>
Mineral Resources	MR1-1; MMR1-2; MR2-1	EA Section 3.13	There are no mining claims, mineral claims, or mineral leases in the project area.
Water Resources	WR1-1; WR1-2; WR1-3; WR1-4; WR2-1; WR3-1; WR4-1	EA Section 3.22	<p>The Applicant has designed the project to avoid using on site ground water.</p> <p>The project area avoids all surface waters.</p> <p>The Applicant will prepare the following plans:</p> <ul style="list-style-type: none"> <li>• Site Drainage Plan</li> <li>• Stormwater Pollution Prevention Plan</li> </ul>

**Table 4.** Dry Lake Programmatic Design Features (Continued)

Resource Type	Design Feature	Where Addressed	How Addressed
Ecological Resources	ER1-1; ER2-1; ER3-1; ER3-2;ER4-1	EA Sections 3.7, 3.8, 3.9, 3.10, 3.11, and 3.12	<p>The Applicant has consulted with the BLM and other agencies early in the process to ensure compliance with regulations that address the protection of wildlife and plant resources.</p> <p>The Applicant will prepare the following plans:</p> <ul style="list-style-type: none"> <li>• Desert Tortoise Translocation Plan</li> <li>• Bird and Bat Conservation Strategy</li> <li>• Raven Management Plan</li> <li>• Integrated Weed Management Plan</li> <li>• Facility Decommissioning Plan</li> <li>• A Worker Environmental Awareness Plan approved by the BLM will be prepared and provided to project employees.</li> </ul> <p>Impacts are evaluated in this EA.</p>
Air Quality and Climate	AQC1-1; AQC2-1; AQC3-1; AQC4-1	EA Section 3.3	<p>A Clark County Dust Control Permit will be obtained for the project.</p> <p>Impacts are evaluated in this EA.</p>
Visual Resources	VR1-1; VR2-1;VR2-2; VR2-3; VR2-4; VR3-1;VR4-1	EA Section 3.21	<p>The project area is located in an area of low scenic quality and is managed as VRM Class III and IV.</p> <p>The Applicant will prepare a Lighting Management Plan</p> <p>Impacts are evaluated in this EA.</p>
Acoustic Environment	N1-1; N2-1; N3-1; N4-1	NA	<p>The nearest sensitive noise receptor is more than 12 miles away and noise from construction activities would be temporary in nature.</p>
Paleontological Resources	P1-1; P2-1; P2-2	EA Section 3.1	<p>There is a low probability of paleontological resources in the project area.</p>
Cultural Resources	CR1-1; CR2-1; CR3-1; CR3-2; CR3-3	EA Section 3.5	<p>A Class III inventory of the project areas was completed and there were no eligible sites identified.</p> <p>A BLM-approved Worker Environmental Awareness Plan would be prepared and provided to all Project employees to address cultural resource concerns.</p> <p>Impacts are evaluated in this EA.</p>
Native American Concerns	NA1-1; NA2-1; NA3-1; NA3-2; NA4-1; NA4-2	EA Section 3.6	<p>An ethnographic study was conducted to identify impacts to Native American concerns.</p> <p>Impacts are evaluated in this EA.</p>
Transportation	T2-1	EA Section 3.20	<p>The Applicant will prepare a Transportation Management Plan</p>
Hazardous Materials and Waste	HMW1-1; HMW2-1; HMW3-1; HMW4-1; HMW4-2	EA Sections 2.2.4.9, and 2.2.6.5	<p>The Applicant will prepare the following plans:</p> <ul style="list-style-type: none"> <li>• Health and Safety Program</li> <li>• Stormwater Pollution Prevention Plan</li> <li>• Spill Response Plan</li> <li>• Fire Management Plan</li> <li>• Facility Decommissioning Plan</li> </ul> <p>Material Safety Data Sheets for all hazardous materials will be provided.</p>
Health and Safety	HS1-1; HS2-1; HS3-1	EA Section 2.2.6.5 and 3.15	<p>The Applicant will prepare the following plans:</p> <ul style="list-style-type: none"> <li>• Health and Safety Program</li> <li>• Transportation Management Plan</li> <li>• Emergency Response Plan</li> </ul>

**Table 4.** Dry Lake Programmatic Design Features (Continued)

Resource Type	Design Feature	Where Addressed	How Addressed
National Scenic and Historic Trails, Suitable Trails, and Study Trails	NSHT1-1	EA Section 3.5	The Applicant has consulted with the BLM to help determine the Project's conformance with trail management prescriptions and other potential trail constraints for the Congressionally Designated Old Spanish National Historic Trail.  The designated trail is located outside the project area and the project's viewshed.

**2.2.9.1 RESOURCE SURVEYS**

The Solar PEIS contained the results of a comprehensive environmental review conducted by the BLM for all SEZs. The following Project-specific resource surveys have been completed by the Applicant in support of the Project to complement the BLM's environmental review:

- Pre-project desert tortoise 100% presence/absence surveys of the project area and proposed translocation area
- Golden eagle flight and ground nest surveys
- Cactus/yucca density estimates
- Weed risk assessment
- Cultural resources Class III inventory
- Visual Contrast Rating Analysis

**2.2.9.2 REGULATORY-REQUIRED PLANS**

Detailed structure access and location drawings would be developed in the final POD pending final design. The BLM requires a final POD for the development and implementation of the project. The final POD details the methods and procedures that would be used in construction of the project. The POD includes instructions to construction contractors, agency personnel, resource inspectors, and monitors for construction, operation, and maintenance of the project. The POD also contains a project description, resource protection, mitigation measures, and environmental compliance field activities.

In addition, the following plans would be appendices to the POD and describe the mitigation measures and environmental protection measures that would be followed during construction, operation, and maintenance of all elements of the project. Plans would be submitted to and approved by the BLM prior to issuance of notice to proceed on the Project.

- Project-specific Biological Opinion
- Desert Tortoise Translocation Plan
- Bird and Bat Conservation Strategy
- Worker Environmental Awareness Plan
- Traffic Management Plan
- Stormwater Pollution Prevention Plan
- Spill Response Plan

- Site Drainage Plan
- Site Rehabilitation Plan
- Emergency Response Plan
- Health and Safety Program
- Fire Management Plan
- Hazardous Materials Management Plan
- Integrated Weed Management Plan
- Facility Decommissioning Plan
- Lighting Management Plan

### **2.3 No Action Alternative**

Under the No Action Alternative, NV Energy's ROW application to develop the Proposed Action would not be approved and there would be no direct, indirect, or cumulative impacts from the Project. Although the Project would not be developed, because the project area is within an SEZ identified by the BLM as a preferred area for solar development, it is possible that a future ROW application for solar energy development in the project area could be approved by the BLM, and that the selection of the No Action Alternative does not preclude the authorization or approval of other solar energy proposals or projects in this area in the future. These impacts, if they were to occur, would vary depending on the type of utility-scale solar energy development pursued, project size, and project schedule as described briefly below. The Solar PEIS provides a comprehensive evaluation of environmental impacts associated with different technologies for the Dry Lake SEZ (see, e.g., Final Solar PEIS Section 5.10.3.2 regarding technology-specific impacts to ecological resources [BLM and DOE 2012] and Draft Solar PEIS Chapter 5 regarding the impacts of solar energy development and potential mitigation measures [BLM and DOE 2010]). Furthermore, alternative project size and the associated layout could cause location-specific impacts that differ from those of the Proposed Action (such as incursions into washes that are avoided by the Proposed Action). Depending on the construction schedule for a future project or projects on Parcels 5 and 6, it is possible that anticipated solar development under the No Action Alternative would cause impacts that could overlap with the construction- or O&M-related impacts of other proposed developments in the SEZ to cause or contribute to cumulative impacts.

It is assumed that a different PV development proposal on the Project site would cause impacts that would be substantially similar in type and severity to the impacts analyzed for the Proposed Action in Chapter 3, Affected Environment. No specific details are available about any potential development of a project using solar thermal parabolic trough or tower technology or a solar-dish engine facility on the Project site; accordingly, the analysis of the No Action Alternative in this EA relies on and tiers to the distinctions in impacts caused by these other technologies as identified in the Solar PEIS (BLM and DOE 2010, 2012).

### **2.4 Alternatives Considered But Eliminated from Detailed Analysis**

Because the Proposed Action is located within an approved SEZ, alternative locations, project sizes, and technologies are not analyzed in detail in this EA, but are addressed and analyzed in the Final Solar PEIS to which this EA is tiered. This EA incorporates by reference the alternatives analysis completed in the Solar PEIS for the Dry Lake SEZ. As published in the Draft Solar PEIS (BLM and DOE 2010), the proposed Dry Lake SEZ had a total area of 15,649 acres. In the Supplement to the Draft Solar PEIS (BLM and DOE 2011), the size of the SEZ was reduced, eliminating 9,463 acres to include only the

southernmost area that is northwest of I-15. Eliminating the northern portion of the SEZ was primarily intended to avoid or minimize some potential impacts from development in the SEZ, including impacts on desert tortoise and other wildlife and on military operations. In addition, 469 acres of floodplain and wetland were identified as non-development areas. The remaining developable area within the Dry Lake SEZ totaled approximately 5,000 acres.

Prior to the Dry Lake competitive auction held on June 30, 2014 (BLM 2014a), the BLM further refined the developable acres in the SEZ and decided to offer for competitive auction six parcels totaling 3,083 acres out of the original 5,000 acres. This was in recognition of existing ROWs in the SEZ, desert tortoise connectivity, and other wildlife presence and use in the northwestern corner of the SEZ. These adjustments to the developable area were discussed with stakeholders as part of the Dry Lake SRMS (BLM 2014b). In its May 30, 2014 notice of competitive auction, the BLM also indicated that solar PV and parabolic trough technologies were the preferred technologies for solar development in the Dry Lake SEZ (79 *Federal Register* 31129). This was in recognition that solar power tower development could potentially impact military operations in the area.

The Proposed Action on Parcels 5 and 6 has been designed to avoid non-development areas associated with floodplains and wetlands identified in the Solar PEIS. Any additional unresolved resource conflicts associated with development on parcel one will be addressed through the Project design features summarized in Section 2.2.9, Protective Measures, of this EA and mitigation measures recommended in Chapter 3 of this EA, including the analysis identified in the Dry Lake SRMS (BLM 2014b).

### 3.0 AFFECTED ENVIRONMENT

#### 3.1 Introduction

This chapter presents the potentially affected existing environment (i.e., the physical, biological, social, and economic values and resources) of the impact area. While many issues may arise during the scoping process, not all of the issues raised warrant detailed analysis. Issues raised during the scoping process are analyzed if:

- The issue is significant (an issue associated with a significant direct, indirect, or cumulative impact, or where necessary to determine the significance of impacts); or
- There is a disagreement about the best way to use a resource or resolve an unwanted resource condition or potentially significant effects of a Proposed Action or alternative.

Potential impacts to the following resources/concerns were evaluated in accordance with criteria listed above to determine whether detailed analysis was required in the EA. Consideration of some of these items occurs in order to ensure compliance with laws, statutes, or Executive Orders that impose certain requirements on all federal actions. Other items are relevant to the management of public lands in general or to the BLM Southern Nevada District Office in particular.

Impacts to resources that are beyond those described in the PEIS would require detailed analysis in this EA. For the analysis, existing data, appropriate scientific methodologies, and professional judgment were used. The analysis also takes into account the protection measures and design features referenced in Chapter 2 and each resource section. This analysis was done using the best available information, including site-specific data collected during desert tortoise surveys, cultural resource inventories, and visual contrast analysis. Additional data from the PEIS and from federal and state agencies for resources in the area were used to support the analysis. Tables 5 and 6 document the evaluation of each resource/concern and rationale for inclusion or dismissal from detailed analysis in the EA.

Impacts can be beneficial or adverse, can result from the action directly or indirectly, and can be long-term, short-term, or cumulative in nature. Direct impacts are attributable to implementation of an action that affects a specific resource and generally occur at the same time and place. Indirect impacts can result from one resource affecting another or can occur later in time or removed in location but can be reasonably expected to occur. Long-term impacts are those that would substantially remain for many years or for the life of the project. Short-term impacts result in changes to the environment that are stabilized or mitigated rapidly and without long-term effects.

**Table 5.** Supplemental Authorities and Other Relevant Resources

Supplemental Authority*	Not Present†	Present/ Not Affected†	Present/ May Be Affected‡	Rationale
Air Quality			X	Ensure dust control permit is obtained from the Clark County Department of Air Quality for all soil disturbing activities of 0.25 acre or greater, in the aggregate and all permit stipulations are in compliance for the duration of the project.
Area of Critical Environmental Concern			X	The project area is not within an ACEC. However, the Project proposes to displace desert tortoises in accordance with an approved translocation plan. A portion of the translocation area selected by the BLM and U.S. Fish and Wildlife Service is within the Coyote Springs ACEC.

**Table 5.** Supplemental Authorities and Other Relevant Resources (Continued)

Supplemental Authority*	Not Present <sup>†</sup>	Present/ Not Affected <sup>†</sup>	Present/ May Be Affected <sup>†</sup>	Rationale
Cultural Resources			X	A Class III survey performed by Sagebrush Consultants in 2014 found a single ineligible lithic scatter on the eastern edge of the SEZ. Should work in the area unexpectedly uncover any cultural material, work will stop immediately and the BLM archaeologist will be notified.  There would be indirect impacts to the NRHP-eligible section of the Old Spanish Trail/Mormon Road.
Environmental Justice	X			There are no environmental justice communities near the project area.
Farmlands, Prime or Unique	X			There are no prime or unique farmlands in the project area.
Floodplains	X			The SEZ is located outside of Federal Emergency Management Agency–designated floodplains.
Woodlands/Forestry			X	Cactus and yucca are present in the Project area. Cactus and yucca are considered government property and are regulated under the BLM Nevada forestry program. Cactus and yucca will need to be avoided. If avoidance is not possible then plants would need to be purchased through the BLM Nevada forestry program or salvaged by a contractor with at least 3 years' experience using BLM salvage protocols. Purchase and salvage will need to be coordinated with the BLM Botanist. All replanted cactus and yucca must be watered and otherwise maintained for a period of 1 year and achieve better than 80% survival rate.  The project area is important for commercial seed collection. The area has been designated a commercial seed collection area. Native seed is a commodity regulated under the BLM Nevada forestry program. BLM regularly issues commercial contracts for native seed collection in the project area. Species collected include galleta grass ( <i>Pleuraphis</i> sp.), desert globemallow ( <i>Sphaeralcea ambigua</i> ), bursage ( <i>Ambrosia dumosa</i> ), and creosote bush ( <i>Larrea tridentata</i> ).
Migratory Birds			X	Migratory birds may be present on and adjacent to the Project.
Native American Religious Concerns			X	Consultation with the Moapa Band of Paiutes, the Las Vegas Paiute Tribe, the Chemehuevi Indian Tribe, and the Paiute Indian Tribe of Utah will occur prior to any development.
Noxious Weeds/Invasive Non-native Species			X	The large footprint, volume of vehicle/equipment traffic and soil disturbance, the Project introduces considerable risk of spreading infestations or establishing new invasive species/noxious weeds.
Threatened, Endangered, or Candidate Animal Species			X	Action may affect and is likely to adversely affect desert tortoise.
Threatened, Endangered, or Candidate Plant Species			X	Suitable habitat for BLM special-status plants is present within the project area. This includes plants such as the rosy two-toned penstemon ( <i>Penstemon bicolor</i> ssp. <i>roseus</i> ).
Waste—Hazardous/Solid			X	Hazardous material waste, solid, nonhazardous substances and/wastes must be handled and disposed of in accordance with the applicable federal, state, and local regulations and BLM Policy.

**Table 5.** Supplemental Authorities and Other Relevant Resources (Continued)

Supplemental Authority*	Not Present <sup>†</sup>	Present/ Not Affected <sup>†</sup>	Present/ May Be Affected <sup>‡</sup>	Rationale
Water Resources/Quality (drinking/surface/ground)		X		Water would be brought in from off-site and there would be no additional drawdown of groundwater supplies in the hydrographic basin.
Wetland/Riparian Zones	X			Not present.
Wild and Scenic Rivers	X			Not present.
Wilderness	X			Not present.

\* See H-1790-1 (BLM 2008a), Appendix 1, Supplemental Authorities to Be Considered.

<sup>†</sup> Supplemental Authorities determined to be Not Present or Present/Not Affected need not be carried forward for analysis or discussed further in the document.

<sup>‡</sup> Supplemental Authorities determined to be Present/May Be Affected must be carried forward for analysis in the document.

**Table 6.** Resources Required for Consideration in Addition to Supplemental Authorities

Other Resources	Not Present*	Present/ Not Affected*	Present/ May Be Affected <sup>†</sup>	Rationale
Greenhouse Gas Emissions and Climate Change		X		Greenhouse gas emission levels during construction and operation would be consistent with those described in the Draft PEIS and would not reach a level that warrants additional analysis in this EA.
Hydrologic Conditions		X		There are non-developable areas located in project area that may result in impacts ephemeral stream channels.
Fuels/Fire Management		X		Compliance with fire restrictions current at time of project implementation will mitigate any risks introduced by the Project.
Lands/Access			X	BLM has notified adjacent ROW holders per 43 CFR 2807.14.
Geology/Mineral Resources/Energy Production			X	There are no mining claims or mining operations present in the project area. Excavation in the project area may result in the production of mineral materials.
Paleontological Resources	X			In the event of a discovery, the BLM archaeologist will be notified prior to continuing any work.
Rangeland and Livestock Grazing	X			Not present in the project area.
Recreation			X	Dispersed recreation opportunities are likely to be impacted by project implementation.
Socioeconomics			X	The Project would not disproportionately impact social or economic values.
Soils			X	Development of the project would result in direct and cumulative impacts to loss of desert pavement and biological soil crusts.
Vegetation			X	The Project would result in direct loss, cumulative loss and fragmentation of native plant communities and the ecosystem services they provide.  The BLM sensitive species rosy two-tone penstemon is known to occur in the SEZ. The Project would result in the direct and cumulative loss of habitat within the project footprint.

**Table 6.** Resources Required for Consideration in Addition to Supplemental Authorities (Continued)

Other Resources	Not Present*	Present/ Not Affected*	Present/ May Be Affected†	Rationale
Visual Resources			X	The Project would result in changes to the characteristic landscape.
Fish and Wildlife Excluding Federally Listed Species			X	The Project would result in the direct loss, cumulative loss, and fragmentation of wildlife habitat. Loss of individual animals, including BLM sensitive species is likely.
Wild Horses and Burros	X			The Project is not located within an active herd management area.

\* Resources determined to be Not Present or Present/Not Affected need not be carried forward for analysis or discussed further in the document.

† Resources determined to be Present/May Be Affected must be carried forward for analysis in the document.

### 3.2 Cumulative Scenario

Council on Environmental Quality regulations for implementing NEPA define cumulative impacts as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions (RFA) regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 CFR 1508.7).

The BLM NEPA Handbook states that the purpose of the cumulative effects analysis is to ensure that decision-makers consider the full range of the consequences of the Proposed Action and No Action Alternative (BLM 2008a). Those resources identified for detailed analysis that would be directly or indirectly affected by the Proposed Action are analyzed below. If the actions under the Proposed Action and No Action Alternative have no direct or indirect effect on a resource, then the cumulative impacts on that resource are not addressed below.

The geographic area of cumulative impacts analysis is generally based on the natural boundaries of the resource affected and is described below in each resource section. Section 11.3.22 of the December 2010 Draft Solar PEIS (BLM and DOE 2012:11.3-329) explains that the cumulative effects analysis in the Solar PEIS considered a 20-year period during which the incremental impacts of various actions could combine to cause or contribute to cumulative effects. The cumulative effects analysis in this EA tiers to and updates the analysis in the PEIS, including refining the time frame in which project impacts would occur. Table 7 summarizes past, present, and reasonably foreseeable future actions within 50 miles (80 km) of the Dry Lake SEZ. Past actions are considered those that have occurred within the past 50 years. Present actions are considered those occurring at the time of this evaluation. Future actions are those that are in planning stages with a reasonable expectation of occurring over the next 20 years. These actions were originally identified in the Draft Solar PEIS and updated with current information from the BLM Southern Nevada District Office.

As discussed in the Draft RMP and EIS of the Las Vegas and Pahrump Field Offices, vegetation (native plant communities) in the Las Vegas Field Office and Mojave Ecoregion is experiencing severe declines in quality and quantity that affect the level of ecosystem services they provide to humans. In general, direct and indirect impacts to native plant communities are additive and cumulative over time; most Mojave Desert native plant communities will not fully recover from temporary disturbances within the lifetime of the average BLM resource management plan. Using a survey of 47 studies examining natural reestablishment after a variety of disturbances, such as fire, abandoned roads, power line corridors, and a linear regression, Scott Abella (2010) estimates that without active restoration, it takes the Mojave Desert 76 years for reestablishment of perennial plant cover and 215 years for reestablishment of perennial and

annual species cover. Almost all native vegetation in the Mojave ecoregion is being subjected to multiple environmental stressors that affect the quality of native plant communities. Summarized below are the trends in stressors and effects on vegetation from 1998 to 2013 in the Las Vegas and Pahrump Field Offices:

**Non-native species:** The trend is an increase in area occupied by non-native species. Invasive non-native plants are a major threat to native plant communities because they thrive in disturbed areas and are better competitors for water, nutrients, and space than many native species (Billings 1990; D'Antonio and Vitousek 1992; DeFalco et al. 2007; Mack 1981; Salo 2005; Vitousek 1990). This competition slowly reduces the stability and resiliency of native plant communities because it gradually reduces the amount of seed produced by native species and, subsequently, the amount available for recovery. An estimated 2.9 million acres (or 94%) of land administered by the Las Vegas and Pahrump Field Offices is moderately to heavily impacted by non-native plants, primarily red brome (*Bromus rubens*) and Mediterranean grass (*Schismus barbatus*).

**Fire:** The trend is an increase in number of acres burned and higher frequency of repeat burning. In lower-elevation vegetation, non-native annual grasses are now responsible for an annual grass/fire cycle that did not exist before (Brooks 1999; Brooks et al. 2004). This is largely because the spaces between individual shrubs were bare, and acted as a fuel break. Now, non-native annual grasses create a nearly continuous fuel load that carries fire between shrubs (Brooks 1999). Following fire, non-native annual grasses are some of the first species to return. If fire returns too quickly, the surviving native plants do not have enough time to grow and produce the seed needed for recovery. An estimated 1.3 million acres (or 42%) of land administered by the Las Vegas and Pahrump Field Offices burned from 1998 to 2013.

**Livestock grazing:** The trend is toward a decrease in the number of active grazing allotments, grazing use is constant in wild horse and burro herd management areas. Grazing affects the species composition and biomass production of native plant communities through selective foraging. It is generally agreed that present-day Mojave ecosystems did not evolve with significant selective pressure from large-bodied herbivores (Beever et al. 2003; Brown and McDonald 1995; Grayson 1987; Hall 1946), and desert vegetation is very slow to recover if overgrazed or disturbed (Abella 2008; Chambers et al. 2013; Tueller 1989). Currently 9.2% of land administered by the Las Vegas and Pahrump Field Offices is being grazed by domestic livestock, wild horses, and burros.

**Climate change:** The trend is toward less stable atmospheric conditions leading to more extremes in temperature and precipitation, increase in the average low temperature, potential changes in seasonality, and potential decrease in total precipitation. Changes in temperature and precipitation affect the ability of seeds to germinate, and plants to grow, which can affect what plant species are present and which species are dominant. The entire 3.1 million acres under the jurisdiction of the Las Vegas and Pahrump Field Offices is affected. Evidence of changes in vegetation shifts over the last 30 years includes shifts in the distribution of Mojave yucca (*Yucca schidigera*), pinyon pine (*Pinus monophylla*), and juniper trees (*Juniperus communis*).

**Lands and minerals use authorizations:** The trend is towards an increasing number of authorizations issued, reflecting trends in economic growth. BLM issued 2,917 lands and minerals authorizations directly and indirectly affecting 304,000 acres (roughly 9.8%) of the Southern Nevada District Office planning area between 1998 and 2013.

**Development of desert tortoise habitat, habitat for BLM special-status species, and habitat for wildlife:** The trend is toward increasing development in desert tortoise habitat, reflecting trends in economic growth. Based on desert tortoise Section 7 fees, an estimated 40,000 acres of creosote-bursage scrub was impacted between 1998 and 2013.

Recreation use: The trend is toward increasing permitted and casual recreation on public lands. Since 2007, casual visitor use in the Las Vegas Field Office has increased by approximately 11% annually. Casual recreation is estimated to have directly impacted between 3,000 to 6,000 acres (0.12% to 0.25%) of native plant communities in the Las Vegas Field Office under the 1998 RMP. As of 2009, there are approximately 11,151 miles (an estimated 13,500 acres, or 0.56%) of dirt roads and trails present in the Las Vegas Field Office jurisdictional area. Similar percentages are likely for lands administered by the Pahrump Field Office. Impacts to vegetation from casual recreation are the highest in special recreation management areas (SRMAs). The number of acres of indirect impacts and cumulative impacts is unknown.

In any NEPA analysis, it is preferable to quantify the assessment of impacts on each affected resource. This is true for direct, indirect, and cumulative impacts. Where possible, the following analysis is quantified. Because the reasonably foreseeable figure projects are in the early stages of planning, there is generally insufficient information to fully describe potential impacts from those projects. Where there is insufficient information, and quantification is not available, a meaningful and qualified judgment of cumulative effects will be included to inform the public and the decision-maker.

**Table 7. Past, Present, and Reasonably Foreseeable Future Actions Considered for Cumulative Impacts Analysis**

	<b>Project Name / Owner</b>	<b>Description</b>	<b>Status</b>	<b>Primary Impact Location</b>
1	Mountain View Solar (NVN 90989) / NextEra	20 MW PV on 146 acres of private land; 3.75 miles of 34.5-kV transmission line on BLM-administered land (BLM 2012c; NextEra Energy Resources 2014)	Existing	2 miles southwest of SEZ
2	Apex Solar Power (NVN 88313) / Fotowatio Nevada Solar, LLC	20 MW PV on 154 acres of private land; 1.52 acres of ROW on BLM-administered land for 69-kV gen-tie (BLM 2010a)	Existing	Near Apex, Nevada; 2 miles southwest of SEZ
3	Copper Mountain Solar 1 / Sempra U.S. Gas and Power (Sempra)	48-MW expansion of original 10-MW PV plant; 380 acres.	Existing	Southwest of Boulder City, Nevada; 45 miles south of SEZ
4	ON Line Project (NVN 085210) / Great Basin Transmission South LLC & NV Energy	New Robinson Summit Substation and a 230-mile 500-kV transmission and fiber-optic line to existing Harry Allen Substation	Existing.	Passes through SEZ
5	El Dorado Solar / Sempra	10 MW PV on 80 acres	Existing	45 miles south of SEZ
6	Nellis Air Force Base Solar	13.5 MW PV on 140 acres	Existing	Nellis Air Force Base, 10 miles south of SEZ
7	Nevada Solar One / Acciona	64-MW solar thermal parabolic concentrators on 2,380 acres	Existing	40 miles south of SEZ
8	Apex Generating Station / Mirant	600-MW combined cycle natural gas plant at I-15 and U.S. 93	Existing	Adjacent to SEZ
9	Chuck Lenzie Generating Station / NV Energy	1,102-MW combined cycle natural gas plant	Existing	Adjacent to SEZ
10	El Dorado Energy Generating Station / Sempra	480-MW combined cycle natural gas plant	Existing	45 miles south of SEZ

**Table 7.** Past, Present, and Reasonably Foreseeable Future Actions Considered for Cumulative Impacts Analysis (Continued)

	<b>Project Name / Owner</b>	<b>Description</b>	<b>Status</b>	<b>Primary Impact Location</b>
11	Edward W. Clark Generating Station / NV Energy	1,102-MW combined cycle/peaking natural gas plant	Existing	25 miles southwest of SEZ
12	Goodsprings Waste Heat Recovery Generation Facility / NV Energy	7.5-MW waste heat recovery plant on 5 acres	Existing	50 miles southwest of SEZ
13	Harry Allen Generating Station and Substations / NV Energy	628-MW combined cycle natural gas plant with 500-/345-/230-kV substation facilities	Existing	Within SEZ
14	Saguaro Power Company	93+ MW natural gas and heat recovery plant	Existing	20 miles south of SEZ
15	Silverhawk Generating Station / NV Energy	520-MW combined cycle natural gas plant	Existing	Adjacent to SEZ
16	Sunpeak Generating Station	Three 73-MW natural gas peaker plants	Existing	20 miles south of SEZ
17	Kern River Gas Transmission System	Two natural gas pipelines from Wyoming to Las Vegas / San Bernardino	Existing	Pipeline passes through SEZ
18	Communication Sites / Arizona Nevada Tower Corporation	Seven cellular telephone signal relay towers, 125- to 195-foot height (BLM 2007c)	Existing (Arizona Nevada Tower Corporation 2014)	Lincoln County along the U.S. 93 corridor between Coyote Springs Valley and the town of Pioche
19	Meadow Valley Gypsum Project	Open pit mine, processing plant and ancillary facilities, a 7,800-foot access road, and a low-water crossing across Meadow Valley Wash; 47 acres of public land	Existing	35 miles northeast of SEZ
20	Lincoln County Land Act Groundwater Development and Utility ROW (NVN 79734) / Lincoln County Water District	75 miles of water collection and transmission pipeline, 30 wells, five storage tanks, four booster stations, 24 miles of 138-kV power transmission lines, substation, and a natural gas pipeline	ROD issued in 2010; under construction (BLM 2010b)	45 miles northeast of the SEZ
21	Reid Gardner Generating Station / NV Energy	557-MW coal plant, 240-acre fly ash landfill, and 315-acre evaporation pond	In process of decommissioning; the 2013 Nevada Senate Bill 123* accelerated the retirement of Reid Gardner Station; three of the plant's four units will close in 2014, and the remaining unit will close in 2017	20 miles northeast of the SEZ
22	Copper Mountain Solar 2 / Sempra	150 MW PV on 1,100 acres of private land.	Under construction, expected complete in 2015 (Sempra 2014)	South of Boulder City, NV; 40 miles south of SEZ
23	Moapa Solar Project (NVN 89176) / First Solar	250 MW, 2,000 acres on the Moapa River Indian Reservation plus 153 acres for gen-tie and access road/pipeline	Construction began March 2014, expected to be completed by end of 2015 (First Solar 2013)	5 miles east of the SEZ

**Table 7.** Past, Present, and Reasonably Foreseeable Future Actions Considered for Cumulative Impacts Analysis (Continued)

	<b>Project Name / Owner</b>	<b>Description</b>	<b>Status</b>	<b>Primary Impact Location</b>
24	Moapa Solar Energy Center (NVN 88870) / RES Americas	200-MW PV solar project on 850 acres on the Moapa River Indian Reservation, with a 7.5-mile 230-kV transmission line on BLM-administered lands connecting to Harry Allen Substation	ROD issued in May 2014, construction expected to begin in early 2015 (Bureau of Indian Affairs 2014)	Transmission line passes through the SEZ
25	Nellis Air Force Base Area II Solar / NV Energy	15 MW PV on 160 acres	Construction expected to start late 2014 or early 2015, contingent on Nevada Public Utilities Commission contract approval (NV Energy 2014)	Nellis Air Force Base, 10 miles south of the SEZ
26	UNEV Pipeline Project / Holly Energy	425-mile, 12-inch-diameter common carrier refined products pipeline from Salt Lake City to Las Vegas	Scheduled to be completed in 2014 (Holly Energy 2014)	Corridor passes through the SEZ
27	Coyote Springs Investment Development Project	New master-planned community on 21,000 to 43,000 acres; 111,000 to 159,000 residential units and additional amenities/facilities	USFWS issued a ROD in 2008; the golf course has been constructed, but no other construction has occurred; land has been transferred among holding companies; there appear to be no immediate plans to continue construction	Junction of U.S. 93 and State Route 168, 15 miles north of the SEZ
28	Mohave County Wind Farm (AZA 032315) / BP Wind Energy	500 MW, 335 wind turbines and ancillary facilities on 31,388 acres of public land; 169 acres of permanent disturbance; 507 acres of temporary disturbance; construction 100–200 workers; operations 10–20 workers (BLM 2013)	ROD signed June 2013	Arizona, 40 miles south of the SEZ
29	One Nevada Transmission Line Project (NVN 82076) / NV Energy	236-mile single-circuit 500-kV transmission line between Harry Allen and Robinson Summit Substations	ROD issued March 2011; ROW in abeyance	In Southwest Intertie Project utility corridor passing through SEZ
30	Clark, Lincoln, and White Pine Counties Groundwater Development Project / Southern Nevada Water Authority	Transport approximately 122,755 acre-feet per year of groundwater; production wells, 306 miles (490 km) of buried water pipelines, five pumping stations, six regulating tanks, three pressure-reducing stations, a buried storage reservoir, a water treatment facility, and about 323 miles (517 km) of 230-kV overhead power lines, two primary, and five secondary substations	ROD signed December 2012, ROWs issued May 2013; construction expected to be complete by 2022	The project would develop groundwater in the following amounts in two hydraulically connected valleys that are up-gradient of the Dry Lake SEZ: Dry Lake Valley (11,584 acre-feet per year) and Delamar Valley (2,493 acre-feet per year); in addition, an undetermined amount of water could be developed and transferred from Coyote Spring Valley, which is north of the SEZ and downgradient of the other two basins
31	Toquop Energy Project / EWP Renewable Corporation	1,100-MW combined cycle natural gas plant on up to 640 acres	Notice to Proceed issued; ROW for water development expected in 2014 (BLM 2014c)	50 miles northeast of the SEZ

**Table 7.** Past, Present, and Reasonably Foreseeable Future Actions Considered for Cumulative Impacts Analysis (Continued)

	<b>Project Name / Owner</b>	<b>Description</b>	<b>Status</b>	<b>Primary Impact Location</b>
32	TransWest Transmission Project (WYW 177893, COC 72929, UTU 87238, NVN 86732) / TransWest Express	725-mile single-circuit 600-kV line with terminals in Sinclair, Wyoming, and south of Las Vegas, Nevada (BLM 2014d)	Draft EIS published in July 2013	Pass southern boundary of the SEZ
33	Zephyr Transmission Lines Project / Duke American Transmission Co.	500-kV transmission lines from Wyoming to El Dorado Valley	Acquired by DATC in 2011, in early NEPA review; target construction 2017–2020 (Duke American Transmission Co. 2014)	Pass near or through the SEZ
34	Southern Nevada Intertie Project (NVN 86359) / Great Basin Transmission South LLC	60-mile 500-kV line in Clark County, Nevada, from Harry Allen Substation to Eldorado Substation	Pending; EA published in May 2012; decision expected in late 2014	Passes through the SEZ
35	Harry Allen Solar Energy Center Project (NVN 93321) / Invenergy	130 MW PV on up to 715 acres of BLM-administered land	Pending	Parcel 1 of the SEZ
36	Playa Solar Energy Center (NVN 93306) / First Solar	200 MW PV on approximately 1,700 acres of BLM-administered land	Pending	Parcels 2, 3, and 4 of the SEZ
37	This row intentionally left blank.			
38	Centennial II Project (NVN 90148) / NV Energy	56 miles of 500-kV line between Harry Allen Substation and Eldorado Substation in Clark County, Nevada	Application in process; target construction 2019–2020 (Western Electricity Coordinating Council 2014)	Passes through the SEZ
39	NVN 83914 / Bright Source Energy	10,000-acre, 500 MW concentrated solar power	Pending	25 miles northeast of the SEZ
40	NVN 84232 / First Solar	5,500-acre, 400 MW PV	Pending	Adjacent to the SEZ
41	NVN 84631/ Bright Source Energy Solar	2,000-acre, 1,200 MW concentrated solar power	Pending	5 miles northeast of the SEZ
42	NVN 87907/ Pacific Wind Development	2,200-acre wind testing	Pending	40 miles northeast of the SEZ
43	NVN 87970/ Pacific Wind Development	5,089-acre wind testing	Pending	40 miles northeast of the SEZ
44	NVN 89219/ Pioneer Green Energy	20,680-acre wind testing	Pending	5 miles southeast of the SEZ
45	NVN 83041/ Table Mtn Wind	11,570-acre wind testing	Pending	50 miles southwest of the SEZ
46	NVN 73726 / Table Mtn Wind	8,320-acre wind development	Pending	50 miles southwest of the SEZ
47	NVN 90476 / BrightSource	750-MW concentrated solar power on 16,617 acres	Pending (BLM 2012c)	50 miles southeast of the SEZ
48	NVN 90788 / Boulevard Assoc. (Sandy Valley Solar)	250 MW PV on 3,217 acres	Pending (BLM 2012c)	50 miles southwest of the SEZ

Source: BLM and DOE (2012:Table 11.3.22.2-1 [p. 11.3-98], Table 11.3.22.2-2 [p. 11.3-101 *et seq.*], and Table B-2 [p. B-4]); also as indicated.

\* The text of Senate Bill 123 is available at: [https://www.leg.state.nv.us/Session/77th2013/Bills/SB/SB123\\_EN.pdf](https://www.leg.state.nv.us/Session/77th2013/Bills/SB/SB123_EN.pdf).

### **3.3 Air Resources**

#### **3.3.1 Affected Environment**

Information for air resources presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-59). Air quality is determined primarily by the type and amount of contaminants emitted into the atmosphere, the size and topography of the air basin, and the meteorological conditions. The Project is located in the Apex Valley Area in Hydrographic Basin 216. As described in the Final PEIS, the project area is in attainment for all criteria pollutants except for 8-hour ozone. Although the project area is in attainment for PM<sub>10</sub> and PM<sub>2.5</sub>, they are still considered pollutants of concern. Existing sources of PM<sub>10</sub> and PM<sub>2.5</sub> in Apex Valley include motorized travel across the dry lake, dirt surface roads and trails, wind blowing across unvegetated areas, road work, and other construction activities. The project area is currently impacted by emissions from vehicles traveling on I-15 and U.S. 93, the Apex landfill, the mines and mills operating on the south end of the SEZ, and the natural gas-fired power plants operating on and around the SEZ.

#### **3.3.2 Applicable Laws, Regulations, Plans, and Standards**

The U.S. Environmental Protection Agency has developed the National Ambient Air Quality Standards (NAAQS) for six criteria pollutants which include nitrogen dioxide, sulfur dioxide, carbon monoxide, lead, ozone, and particulate matter (PM).

#### **3.3.3 Methodology**

The following methods were used to evaluate impacts to air quality:

- Calculate acres of potential surface disturbance.
- Conduct a review of the emissions described in the Solar PEIS for potential development in the Dry Lake SEZ.

#### **3.3.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.10.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

No SEZ-specific design features to address impacts to air quality were identified in the Final Solar PEIS. The BLM reduced the developable area within the SEZ, including the Project area, to reduce impacts. Limiting dust during construction and operation activities is a required design feature under the BLM's Western Solar Plan. These fugitive dust control measures, including the potential application of dust palliatives previously approved by the BLM, would keep off-site PM levels reduced. In addition, a dust control permit from the Clark County Department of Air Quality for all soil-disturbing activities would be required for the Project.

#### **3.3.5 Environmental Consequences**

##### **3.3.5.1 PROPOSED ACTION**

###### **3.3.5.1.1 Solar PEIS Summary**

The potential impacts to Air Quality that may result from the construction and operations of a typical solar PV facility in the Dry Lake SEZ are described in Section 11.3.13.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS,

a brief summary of those impacts to air quality that are relevant to the Proposed Action is presented below. A summary of the related design features for air quality that have been fully analyzed in the PEIS is provided in Section 3.4.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document.

Air quality impacts for the Final PEIS were modeled based on the assumption that a maximum of 3,000 acres would be disturbed at any one time in the SEZ (BLM and DOE 2012:11.3-61). During construction activities, there would be an increase in particulate levels that could exceed standard levels used for comparison, but would be limited to the immediate area and would decrease quickly with distance. Emissions from construction-related equipment and vehicles would be temporary and may result in unavoidable but short-term impacts. Because decommissioning and reclamation activities would be short term, their potential air impacts would be minor and temporary.

#### **3.3.5.1.2 Direct and Indirect Effects**

The Proposed Action has the potential to impact 661 acres in the long term and impact 32 acres in the short term through ground-disturbing activities. The impacts to air quality associated with the disturbance of the project area are consistent with those described in Section 3.4.5.1.1 above. Because the predicted impacts on air quality at the project level would only contribute 817 acres of long-term impact, and 32 acres of short-term impact, it would be much lower than those presented in the Final PEIS. Increases in particulate levels would be further reduced by the implementation of the proposed design features, and by compliance with the terms and conditions of the required Dust Permit.

The Proposed Action would have a maximum of 400 workers during construction activities. Additional impacts as a result of construction equipment and employee vehicles at the Project are expected to be temporary and are not expected to result in noncompliance with NAAQS (BLM 2014b:49). The Project would have up to six full-time staff during operations. Long-term emissions associated with the operation of the Project would be minor.

#### **3.3.5.1.3 Mitigation Measures**

Following the implementation of design features identified in Section 3.4.4, no additional mitigation measures to address impacts to air quality are recommended. There would be no difference between the Project's impacts described above and residual impacts.

#### **3.3.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for air quality is Hydrographic Basin 216. Section 11.3.22.4.12 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to air quality and climate. The development of the entire Dry Lake SEZ would result in new disturbance of up to 2,359 acres, which is below the 3,000 acres used to model impacts for the PEIS. The project, in combination with other past, present, and reasonably foreseeable future actions in Hydrographic Basin 216 would contribute to cumulative increases in particulate levels and other criteria pollutants in the Basin.

It is assumed that the other two developments in the SEZ would be subject to the same design features and mitigation measures which reduce the potential cumulative increases in particulate levels. In addition, other reasonably foreseeable future actions in the basin that would result in soil-disturbing activities of greater than 0.25 acre would be required to obtain a dust permit from the Clark County Department of Air Quality and to comply with the all permit stipulations.

### **3.3.5.2 NO ACTION**

#### **3.3.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and air quality in the area would continue to be subject to existing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of air emissions are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to air quality similar to those described under the Proposed Action.

#### **3.3.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to air quality, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to air quality from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.4 Areas of Critical Environmental Concern**

### **3.4.1 Affected Environment**

Information for ACECs presented in the specially designated areas and lands with wilderness characteristics affected environment section of the Final Solar PEIS remains valid except where noted below (BLM and DOE 2012:11.3-6).

Although the Project does not occur within, or overlap, an ACEC, it is approximately 2 miles (3.2 km) east of the 51,527 -acre Coyote Springs ACEC. In addition, approximately 1,500 acres of the proposed desert tortoise translocation area identified by the BLM and the USFWS occurs partially within the southern end of the Coyote Springs ACEC (Figure 5). The Coyote Springs ACEC is designated as critical habitat for desert tortoise and is being managed by the BLM for the recovery of the species. The ACEC is intended to provide functional corridors of habitat between tortoise recovery units in order to enhance long-term persistence of the species. It consists of the western portion of the Mormon Mesa Critical Habitat Unit, protecting moderate to high densities of desert tortoise between the Desert National Wildlife Refuge, the Arrow Canyon Wilderness, and the Mormon Mesa ACEC (BLM 1998).

The Las Vegas Field Office has protected 1,097 square miles (702,160 acres) of desert tortoise critical habitat in desert tortoise ACEC reserves. The majority of this habitat is within the Northeastern Mojave Recovery Unit, with 190,000 acres in the Eastern Mojave Recovery Unit. The ACEC boundaries were established to match the boundaries of desert tortoise critical habitat where the habitat was largely intact and where tortoise populations were highest. Boundaries differed in some locations to exclude degraded habitat and to add habitat outside critical habitat designated areas to make up for the degraded areas.

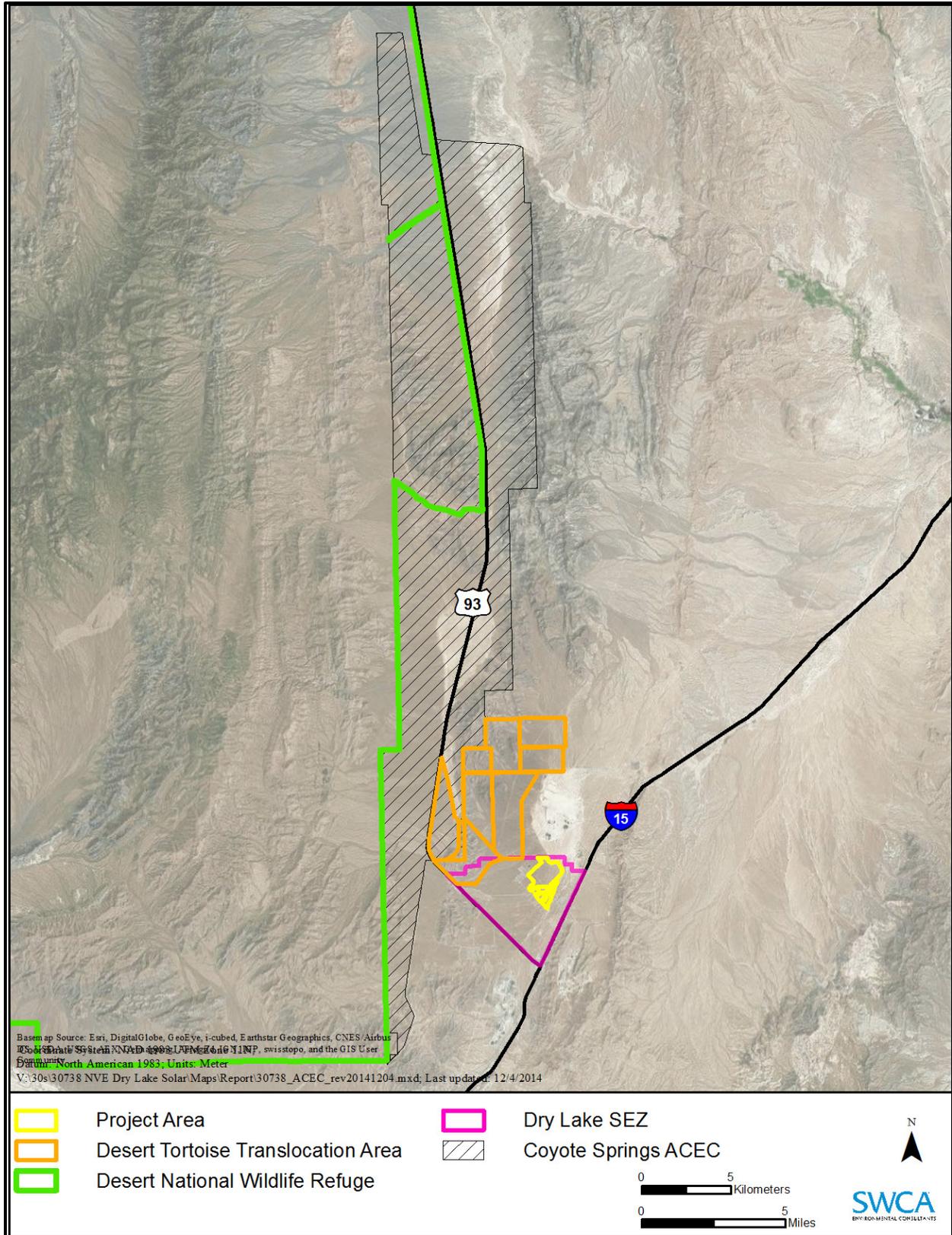


Figure 5. Area of Critical Environmental Concern and translocation area.

The Coyote Springs ACEC is located north of Las Vegas along U.S. 93. The ACEC is composed of a broad alluvial valley that lies between the Sheep Range to the west and the Arrow Canyon and Meadow Valley Ranges to the east. The northern boundary is Lincoln County and State Route 168, and the southern boundary is the Apex Industrial Park. The ACEC's configuration is intended to provide functional corridors of habitat between tortoise recovery units to enhance long-term persistence of the species. It consists of the western portion of the Mormon Mesa Critical Habitat Unit, protecting moderate to high densities of desert tortoises between the Desert National Wildlife Refuge, the Arrow Canyon Wilderness, and the Mormon Mesa ACEC.

This area supports three vegetative communities, creosote-bursage scrub, Mojave mixed scrub, and blackbrush (*Coleogyne ramosissima*). These plant communities provide diverse habitats for many species including desert bighorn sheep (*Ovis canadensis*).

Along its northern boundary, a large residential and resort development has the potential to impact conservation efforts. Human uses affecting habitat quality include unauthorized cross-country off-highway vehicle (OHV) use, highways, utility corridors, shooting, and sand and gravel mining. Invasive weeds and grasses are becoming an increasing concern. The ACEC contains approximately 150 miles of open roads in addition to the highways.

### **3.4.2 Applicable Laws, Regulations, Plans, and Standards**

An ACEC is a designation given by BLM to lands that meet special relevance and importance criteria set forth by the BLM. The area must have special relevance to natural, cultural, or historic resources and importance such that special management is required to protect the value of these resources (BLM 1988).

Potentially relevant values are evaluated based on guidance in 43 CFR 1610.7-2, Designation of Areas of Critical Environmental Concern, and BLM Manual 1613, Areas of Critical Environmental Concern (BLM 1988). BLM is directed by law, regulation, and policy to consider designating ACECs when developing land use plans. The FLPMA directs the BLM to "give priority to the designation and protection of areas of critical environmental concern" through the "development and revision of land use plans" (FLPMA Title II, Sec 202(c) 3). "The term 'areas of critical environmental concern' means areas within the public lands where special management attention is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards."

### **3.4.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility and are the same as those used to evaluate impacts to desert tortoise:

- Quantitative geographic information system (GIS) analysis overlaying acres of surface disturbance with tortoise habitat.
- Quantitative GIS analysis overlaying acres of surface disturbance with tortoise connectivity corridor.
- Qualitative description of the tolerance of desert tortoise to construction noise and disturbance.
- Quantitative assessment of population densities before and after translocation.

### **3.4.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.10.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

No SEZ-specific design features to address impacts to ACECs were identified in the Final Solar PEIS. The BLM reduced the developable area within the SEZ, including the project area, which resulted in increased distance from the project area to the ACEC, and to other specially designated areas.

### **3.4.5 Environmental Consequences**

#### **3.4.5.1 PROPOSED ACTION**

##### **3.4.5.1.1 Solar PEIS Summary**

Potential impacts to the Coyote Springs ACEC were not considered in the Final Solar PEIS.

##### **3.4.5.1.2 Direct and Indirect Effects**

Translocation of desert tortoise under the Proposed Action would not impact the relevance and importance criteria of the ACEC to manage desert tortoise habitat for the recovery of the species. There is a potential to impact the critical habitat through translocation if it results in exceeding the carrying capacity of the area, although this impact is likely to be small. There would be no development, and no manipulation of habitat within the ACEC. Although there would be no change to the ACEC designation, there would be impacts to desert tortoise as a result of translocation as described under Section 3.10.5.

##### **3.4.5.1.3 Mitigation Measures**

Following the implementation of design features identified in Section 3.4.4, no additional mitigation measures to address impacts to the ACEC are recommended. A translocation into the ACEC would occur under authorized desert tortoise biologists following USFWS guidelines and would follow an approved translocation plan. There would be no difference between the Project's impacts described above and residual impacts.

##### **3.4.5.1.4 Cumulative Effects**

Because only the Coyote Springs ACEC would be impacted, the cumulative impacts area of analysis for ACECs is defined as the boundary of the Coyote Springs ACEC. The development of other projects in the Dry Lake SEZ may result in translocation of desert tortoise into a portion of the ACEC. Because limits for translocation would be established in an approved translocation plan, the cumulative impacts of all development in the SEZ would be negligible. There could be other solar projects proposed in this area that would result in translocating tortoises in this ACEC. There will likely be other projects in the ACEC such as transmission lines that would reduce the amount of habitat in the ACEC and thus decrease the carrying capacity on some level.

#### **3.4.5.2 NO ACTION**

##### **3.4.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and the Coyote Springs ACEC would continue to be managed according to the BLM Las Vegas RMP subject to existing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future

solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific needs for translocation are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in the need for the Coyote Springs ACEC to continue to be considered as a translocation recipient site for future development in the SEZ; the impacts to desert tortoise within the ACEC would then be similar to those described under the Proposed Action.

#### **3.4.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to the ACEC, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to the ACEC from that development would likely be similar to or greater than those described in the Proposed Action section above.

### **3.5 Cultural Resources**

#### **3.5.1 Affected Environment**

Information for cultural resources presented in the affected environment section of the Final Solar PEIS remains valid except where noted below (BLM and DOE 2012:11.3-78). A Class III survey performed by Sagebrush Consultants in 2014 found a single NRHP-ineligible lithic scatter on the eastern edge of the Dry Lake SEZ, outside of the project area. No others sites were recorded in the Dry Lake SEZ.

Following completion of a SEZ specific viewshed delineation, the BLM identified 22 sites in the Nevada Cultural Resource Information System (NVCRIS) database that could be located within the Project viewshed. Thirteen of those sites are considered ineligible for listing in the NRHP. Six of those sites were of undetermined eligibility and included minor prehistoric sites that would only be eligible under Criterion D. Three sites were found to be eligible for the NRHP: the San Pedro, Los Angeles, and Salt Lake Railroad; the Arrowhead Highway; and the Old Spanish Trail/Mormon Road.

The San Pedro, Los Angeles, and Salt Lake Railroad is located east of the SEZ and follows the existing Union Pacific Railroad. This railroad was the first to connect Salt Lake City to Los Angeles and made Las Vegas a critical hub along the line.

The old Arrowhead Highway in this area is currently a frontage road for I-15 and passes east of the SEZ. This road was the earliest highway in Southern Nevada and connected Las Vegas to St. Thomas (a town flooded by Lake Mead near Overton, Nevada).

There are two segments of the Old Spanish Trail located near the Project. The congressionally designated Old Spanish Trail National Historic Trail is located approximately 4 miles (6.5 km) from the Project and outside of the viewshed of the Project. However, a trace of the Old Spanish Trail/Mormon Road, not part of the congressionally designed national historic trail, but considered as an NRHP-eligible site, is located 0.5 mile (0.8 km) east of the Project and within the Project's viewshed (BLM and DOE 2012:11.3-68). No physical evidence of the NRHP-eligible section of the trail was recorded during the Class III survey, and the area appears to have been disturbed over time by vehicle travel and construction activities. The trail segment parallels I-15 and crosses U.S. 93, follows a portion of the Union Pacific Railroad, existing gas pipelines, and several transmission lines.

Other existing facilities within the trail's viewshed include the Harry Allen and Chuck Lenzie Generation Stations, existing mining activity, the Loves Travel Center, and as many as four existing substations.

### **3.5.2 Applicable Laws, Regulations, Plans, and Standards**

Cultural resources in Nevada are protected by federal and state laws, regulations, and statutes. Section 106 of the NHPA, as amended in 2000, requires government agencies to take into account the effects of their actions on properties listed or eligible for listing in the NRHP. Cultural resources refer to both human-made and natural physical features associated with human activity and, in most cases, are finite, unique, fragile, and nonrenewable. Cultural resources that meet the eligibility criteria for listing in the NRHP are considered "significant" resources and must be taken into consideration during the planning of federal projects.

### **3.5.3 Methodology**

The following method was used to evaluate impacts to cultural resources:

- BLM performed a GIS viewshed analysis for the Dry Lake SEZ based on a 5-meter height for proposed facilities to determine sites located within the viewshed.

### **3.5.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.10.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

The BLM reduced the developable area within the SEZ, including the project area, which resulted in increased distance from the project area to the NRHP-eligible section of the Old Spanish Trail, the Arrowhead Highway, and the San Pedro, Los Angeles, and Salt Lake Railroad.

A Memoranda of Agreement is being drafted to address adverse effects to the Old Spanish Trail/Mormon Road, Arrowhead Highway, and San Pedro, Los Angeles, and Salt Lake Railroad. The Memoranda of Agreement will include a reference to developing a Historic Properties Treatment Plan for the affected sites. The Historic Properties Treatment Plan will be developed to include interpretation of these sites as well as off-site protection of the Old Spanish Trail/Mormon Road. Additional coordination with the Trail Administration of the Old Spanish Trail and the Old Spanish Trail Association is recommended to identify potential mitigation measures.

### **3.5.5 Environmental Consequences**

#### **3.5.5.1 PROPOSED ACTION**

##### **3.5.5.1.1 Solar PEIS Summary**

The potential impacts to cultural resources on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility, are described in Section 11.3.17.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed (BLM and DOE 2012:11.3-80). Because this EA tiers to the PEIS, a brief summary of those impacts to cultural resources that are relevant to the Proposed Action is presented below.

A summary of the related design features for cultural resources that have been fully analyzed in the PEIS is provided in Section 3.5.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. The PEIS called for further investigation to be conducted of the SEZ. The Class III survey performed by Sagebrush Consultants in 2014 found no NRHP-eligible sites in the project area.

### **3.5.5.1.2 Direct and Indirect Effects**

Because there are no NRHP-eligible cultural resources located within the project area, the Proposed Action would not result in direct impacts to cultural resources. Because the congressionally designated Old Spanish Trail National Historic Trail is located outside of the Project viewshed there would be no indirect impacts to the congressionally designated Old Spanish National Historic Trail.

Development of the Proposed Action would result in an indirect adverse effect to the setting and feel of the three NRHP-eligible properties identified within the SEZ viewshed. The Proposed Action would be viewed from those properties in context with the other existing modifications, including numerous varied transmission structures and the Harry Allen combined-cycle generation station that have already affected the setting and feel of the properties.

### **3.5.5.1.3 Mitigation Measures**

Although application of the proposed design features would reduce impacts to cultural resources, changes to the setting and feel of the three eligible properties as a result of the Proposed Action would remain in the long term. Preparation of a Historic Properties Treatment Plan would mitigate those impacts. During development of the Dry Lake SEZ SRMS, cumulative impacts to cultural resources were identified as an unavoidable impact which cannot be mitigated on-site. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Off-site mitigation may include interpretation of NRHP-eligible sites as well as off-site protection of the Old Spanish Trail. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

### **3.5.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for direct impacts to cultural resources is defined as the Dry Lake SEZ and adjacent lands. Section 11.3.22.4.16 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to cultural resources. For indirect impacts it is defined as the viewshed within a 25-mile (40-km) radius of the SEZ. Because there would be no direct impacts to cultural resources from the Proposed Action, there would be no contribution to cumulative impacts. The development of other projects in the Dry Lake SEZ would result in the modification of 2,359 acres of undeveloped public land. The cumulative change to the setting and feel of the three eligible properties would also be beyond that of the previously built structures within the indirect Area of Potential Effects.

## **3.5.5.2 NO ACTION**

### **3.5.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and cultural resources would continue to be subject to ongoing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to cultural resources similar to those described under the Proposed Action.

### **3.5.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to cultural resources, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to cultural resources from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.6 Native American Concerns**

### **3.6.1 Affected Environment**

Information for Native American concerns presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-81). On October 16, 2014, consultation letters requesting comments on the projects located in the Dry Lake SEZ were sent to the Hopi Tribe, the Pahrump Paiute Tribe, the Moapa Band of Paiutes, the Las Vegas Paiute Tribe, the Fort Mojave Indian Tribe, the Colorado River Indian Tribes, the Timbisha Shoshone Tribe, the Chemehuevi Indian Tribe, the Kaibab Band of Paiutes, the San Juan Southern Paiute Tribe, and the Paiute Indian Tribe of Utah.

### **3.6.2 Applicable Laws, Regulations, Plans, and Standards**

Federal agencies are also required to consider the effects of their actions on sites, areas, and other resources (e.g., plants) that are of religious significance to Native Americans as established under the American Indian Religious Freedom Act (Public Law 95-341). Native American human remains and burial grounds are protected by the Native American Graves Protection and Repatriation Act (Public Law 101-601).

### **3.6.3 Methodology**

The following methods were used to evaluate impacts to Native American concerns:

- Tribal consultation process described in Section 4.1 of the EA.

### **3.6.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.10.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

No SEZ-specific design features to address impacts to Native American concerns were identified in the Final Solar PEIS. The BLM reduced the developable area within the SEZ, including the project area, which resulted in increased distances from the project area to areas of tribal concern.

### **3.6.5 Environmental Consequences**

#### **3.6.5.1 PROPOSED ACTION**

##### **3.6.5.1.1 Solar PEIS Summary**

The potential impacts to Native American concerns that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.18.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to Native American concerns that are relevant to the Proposed Action is

presented below. A summary of the related design features for cultural resources that have been fully analyzed in the PEIS is provided in Section 3.7.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. “Tribal representatives believe that solar energy development within the Dry Lake SEZ will adversely affect water sources such as the Apex Pleistocene Lake, Muddy River, Colorado River, and Virgin River; geological features such as the Arrow Canyon Range and Potato Woman; important places such as the Salt Song Trail and their mesquite groves; historical sites such as the Old Spanish Trail/Mormon Road, the railroad, Tabletop Mountain in Arrow Canyon, and the Moapa River Reservation; and traditional plant and animal resources (SWCA and University of Arizona 2011)” (BLM and DOE 2012:11.3-83).

#### **3.6.5.1.2 Direct and Indirect Effects**

The Hopi Tribe has responded by letter dated November 3, 2014 that the Dry Lake SEZ projects are unlikely to affect cultural resources significant to them. No additional impacts beyond those described in Section 3.6.5.1.1 above are anticipated.

#### **3.6.5.1.3 Mitigation Measures**

Although application of the proposed design features would reduce impacts to Native American concerns. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Off-site mitigation would adhere to the recommendations in the SRMS to offset the unavoidable adverse impacts to Native American concerns that would occur in the project area. Regional mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

#### **3.6.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for direct impacts to Native American concerns is defined as the Dry Lake SEZ as well as the viewshed within a 25-mile (40-km) radius of the SEZ. Section 11.3.22.4.16 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to Native American concerns. The development of other projects in the Dry Lake SEZ would result in the modification of 2,359 acres of undeveloped public land. The Dry Lake SEZ also has a number of existing modifications to the setting. The level of change to the setting and feel of the surrounding area from the cumulative impacts of all development in the SEZ would be beyond those previously built structures in the Area of Potential Effect. Other reasonably foreseeable future actions would have similar impacts, also in areas with existing modifications.

### **3.6.5.2 NO ACTION**

#### **3.6.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and Native American concerns would continue to be subject to ongoing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to Native American concerns similar to those described under the Proposed Action.

### 3.6.5.2.2 Cumulative Effects

Because the No Action Alternative would result in no direct or indirect impacts related to Native American concerns, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to Native American concerns from that development would likely be similar to or greater than those described in the Proposed Action section above.

## 3.7 Wildlife Excluding Federally Listed Species

### 3.7.1 Affected Environment

Fish and wildlife resources include invertebrates, fish, amphibians, reptiles, birds, and mammals, as well as their habitat.

#### 3.7.1.1 GENERAL WILDLIFE

The entire project area occurs within typical habitat for desert wildlife species in Nevada. Wildlife species in the general area include small mammals, birds, and reptiles. No habitat for fish and amphibians occurs in or near the project area. The Mojave Desert ecoregion encompasses an ecologically diverse variety of landforms, soil types, moisture regimes, and vegetative communities. This variability creates habitats for numerous wildlife species. Wildlife population levels are linked to a variety of habitat factors. These include vegetation quality and quantity; adequate space, shelter, and cover; and water availability and distribution. These general wildlife species and their habitat are common and widely distributed throughout the area.

These data are consistent with the information for general wildlife species (amphibians, reptiles, birds, and mammals) presented in the affected environment section of the Final Solar PEIS (BLM and DOE 2012:11.3-35–11.3-40).

#### 3.7.1.2 SENSITIVE SPECIES

The information regarding special-status wildlife species in the Final Solar PEIS remains valid. These species include BLM Sensitive species and State-listed species protected under NRS 501.110. Federally listed species are covered under Section 3.8 of this EA. There were 35 special-status wildlife species identified in the Draft Solar PEIS and 10 additional special-status wildlife species identified in the Final Solar PEIS. A list of the special-status species in the Draft Solar PEIS is in Table 11.3.12.1-1 (BLM and DOE 2010:11.3-130–11.3-160) and a list of the additional special-status species in the Final Solar PEIS is located in Table 11.3.12.1-1 (BLM and DOE 2012:11.3-43–11.3-48). These tables also show the overall impact of development in the Dry Lake SEZ on the specific species.

Sensitive species not identified in the PEIS with the potential to occur in the project area include Mojave shovel-nosed snake (*Chionactis occipitalis*), chuckwalla (*Sauromalus ater*), Bendire's thrasher (*Toxostoma bendirei*), bald eagle (*Haliaeetus leucocephalus*), Swainson's hawk (*Buteo swainsoni*), Lewis woodpecker (*Melanerpes lewis*), Allen's big-eared bat (*Idionycteris phyllotis*), western red bat (*Lasiurus blossevillii*), California leaf-nosed bat (*Macrotus californicus*), cave myotis (*Myotis velifer*), and fringed myotis (*Myotis thysanodes*).

## **3.7.2 Applicable Laws, Regulations, Plans, and Standards**

### **3.7.2.1 GENERAL WILDLIFE**

The BLM manages general wildlife habitat according to the BLM Las Vegas RMP. Fish and wildlife are managed by the BLM through policy set forth in BLM Manual 6840 – *Special Status Species Management* (BLM 2008c), BLM Manual 6500 – *Fish and Wildlife Conservation* (BLM 2008d), and BLM Manual 6720 — *Aquatic Resource Management* (BLM 2008e). In general, the BLM is not directly responsible for the management of wildlife populations but for the habitats that support wildlife.

### **3.7.2.2 SENSITIVE SPECIES**

The BLM manages special-status animal species according to BLM Manual 6840 (BLM 2008c). Wildlife conservation in the state of Nevada is guided by Nevada’s Wildlife Action Plan (Nevada Department of Wildlife [NDOW] 2012) and protection is provided under NRS 501.110. Additionally, bald and golden eagles are provided protection under the Bald and Golden Eagle Protection Act of 1940, as amended in 1962.

## **3.7.3 Methodology**

### **3.7.3.1 GENERAL WILDLIFE**

The following methods are used to evaluate impacts to general wildlife:

- GIS overlay of project components (temporary and permanent, or long-term, disturbance areas) with wildlife habitat.
- Review of NDOW/Nevada Natural Heritage Program (NNHP) species lists

### **3.7.3.2 SENSITIVE SPECIES**

The following methods are used to evaluate impacts to special-status wildlife:

- GIS overlay of project components (temporary and permanent, or long-term, disturbance areas) with wildlife habitat.

## **3.7.4 Proposed Design Features**

### **3.7.4.1 GENERAL WILDLIFE**

Required programmatic design features are described in Section A.2.2 of Appendix A of the Final Solar PEIS (BLM and DOE 2012, Vol. 4). In addition, the Final Solar PEIS includes a specific design feature for mammals: the fencing around the solar energy development should not block the free movement of mammals, particularly big-game species (BLM and DOE 2012:11.3-38).

### **3.7.4.2 SENSITIVE SPECIES**

All appropriate design features outlined in Volume 4, Section 11.3.12.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented. These design features include pre-construction surveys for sensitive species. These features are primarily designed to address impacts to federally listed species; however, many of them also benefit other special-status wildlife species.

Required surveys were identified during a BLM interdisciplinary team meeting on September 17, 2014. Impacts to special status bird and bat species would also be addressed though a Project-specific BBCS

and Monitoring Plan that includes a robust systematic monitoring and adaptive management plan to assist in avoiding and minimizing impacts. Additionally, the design features specific to the Project-specific BO would be followed. These features are primarily designed to address impacts to federally listed species; however, many of them also benefit other sensitive wildlife species.

### **3.7.5 Environmental Consequences**

#### **3.7.5.1 GENERAL WILDLIFE**

##### **3.7.5.1.1 Proposed Action**

###### *3.7.5.1.1.1 Solar PEIS Summary*

The potential impacts to general wildlife that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.11 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to general wildlife that are relevant to the Proposed Action is presented below. A summary of the related design features for general wildlife that have been fully analyzed in the PEIS is provided in Section 3.8.4.1 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. Development of the Dry Lake SEZ is expected to impact up to 5,717 acres of wildlife habitat. The reduction in the developable area of the Dry Lake SEZ would result in reduced habitat impacts for all representative mammal species; resultant impact levels for all of the representative impact levels for all of the representative mammal species would still be small (BLM and DOE 2012:11.3-35–11.3-40).

Impacts on wildlife would result from habitat disturbance, direct injury or mortality, and displacement of individual amphibians and reptiles. Those impacts on amphibian and reptile species would be small, with 0.2 to 0.4% of potentially suitable habitats identified for the species in the SEZ region being lost from development of the entire SEZ (BLM and DOE 2010:11.3-78–11.3-86). Similarly, 0.01 to 0.5% of potentially suitable habitat for birds (BLM and DOE 2010:11.3-104–11.3-105) and 0.07 to 0.6% of habitat for mammals (BLM and DOE 2010:11.3-108–11.3-122) would be lost from development of the SEZ. Other impacts on general wildlife could result from collision with vehicles and infrastructure (e.g., fences), surface water and sediment runoff from disturbed areas, fugitive dust generated by project activities, noise, lighting, spread of invasive species, accidental spills, and harassment.

###### *3.7.5.1.1.2 Direct and Indirect Effects*

The type of impacts to general wildlife and suitable habitat are consistent with those described in Section 3.8.5.1.1.1 above. Specific to the Proposed Action, 661 acres of general wildlife habitat would be impacted in the long term and 32 acres of wildlife habitat would be impacted in the short term. This loss of habitat is consistent with the habitat loss described in the PEIS.

###### *3.7.5.1.1.3 Mitigation Measures*

Although application of the proposed design features would reduce impacts to general wildlife, disturbance of 661 acres of habitat as a result of the Proposed Action would remain in the long term. During development of the Dry Lake SEZ SRMS, cumulative impacts to wildlife and sensitive wildlife were identified as an unavoidable impact which cannot be mitigated on-site. Wildlife habitat is an ecosystem service provided by native vegetation. Impacts and mitigation for vegetation will also benefit general wildlife and sensitive wildlife. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Off-site mitigation may include

restoration of native vegetation and site protection activities proposed as part of the SRMS and would benefit wildlife because they would also protect and restore habitat and reverse effects of habitat fragmentation. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

Any remaining impacts to sensitive bird and bat species would be addressed through a Project-specific BBCS and Monitoring Plan that includes a robust systematic monitoring and adaptive management plan to assist in avoiding and minimizing impacts. Because there are no additional on-site mitigation measures being proposed, impacts would remain unchanged from the direct/indirect impacts described above.

#### **3.7.5.1.1.4 Cumulative Effects**

The cumulative impacts area of analysis for general wildlife is defined as the Dry Lake SEZ and a 50-mile (80-km) radius around the SEZ. Section 11.3.22.4.10 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to general wildlife. No additional cumulative impacts are expected. The Proposed Action, in conjunction with other projects, would result in cumulative impacts to general wildlife, including the potential loss of habitat. When combined with other reasonably foreseeable actions, and existing declines in the quality and quantity of native vegetation (which is a fundamental component of habitat) in the Las Vegas and Pahrump Field Offices, the Proposed Action would result in an incremental addition to current declines in the quality and quantity of habitat available for general wildlife and BLM special status wildlife habitat. In addition the Proposed Action would result in an incremental addition to habitat fragmentation which for some species could lead to population declines and a reduction in long-term population viability.

It is assumed that all reasonable foreseeable future development on BLM lands in the SEZ and cumulative impacts area of analysis would be subject to the same design features and mitigation measures which reduce the potential cumulative impacts to general wildlife.

#### **3.7.5.1.2 No Action**

##### **3.7.5.1.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and wildlife individuals and habitat would not be directly or indirectly impacted by the Project. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to wildlife and wildlife habitat similar to those described under the Proposed Action.

##### **3.7.5.1.3 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to wildlife and wildlife habitat, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to wildlife and wildlife habitat from that development would likely be similar to or greater than those described in the Proposed Action section above.

### **3.7.5.2 SENSITIVE SPECIES**

#### **3.7.5.2.1 Proposed Action**

##### *3.7.5.2.1.1 Solar PEIS Summary*

The potential impacts to sensitive wildlife species that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.12.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to special-status wildlife species that are relevant to the Proposed Action is presented below. A summary of the related design features for special-status wildlife species that have been fully analyzed in the PEIS is provided in Section 3.7.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document.

Impacts on special-status wildlife species could occur during all phases of development (construction, operation, maintenance, and decommissioning and reclamation) of a utility-scale solar energy project. Construction and operation activities could result in short- or long-term impacts on individuals and their habitats, especially if these activities are sited in areas where special-status species are known to or could occur. Direct impacts would result from habitat destruction or modification. Indirect impacts could result from groundwater withdrawals, surface water and sediment runoff from disturbed areas, fugitive dust generated by project activities, accidental spills, harassment, and lighting (BLM and DOE 2010:11.3-174–99; BLM and DOE 2012:11.3-51–59).

##### *3.7.5.2.1.2 Direct and Indirect Effects*

The type of impacts to special-status wildlife species and suitable habitat are consistent with those described in Section 3.7.5.2.1.1 above. Specific to the Proposed Action, 661 acres of wildlife habitat would be permanently impacted and 32 acres of wildlife habitat would be temporarily impacted. This loss of habitat is consistent with the habitat loss described in the PEIS.

Direct impacts include the possibility of sensitive species being crushed by vehicles or equipment, and increased local predation rates due to increased human activity. The amount of traffic, use of unfenced access roads, and presence of small animals create the possibility that individual sensitive species would be accidentally crushed by Project activity. This risk would be minimized by performing tortoise clearance surveys, installation of tortoise-proof fencing, and having monitors present during activities that may result in injuries to individual animals.

Indirect effects from noise and vibration associated with construction activities could cause some individual animals to abandon the project area. This would temporarily expose them to an increased risk of predation as they move away from the project area.

##### *3.7.5.2.1.3 Mitigation Measures*

Although application of the proposed design features would reduce impacts to special-status species, disturbance of 661 acres of habitat as a result of the Proposed Action would remain in the long term. During development of the Dry Lake SEZ SRMS, cumulative impacts to sensitive wildlife were identified as an unavoidable impact which cannot be mitigated on-site. Wildlife habitat is an ecosystem service provided by native vegetation. Impacts and mitigation for vegetation will also benefit general wildlife and sensitive wildlife. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Off-site mitigation may include restoration of native vegetation and site protection activities proposed as part of the SRMS and would benefit wildlife because

they would also protect and restore habitat and reverse effects of habitat fragmentation. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

Additionally, the measures from the Project-specific BO would be followed. These features are primarily designed to address impacts to federally listed species; however, many of them also benefit other special-status wildlife species including burrowing owls (*Athene cunicularia*), Gila monster (*Heloderma suspectum*), and chuckwalla. Any remaining impacts to special-status bird and bat species would be addressed through a Project-specific BBCS and Monitoring Plan that includes a robust systematic monitoring and adaptive management plan to assist in avoiding and minimizing impacts.

#### 3.7.5.2.1.4 Cumulative Effects

The cumulative impacts area of analysis for sensitive species is defined as the Dry Lake SEZ and a 50-mile (80-km) radius around the SEZ. Section 11.3.22.4.10 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to special-status species. No additional cumulative impacts are expected. The Proposed Action, in conjunction with other projects, would result in cumulative impacts to special-status wildlife species, including the potential loss of habitat. The combined effects of the reasonably foreseeable future actions have the potential to remove suitable habitat and to increase risk of mortality of individual animals within the cumulative impacts area.

It is assumed that all reasonable foreseeable future development on BLM lands in the SEZ and cumulative impacts area of analysis would be subject to the same design features and mitigation measures which reduce the potential cumulative impacts to sensitive wildlife.

### 3.7.5.3 NO ACTION

#### 3.7.5.3.1 Direct and Indirect Effects

Under the No Action Alternative, the Project ROW would be denied and special-status wildlife and habitat would not be directly or indirectly impacted by the Project. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to sensitive species similar to those described under the Proposed Action.

#### 3.7.5.3.2 Cumulative Effects

Because the No Action Alternative would result in no direct or indirect impacts related to sensitive species, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to sensitive species from that development would likely be similar to or greater than those described in the Proposed Action section above.

## 3.8 Migratory Birds

### 3.8.1 Affected Environment

Information on migratory birds presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-36–11.3-37). Almost all the birds that occupy the project area are considered to be migratory birds. The USFWS defines a migratory bird as any species or family of birds that live, reproduce, or migrate within or across international borders at some point during their annual life cycle.

The planning area contains breeding, nesting, brood-rearing, and wintering areas, as well as migration routes that are important for migratory birds. All migratory birds that occur or pass through the planning area are covered under the Migratory Bird Treaty Act (MBTA) of 1918 and subsequent amendments (16 United States Code [USC] 703–711). The MBTA makes it unlawful to, among other things, pursue, hunt, take, capture, kill, or possess any migratory bird or part, nest, or egg of such bird listed in four separate wildlife protection treaties between the United States and Great Britain (on behalf of itself and Canada), Mexico, Japan, and the former Union of Soviet Socialist Republics. Some of these migratory birds are also federally listed or BLM sensitive species. Under authority of the Fish and Wildlife Conservation Act of 1980, as amended, the USFWS has also identified some migratory birds in the region as Birds of Conservation Concern.

### 3.8.2 Applicable Laws, Regulations, Plans, and Standards

Under the MBTA it is unlawful to take, kill, or possess migratory birds. Executive Order 13186 issued January 11, 2001, further defines the responsibilities of federal agencies to protect migratory birds. Additionally, bald eagles (*Haliaeetus leucocephalus*) and golden eagles are protected under both the MBTA and the Bald and Golden Eagle Protection Act. In addition to the MBTA Executive Order 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds, signed in January 2001) requires the BLM to evaluate the effects of federal actions on migratory birds. In addition, there is a Memorandum of Understanding between the BLM and USFWS to promote the conservation of migratory birds. The purpose of the Memorandum of Understanding is to strengthen migratory bird conservation by identifying and implementing strategies that promote conservation and avoid or minimize adverse impacts on migratory birds through enhanced collaboration between the two agencies, in coordination with state, tribal, and local governments.

To minimize unintentional take as defined by Executive Order 13186, the BLM has issued Washington Office IM No. 2008-050, *Migratory Bird Treaty Act–Interim Management Guidance* (BLM 2008b) to provide interim guidance to meet the BLM responsibilities under the MBTA, and IM 2010-156 for the Bald and Golden Eagle Protection Act. This provides the BLM with a consistent approach for addressing migratory bird populations and habitats. Currently, there are 1,007 species that are protected under the federal MBTA (USFWS 2012a).

### 3.8.3 Methodology

The following methods are used to evaluate impacts to migratory birds:

- The analysis makes use of the best available data, and the professional judgment of BLM specialists.
- Review of NDOW/NNHP species lists. The analysis also compares elements and timing of the Proposed Action and the project area boundary with suitable habitat.

### **3.8.4 Proposed Design Features**

The Applicant must comply with the MBTA and avoid potential impacts to protected birds within the project area and habitat-altering projects should be scheduled outside the bird breeding season, which generally occurs from February 15th through August 31st annually. If a project has to occur during the breeding season, then a qualified biologist must survey the area for nests immediately prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests are found, an appropriately-sized buffer area must be established and maintained until the young birds fledge. This buffer must connect to other suitable undisturbed habitat. As the above dates are a general guideline, if active nests are observed outside this range they are to be avoided as described above. Migratory birds are known to collide with lighted structures, including buildings. Any lighting on facilities and associated infrastructure should be down-shielded to keep light within the boundaries of the site and the minimum amount and intensity allowable.

Due to potential for electrocution, collision, and nesting/perching by migratory birds on overhead power lines, the Applicant should follow Avian Power Line Interaction Committee (APLIC) guidelines (*Suggested Practices for Avian Protection on Power Lines* [APLIC 2006] and *Reducing Avian Collisions with Power Lines* [APLIC 2012]) to reduce this risk through facility design and comply with MBTA and other federal wildlife laws. Lattice structures and guy-wires shall not be used.

A Project-specific BBCS and Monitoring Plan would be prepared that includes a robust systematic monitoring and adaptive management plan to assist in avoiding and minimizing impacts to migratory birds.

### **3.8.5 Environmental Consequences**

#### **3.8.5.1 PROPOSED ACTION**

##### **3.8.5.1.1 Solar PEIS Summary**

The potential impacts to migratory birds on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction, operations, maintenance, and decommissioning of a typical solar PV are described in Section 11.3.11.2.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to migratory birds that are relevant to the Proposed Action is presented below. A summary of the related design features for migratory birds that have been fully analyzed in the PEIS is provided in Section 3.8.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. Overall, because the SEZ is considered a small portion of the overall available habitat for the representative migratory bird species, the impacts to migratory birds would be small.

##### **3.8.5.1.2 Direct and Indirect Effects**

The Proposed Action has the potential to impact 661 acres in the long term and impact 32 acres in the short term through ground-disturbing activities. The impacts associated with the loss of habitat are consistent with those described in Section 3.8.5.1.1 above. Construction activities and increased vehicle traffic associated with the Proposed Action would result in an increased risk of injury and mortality to individual migratory birds in the project area from collisions. Birds are highly mobile and are assumed to be able to avoid vehicle traffic, clearing, grading, and excavation activities that would occur during the construction period. Construction activities would be restricted during nesting season, to further reduce the risk of injury or direct mortality of nesting migratory birds.

The increased noise associated with construction of the Proposed Action would be audible throughout the project area over the course of the construction phase. Increased noise would result in habitat avoidance and changes to breeding behavior of migratory birds in the project area.

The presence of a 660-acre solar PV facility would contribute to increased risk of collision with solar panels. There is the potential for solar projects to mimic a “lake effect” and act as an attractant to water birds and other birds leading to increased risk of collision, injury, and mortality.

The 3,800-foot-long overhead 230-kV gen-tie line connecting to the Harry Allen Substation is the only aboveground transmission line being added under the Proposed Action. The addition of the 230-kV line would result in an increased risk of electrocution and/or collision to birds flying through the project area. Because the additional 230-kV transmission line would be in close proximity to other existing transmission lines, there would be a minor increase in the risk of electrocution to birds throughout the 30-year duration of the Project. In general, the risks of migratory injury or mortality from collisions with solar panels, fencing, buildings, and the gen-tie line would be small. If there are impacts that are not anticipated, the BBCS post construction monitoring and adaptive management plan would address these issues.

#### **3.8.5.1.3 Mitigation Measures**

Although application of the proposed design features would reduce impacts to migratory birds, disturbance of 661 acres of habitat as a result of the Proposed Action would remain in the long term. During development of the Dry Lake SEZ SRMS, cumulative impacts to migratory birds were determined to be an unavoidable impact that could not be mitigated on-site. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Regional mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

Implementation of APLIC measures and the BBCS would reduce the risk of collision and electrocution.

Implementation of adaptive management in compliance with the Project BBCS may result in the identification of future mitigation measures that would further compensate for any unacceptable mortality levels of migratory birds identified during monitoring.

#### **3.8.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for migratory birds is defined as the Dry Lake SEZ and the Las Vegas and Pahrump Field Office boundaries. Section 11.3.22.4.10 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to migratory birds. The Proposed Action, in conjunction with other projects, would result in cumulative impacts on migratory birds, including the potential loss of habitat and increased risk of injury and mortality. The combined effects of the reasonably foreseeable future actions have the potential to remove suitable migratory bird habitat and to increase risk of mortality of individual animals within the cumulative impacts area.

It is assumed that all reasonable foreseeable future development on BLM lands in the SEZ and cumulative impacts area of analysis would be subject to the same design features and mitigation measures, which reduce the potential cumulative impacts to migratory birds. In addition, other reasonably foreseeable future renewable energy actions would be required to prepare and implement a BBCS with monitoring and adaptive management in addition to complying with suggested APLIC BMPs.

### **3.8.5.2 NO ACTION**

#### **3.8.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and migratory birds would continue to be subject to existing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to migratory birds similar to those described under the Proposed Action.

#### **3.8.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to migratory birds, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to migratory birds from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.9 Threatened, Endangered, and Candidate Animal Species**

Special-status species include animals and plants that require specific management attention as a result of population or habitat concerns. The categories of these species include federally listed threatened and endangered species and their respective designated critical habitats, federally proposed species and proposed critical habitats, federal candidate species, and Nevada BLM sensitive species.

### **3.9.1 Affected Environment**

Threatened and endangered (T&E) species are placed on a federal list by the USFWS and receive protection under the ESA, as amended. According to the Information, Planning and Conservation (IPaC) support tool created by the USFWS, four federal T&E species have potential to occur in the vicinity of the project area: the endangered southwestern willow flycatcher, the endangered Yuma clapper rail, the threatened yellow-billed cuckoo, and the threatened Mojave desert tortoise. The southwestern willow flycatcher, the Yuma clapper rail, and the yellow-billed cuckoo are riparian birds that require surface water, and no riparian habitat occurs in or near the project area. The project area is not within a path that would connect any aquatic features and the closest documented records for these species are 20 and 25 miles away (32 and 40 km away), respectively (personal communication, Susan Cooper, USFWS Las Vegas, and Melanie Cota, BLM Southern Nevada District, September 29, 2014). Suitable habitat for the desert tortoise does occur in the project area and the species has been documented in the project area. These data are consistent with the information for T&E species presented in the affected environment section of the Final Solar PEIS, which remains valid (BLM and DOE 2012:11.3-40–11.3-42). The PEIS identifies the project area as priority tortoise connectivity habitat based on a least-cost pathway model.

Biologists from Power Engineers surveyed the project area for desert tortoise between September 22 and October 3, 2014. Pre-project surveys followed USFWS guidance (pre-project clearance and translocation guidance) and an existing 10 (a)(1)(A) permit covered these activities. During tortoise surveys of the project area, one live adult (>160 millimeters [mm]) above-ground desert tortoise was observed. Following the USFWS methods for calculating density (USFWS 2010), mean adult tortoise abundance

was calculated as two (upper 95% confidence interval = 11, lower 95% confidence interval = 0), with a density of one/km<sup>2</sup>. The mean adult tortoise density for the northeastern recovery unit where the project occurs is 3.4/km<sup>2</sup> (USFWS 2011a). Table 8 provides a summary of tortoise densities prior to translocation from the project area.

**Table 8.** Summary of Desert Tortoise Densities in Project Vicinity Prior to Translocation

Site	Size (acres)	Adults (>160 mm)			Young (<160 mm)			Density (Adults/km <sup>2</sup> )
		Estimate	Upper 95%	Lower 95%	Estimate	Upper 95%	Lower 95%	
Project Area	660	1	11	0	N/A	N/A	N/A	1.0 <sup>1‡</sup>
Northeastern Mohave Recovery Unit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3.4 <sup>‡</sup> *

Sources: <sup>‡</sup> Ironwood (2014); <sup>\*</sup> USFWS (2012a).

An initial 14,700-acre desert tortoise translocation area for the entire Dry Lake SEZ was identified by the BLM in consultation with the USFWS (see Figure 5). The initial translocation area north of the Dry Lake SEZ is located partially in the Coyote Springs ACEC. Desert tortoise surveys were completed for the initial translocation area between September 8 and October 17, 2014. A final translocation area will be designated within the initial translocation area following a USFWS and BLM approved Desert Tortoise Translocation Plan.

Historical survey data for the project area indicates that the area within the proposed SEZ project boundary is high- to moderate-density tortoise habitat and very low- to very high- density tortoise habitat within the proposed translocation area. High value contiguous habitat for desert tortoise is between 0.9 and 0.8 within the SEZ and between 0.9 and 0.7 for the translocation area. In addition, the SEZ boundary is within the least-cost corridor for the desert tortoise, known as habitat linkages for sustaining healthy populations.

### 3.9.2 Applicable Laws, Regulations, Plans, and Standards

T&E species on public land are managed under Section 7 of the ESA. Desert tortoise is also a listed threatened species under NRS 501 and NRS 503. Federally listed species are currently managed in accordance with USFWS recovery plans or conservation agreements; the ESA; and BLM policy for special-status species management (BLM Manual 6840) (BLM 2008c).

### 3.9.3 Methodology

The following methods are used to evaluate impacts from the Project facility:

- Review of NDOW/NNHP species lists
- Quantitative GIS analysis overlaying acres of surface disturbance with tortoise habitat.
- Quantitative GIS analysis overlaying acres of surface disturbance with tortoise connectivity corridor.
- Qualitative description of the tolerance of desert tortoise to construction noise and disturbance.
- Quantitative assessment of population densities before and after translocation.

### **3.9.4 Proposed Design Features**

Section 2.2.9, Proposed Design Features describes the design features, surveys, and plans that are proposed to reduce potential impacts of the Project. The following plans would be prepared and implemented that would further reduce impacts to listed species:

- Worker Environmental Awareness Plan
- Desert Tortoise Translocation Plan
- Bird and Bat Conservation Strategy
- Raven Management Plan
- Integrated Weed Management Plan

In addition, all appropriate design features outlined in Volume 4, Section 11.3.12.3 and in Section A.2.2 of Appendix A in the Final Solar PEIS (BLM and DOE 2012) as listed in Table 4 would be implemented. The design features specific to the Project-specific BO would also be implemented.

### **3.9.5 Environmental Consequences**

#### **3.9.5.1 PROPOSED ACTION**

##### **3.9.5.1.1 Solar PEIS Summary**

The potential impacts to T&E species that may result from the construction, operations, maintenance, and decommissioning of a typical solar PV facility in the Dry Lake SEZ are described in Section 11.3.12.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to T&E species that are relevant to the Proposed Action is presented below. A summary of the related design features for T&E species that have been fully analyzed in the PEIS is provided in Section 3.9.4 and Table 4 in Section 2.2.9. The impacts and design features analyzed and described in the PEIS are incorporated into this document. Overall impacts to desert tortoise habitat are expected to be small (a loss of  $\leq 1\%$  of desert tortoise habitat in the region. There are dangers to tortoise associated with capture, handling, and translocation from the SEZ. Development of the SEZ may isolate and fragment tortoise populations by creating impediments to natural migration patterns. (BLM and DOE 2012:11.3-51–11.3.52).

Consultation would identify potentially suitable recipient locations (i.e., the translocation area), density thresholds for tortoise populations in recipient locations, and procedures for pre-disturbance clearance surveys and tortoise handling, as well as disease-testing and post-translocation monitoring and reporting requirements. Despite some risk of mortality or decreased fitness, translocation is widely accepted as a useful strategy for the conservation of the desert tortoise (Field et al. 2007).

##### **3.9.5.1.2 Direct and Indirect Effects**

The impacts to desert tortoise and suitable habitat are consistent with those described in Section 3.9.5.1.1 and are described below specific to the Proposed Action.

The Proposed Action has the potential to permanently impact 661 acres and temporarily impact 32 acres of desert tortoise habitat, all of which is considered priority connectivity habitat. The loss of priority connectivity habitat was reduced through design features in the PEIS (BLM and DOE 2012, Volume 4, Section 11.3.12.3) which reduced the overall size of the Dry Lake SEZ. Remaining impacts would be offset through implementation of the Regional Mitigation Strategy for the Dry Lake SEZ (BLM 2014b).

Direct impacts include the possibility of tortoises being crushed by vehicles or equipment, and increased local predation rates due to increased human activity. The amount of traffic, use of unfenced access roads, and presence of small tortoises create the possibility that tortoises would be accidentally crushed by project activity. This risk would be minimized by performing clearance surveys, installation of tortoise-proof fencing, and having tortoise monitors present during activities that may injure or kill a tortoise. It is known that trash and litter may attract opportunistic predators such as coyotes and ravens, and this may lead to increased tortoise predation (Berry 1985; Esque et al. 2010). Predator subsidization would be addressed in environmental awareness programs and enforced by on-site authorized biologists to mitigate this risk.

Indirect effects from noise and vibration associated with construction activities could cause some tortoise to abandon their burrows and seek other existing cover sites. This would temporarily expose them to an increased risk of predation as they seek other burrows within their home range. In addition, desert tortoise mortality may result from increased human presence and construction-related traffic.

In addition, there is the potential for herbicides (used properly or improperly) to adversely impact desert tortoise. Possible adverse direct effects from direct contact or ingestion of treated vegetation to individual animals include death, damage to vital organs, decrease in body weight, decrease in healthy offspring, and increased susceptibility to predation depending on exposure length and amounts (Syracuse Environmental Research Associates, Inc. 2003). Adverse indirect effects include a reduction in plant species diversity and consequent availability of preferred food, habitat, and breeding areas; decrease in wildlife population densities within the first year following application as a result of limited reproduction; habitat and range disruption (as wildlife may avoid sprayed areas following treatment), resulting in changes to territorial boundaries and breeding and nesting behaviors; and increase in predation of small mammals due to loss of ground cover (BLM 2007a). Herbicide use would follow Pesticide Use Proposal guidance and would only take place within fenced areas.

Desert tortoise translocation would be completed following a USFWS-approved translocation plan for the Dry Lake SEZ (Ironwood 2014). Translocation of desert tortoise would directly impact the recipient area by increasing local population density and consumption of resources. The proposed action would also directly impact any tortoise home ranges that overlap with the project area, by removing all or part of the former territory and decreasing the quality of habitat surrounding the facility. Relocated tortoises would at a minimum be harassed during capture, transport, and release. It has been shown that translocated tortoises are at an increased risk of mortality if they void their bladders or are translocated during extreme temperatures (Averill-Murray 2002; USFWS 2013). As part of the approved Desert Tortoise Translocation Plan, recipient area densities would remain within acceptable levels as defined by translocation guidance (USFWS 2011b).

Resident tortoises may be affected within the translocation area due to local increases in population density. Translocated populations may encounter increased intra-specific interactions, an increased incidence of aggressive interactions between individuals, and an increased incidence of predation that may not have occurred in the absence of translocation. Density-dependent effects on resident populations are expected to be minor because USFWS guidance limits the number of tortoises that can be translocated based on the population densities for the recovery unit. Only tortoises determined to be healthy and asymptomatic will be translocated (USFWS 2011a). Since there is not a 100% guarantee that the translocated tortoises are disease-free, there is still a minor risk that resident tortoises may be adversely affected due to the spread disease.

The Proposed Action would not result in adverse impacts to local or regional genetic connectivity of the desert tortoise population. A connectivity area is located near the northwestern boundary of the project

area. This area was removed from the developable portion of the SEZ prior to the competitive auction. This connectivity area allows genetic connectivity to desert tortoise moving through the region.

Impacts to Yuma clapper rail and yellow-billed cuckoo are not discussed in the Solar PEIS; however, impacts would be similar to those described for southwestern willow flycatcher. Suitable habitat for southwestern willow flycatcher, the Yuma clapper rail, and the yellow-billed cuckoo does not occur within or near the project area. No southwestern willow flycatcher mortalities have been recorded at existing solar facilities and the lack of habitat and long distance from any known occurrence suggests low potential for direct mortality related to the Proposed Action. Two Yuma clapper rails have been recorded as mortalities at existing solar facilities in California; however, those facilities were much closer to suitable habitat and had observations within less than 5 miles (8 km) (personal communication, Susan Cooper, USFWS Las Vegas, and Melanie Cota, BLM Southern Nevada District, September 29, 2014). One yellow-billed cuckoo mortality has been recorded at a solar facility in Ivanpah in San Bernardino County, California. For Yuma clapper rail and yellow-billed cuckoo, the low number of recorded mortalities, the lack of habitat on site, and long distance from any known occurrence, suggests low potential for direct mortality related to the Proposed Action. No water pumping would occur from the project so indirect impacts are not anticipated from the Proposed Action to either species.

#### **3.9.5.1.3 Mitigation Measures**

Mitigation for desert tortoise would be addressed through measures outlined in the BO and would be supported by the desert tortoise fees paid to the BLM. The Project will also require a Raven Management Plan to comply with the ESA and BO. The Applicant will be required to pay remuneration fees for loss of habitat that will be based on the current year's rate of \$836/acre of disturbance. This rate is subject to change if fees are paid after March 1, 2015. Each proposed project within the SEZ boundary will require a Biological Assessment that outlines project actions and avoidance and minimization measures to protect the species. A Project-specific BO will be issued that will include non-discretionary reasonable and prudent measures and terms and conditions to minimize take and be exempted from Section 9 of the ESA. Mitigation for birds would be addressed by the development and implementation of a Project-specific BBCS.

Implementation of the SRMS for the Dry Lake SEZ (BLM 2014b) does not specifically address desert tortoise mitigation. However, the SRMS would indirectly benefit the species through improvements to habitat.

#### **3.9.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for T&E species is defined as the Dry Lake SEZ and a 50-mile (80-km) radius around the SEZ. Section 11.3.22.4.10 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to T&E species. The 661 acres of BLM land that would be developed for the Proposed Action is part of the Dry Lake SEZ. Desert tortoises from other areas in the Dry Lake SEZ would also be translocated to the proposed translocation area with tortoises from the project area following the Dry Lake SEZ Translocation Plan (Ironwood 2014). It is estimated that the total number of desert tortoises in the Dry Lake SEZ that would need to be relocated is 372 tortoises. This includes 58 adults with a 95% confidence interval of 29–116 and 314 juveniles with a 95% confidence interval of 155–636. The translocation area population would be impacted by the increased tortoise density and the decrease in available resources; however, the density following translocation would still be within the acceptable level for a translocation site in the Northeastern Mohave Recovery Unit (USFWS 2011b). Cumulative impacts would be addressed through implementation of the SRMS for the Dry Lake SEZ (BLM 2014b).

Because habitat for the southwestern willow flycatcher, the Yuma clapper rail, and the yellow-billed cuckoo does not occur within or near the project area, the Proposed Action, in conjunction with other projects, would not contribute to cumulative impacts on habitat for these listed bird species.

The combined effects of the reasonably foreseeable future actions do have the potential to increase risk of mortality of individual animals within the cumulative impacts area.

### **3.9.5.2 NO ACTION**

#### **3.9.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and desert tortoise individuals and tortoise habitat would not be directly or indirectly impacted by the Project. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, necessary facilities, need for desert tortoise translocation, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to listed species similar to those described under the Proposed Action.

#### **3.9.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to listed species, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to listed species from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.10 Vegetation Excluding Federally Listed Species**

### **3.10.1 Affected Environment**

#### **3.10.1.1 GENERAL VEGETATION**

Information for vegetation presented in the affected environment Section 11.3.10.1 of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-32). Vegetation cover types described and mapped under the Southwest Regional Gap Analysis Project (U.S. Geological Survey 2004) were used to evaluate plant communities in the proposed project area. Land cover types occurring within the potentially affected area of the proposed project area are shown in Figure 6. Table 9 lists the surface area of each cover type within the project area.

**Table 9.** Vegetation Cover Types in the Project Area

<b>Vegetation Cover Type</b>	<b>Acres</b>	<b>Percent</b>
Sonora-Mojave Creosote-White Bursage Desert Scrub	646	97.8%
North American Warm Desert Wash	14	2.2%

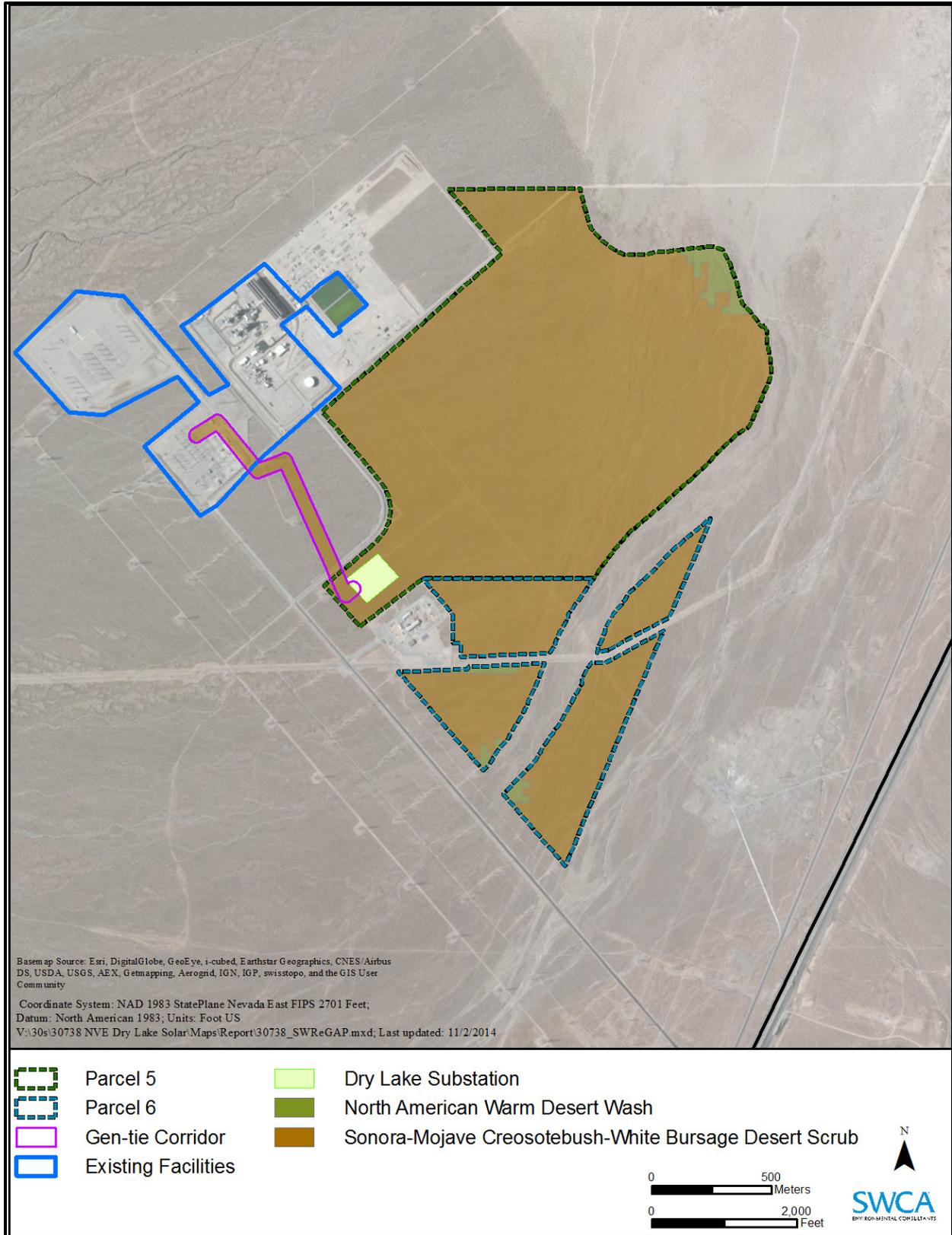


Figure 6. Vegetation cover types in the project area.

Sonora-Mojave Creosote-White Bursage Desert Scrub is the predominant cover type within the project area and in the Dry Lake SEZ. According to the PEIS, creosote bush and white bursage (*Ambrosia dumosa*) are the dominant species observed in the desert scrub communities throughout most of the SEZ, with scattered Mojave yucca in some areas. The other plant community found in the project area is North American Warm Desert Wash. Where the project gen-tie line corridor enters NV Energy's existing ROW, the area has been cleared of vegetation.

### **3.10.1.2 SPECIAL-STATUS SPECIES**

Information for special-status plants presented in the affected environment Section 11.3.12.1 of the Final Solar PEIS remains valid (BLM and DOE 2012). These species include BLM Sensitive plant species and plants protected in the State of Nevada under NRS 527. There are no federally listed plant species that occur in the project area.

The rosy two-tone penstemon (*Penstemon bicolor* ssp. *roseus*) is a BLM sensitive plant species that is known to occur adjacent to the SEZ, and the SEZ contains suitable habitat for the species. There are nearby populations of three-corner milkvetch (*Astragalus geyeri* var. *triquetrus*) and Beaver Dam breadroot (*Pediomelum castoreum*), which are also BLM sensitive plant species.

## **3.10.2 Applicable Laws, Regulations, Plans, and Standards**

### **3.10.2.1 GENERAL VEGETATION**

The BLM manages vegetation resources according to the BLM Las Vegas RMP.

### **3.10.2.2 SPECIAL-STATUS SPECIES**

The BLM manages special-status plant species according to BLM Manual 6840 (BLM 2008c). Protection of Nevada special-status plant species is provided under NRS 527.050 and NRS 527.260–527.300.

## **3.10.3 Methodology**

### **3.10.3.1 GENERAL VEGETATION**

The following methods are used to evaluate impacts from the Project facility:

- Prepare a GIS overlay of project components (short-term, or long-term, disturbance areas) with mapped vegetation communities. The impacts analysis presented in the Final PEIS Section 11.3.10.2 is also incorporated by reference.

### **3.10.3.2 SPECIAL-STATUS SPECIES**

The following methods are used to evaluate impacts from the Project facility:

- The impacts analysis presented in the Final PEIS Section 11.3.12.2 is incorporated by reference (BLM and DOE 2012:11.3-51-52).

## **3.10.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.10.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented. In addition, SEZ-specific design features outlined in Section 11.3.10.3 of the PEIS would be implemented (BLM and DOE 2012:11.3-34). Other design features specific to the Proposed Action listed in the Dry Lake Solar Energy Center Conservation Measures in Appendix A would also reduce impacts to vegetation.

In addition, the following plans would be prepared and implemented that would further reduce impacts to vegetation:

- Fire Protection Plan
- Noxious Weed Management Plan
- Decommissioning and Site Reclamation Plan

### 3.10.5 Environmental Consequences

#### 3.10.5.1 GENERAL VEGETATION

##### 3.10.5.1.1 Proposed Action

###### 3.10.5.1.1.1 Solar PEIS Summary

The potential impacts to vegetation resources on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.10.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to general vegetation that are relevant to the Proposed Action is presented below. A summary of the related design features for general vegetation that have been fully analyzed in the PEIS is provided in Section 3.10.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. The construction of solar energy facilities within the Dry Lake SEZ would result in the removal of vegetation during land-clearing activities and would result in a moderate loss of the Sonora-Mojave Creosote-White Bursage Desert Scrub cover type (BLM and DOE 2012:11.3-32).

###### 3.10.5.1.1.2 Direct and Indirect Effects

The construction of solar energy facilities within the proposed project area would result in direct impacts on plant communities because of the removal of vegetation within the facility footprint during land-clearing and land-grading operations. Table 10 summarizes the direct short-term and long-term impacts to the vegetation cover types in the project area. The acres of disturbance are consistent with those described in the PEIS.

**Table 10.** Vegetation Impacts

Vegetation Cover Type	Short-Term Disturbance (acres)	Long-Term Disturbance (acres)
Sonora-Mojave Creosote-White Bursage Desert Scrub	32	647
North American Warm Desert Wash	0	15

###### 3.10.5.1.1.3 Mitigation Measures

Although application of the proposed design features would reduce impacts to vegetation, disturbance of 661 acres of vegetation as a result of the Proposed Action would remain in the long term. During development of the Dry Lake SEZ SRMS, cumulative impacts to vegetation were identified as an unavoidable impact which cannot be mitigated on-site. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this Project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Off-site mitigation may include restoration of native vegetation and site protection activities proposed as part of the SRMS and would benefit wildlife because they would also protect and restore habitat and reverse

effects of habitat fragmentation. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

#### **3.10.5.1.1.4 Cumulative Effects**

During development of the Dry Lake SEZ SRMS, cumulative impacts to native vegetation and the ecosystem services they provide were identified by BLM resource specialists as an unavoidable impact which cannot be mitigated on-site. The Sonoran-Mojave Creosote-White Bursage Desert Scrub and North American Warm desert wash communities that occur within the project area are generally widespread and present throughout the Mojave Ecoregion. These vegetation communities provide a variety of ecosystem services with direct and indirect economic benefits to humans such as wildlife habitat, soil, water, and air protection, and a setting for recreation, and are an important component of the viewshed. For cumulative impacts the area of analysis is the lands administered by the Las Vegas and Pahrump Field Offices. Both vegetation communities are widespread within this area; however, both are a limited and finite resource. When combined with other reasonably foreseeable actions and the cumulative scenario described in Section 3.2, the Proposed Action would result in an incremental addition to current declines in the quality and quantity of native vegetation in the analysis area. Off-site mitigation for cumulative effects to native vegetation and its ecosystem services will ensure the Proposed Action does not contribute to current declines in the native plant communities and will allow BLM to fulfil its sustainable and multiple use mission under the FLPMA. As described in Section 3.2, a major reason impacts to vegetation in the Mojave Desert are cumulative is because of the extremely slow rate of natural recovery. Restoration (seeding and soil decompaction) funded by off-site mitigation funds does not replace natural recovery, but it can speed the rate. Increased resource protection is beneficial because native vegetation and soils in the Mojave can be fragile. As little as one pass from a vehicle can create a new road, unless steps are taken to prevent additional disturbance. Off-site mitigation funds will help to prevent new damage to vegetation as well as early detection and protection that will lessen impacts.

#### **3.10.5.1.2 No Action**

##### **3.10.5.1.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and vegetation would continue to be managed consistent with the objectives of the BLM Las Vegas RMP. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to vegetation similar to those described under the Proposed Action.

##### **3.10.5.1.3 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to vegetation, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to vegetation from that development would likely be similar to or greater than those described in the Proposed Action section above.

### **3.10.5.2 SPECIAL-STATUS SPECIES**

#### **3.10.5.2.1 Proposed Action**

##### *3.10.5.2.1.1 Solar PEIS Summary*

The potential impacts to special-status plants on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.12.2 of the Final Solar PEIS and are consistent with the Proposed Action.

##### *3.10.5.2.1.2 Direct and Indirect Effects*

The project may result in the direct loss of individual plants and suitable habitat for rosy two-tone penstemon. Nearby populations of other BLM sensitive plant species including three-corner milkvetch and Beaver Dam breadroot may also be indirectly impacted if the Proposed Action leads to the introduction and spread of invasive species.

##### *3.10.5.2.1.3 Mitigation Measures*

Disturbance of 661 acres of vegetation, including suitable habitat for rosy two-tone penstemon, as a result of the Proposed Action would remain in the long term. Mitigation would adhere to the recommendations in the SRMS to offset the unavoidable adverse impacts to rosy two-tone penstemon habitat that would occur in the project area. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this Project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Off-site mitigation may include restoration of native vegetation and site protection activities proposed as part of the SRMS and would benefit wildlife because they would also protect and restore habitat and reverse effects of habitat fragmentation. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

##### *3.10.5.2.1.4 Cumulative Effects*

During development of the Dry Lake SEZ regional mitigation strategy, cumulative impacts to BLM special-status plant species, including the rosy two-tone penstemon, were identified by BLM resource specialists as an unavoidable impact which cannot be mitigated on site. Development of the project will result in cumulative loss of occupied and potential rosy two-tone penstemon habitat. Mitigation may be provided for rosy two-tone penstemon as part of the off-site mitigation fee. The incremental loss of populations is the single largest threat to rare plant species. If left unchecked, the incremental decline will ultimately result in protection under the ESA. Under the BLM special species manual, BLM has a responsibility to implement management actions that will preclude the need for federal listing. Off-site conservation through the Center for Plant Conservation would conserve the genetic diversity of rosy two-tone penstemon populations in the Dry Lake SEZ. If necessary this material will be available for future population management and restoration efforts.

#### **3.10.5.2.2 No Action**

##### *3.10.5.2.2.1 Direct and Indirect Effects*

Under the No Action Alternative, the Project ROW would be denied and special-status plants would continue to be managed consistent with the objectives of the BLM Las Vegas RMP and BLM Manual 6840. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to special-status plant species similar to those described under the Proposed Action.

### **3.10.5.2.3 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to special-status plant species vegetation, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to vegetation from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.11 Invasive Species and Noxious Weeds**

### **3.11.1 Affected Environment**

Information on invasive species and noxious weeds presented in the affected environment section of the Final Solar PEIS (BLM and DOE 2012:11.3-34) remains valid except where noted below. Southern Nevada lands are impacted by the presence of noxious and invasive, non-native vegetation. The Dry Lake SEZ was inventoried for weeds in 2014 and populations of red brome were observed along roadsides and in water collection areas. Existing ROW corridors in the SEZ are known to have populations of both Malta star-thistle (*Centaurea melitensis*) and Sahara mustard (*Brassica tournefortii*); both are listed as noxious weeds in Nevada.

Other weed species of concern include camelthorn (*Alhagi maurorum*), perennial pepper weed (*Lepidium latifolium*), Russian knapweed (*Acroptilon repens*), yellow star-thistle (*Centaurea solstitialis*), Johnsongrass (*Sorghum halepense*), Scotch thistle (*Onopordum acanthium*), Canada thistle (*Cirsium arvense*), fountaingrass (*Pennisetum setaceum*), puncturevine (*Tribulus terrestris*), tamarisk (*Tamarix ramosissima*) and halogeton (*Halogeton glomeratus*).

### **3.11.2 Applicable Laws, Regulations, Plans, and Standards**

Invasive plants and noxious weeds are managed on public lands by the BLM under the direction of the National Invasive Species Council established in 1999 (Executive Order 13112). This statute defines invasive species as “an alien (non-native) species whose introduction does, or is likely to cause, economic or environmental harm or harm to human health” (National Invasive Species Council 2008). In addition, much of the management of invasive plants and the listing of noxious weeds are regulated by the U.S. Department of Agriculture under the Federal Noxious Weed Act (7 USC 2801 *et seq.* 1974).

Executive Order 13112 outlines the federal responsibility to “prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause.” Additionally, NRS 555.05 defines “noxious weeds” and mandates the extent that landowners and land management agencies must control specific noxious weed species on lands under their jurisdiction.

The BLM Las Vegas Field Office has prepared the *Noxious Weed Plan* (BLM 2003) that provides guidance for an active integrated weed management program using BMPs.

### **3.11.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility:

- The analysis makes use of the best available data, and the professional judgment and field observations of BLM specialists. The analysis also compares elements of the Proposed Action and the project area boundary with the habitat and describes the risk of spread and introduction of new weeds in those disturbed areas.

### **3.11.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.11.2.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

An Integrated Weed Management Plan would be prepared in coordination with the BLM. NV Energy proposes to reduce and control invasive plants within the project area by using herbicides in combination with manual methods to lessen the potential for the dispersal or increased abundance of existing and any new non-native, invasive plant species. A Fire Protection Plan would be prepared to minimize the occurrence of unwanted human-caused and naturally caused fires. The plan would describe an emergency notification procedure, site evacuation process, and fire prevention procedures.

### **3.11.5 Environmental Consequences**

#### **3.11.5.1 PROPOSED ACTION**

##### **3.11.5.1.1 Solar PEIS Summary**

The potential impacts from invasive species and noxious weeds on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.10.2.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts that are relevant to the Proposed Action is presented below. A summary of the related design features for invasive species and noxious weeds that have been fully analyzed in the PEIS is provided in Section 3.11.3 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. Disturbance as a result of construction and operation activities in the Dry Lake SEZ could potentially result in the establishment and/or expansion of noxious weeds and invasive species populations despite required design features to prevent the spread of noxious weeds. Existing disturbance within the SEZ may contribute to the establishment of noxious weeds and invasive species. There are approximately 128 acres of disturbed lands within the SEZ and approximately 441 acres in the area of indirect effects. "Impacts, such as reduced restoration success and possible widespread habitat degradation, could still occur; however, a small reduction in the potential for such impacts would result from the reduced developable area of the SEZ" (BLM and DOE 2012:11.3-75-76).

##### **3.11.5.1.2 Direct and Indirect Effects**

The Proposed Action has the potential to impact 661 acres in the long-term and impact 32 acres in the short-term through ground-disturbing activities by introducing and/or exacerbating current weed populations. Construction associated with the Proposed Action would involve activities such as clearing and tilling which would result in a decrease in native plant cover and increased soil disturbance. Vegetation removal provides an opportunity for non-native weeds species to colonize the project area. Noxious and/or invasive weeds effectively compete with native species for sunlight, soil, water, nutrients,

and space, reducing forage productivity. Additionally, soil disturbance could reduce the native seed bank associated with the site.

Increased vehicle traffic during all phases of the Proposed Action would also contribute to the potential spread of noxious and/or invasive weeds. Vehicles are effective at introducing and/or spreading weeds by dispersing seeds along roadways.

Increased vehicle activity also has the potential to spread non-native invasive annual grasses. Studies suggest that the Mojave Desert is threatened by the spread of non-native, invasive annual grasses which results in increased fire and loss of natural resources (Brooks 1998). Although the non-native annual grasses are not legally designated as noxious by the State of Nevada, their role within the Mojave Desert ecosystem is increasingly important with respect to their relationship to fire and future disturbance. The increase of fine fuels may result in ignitions and ultimately increase the number of wildfires in the area. Aggressively managing invasive or noxious species would limit residual effects to manageable levels. This is made possible by maintaining discontinuous, dispersed native vegetation, nonflammable native species, propagation and planting of native species, or complete removal of all vegetation. In addition, for the life of the project, fires originating outside of the project area on adjacent lands could impact the project area. These areas have had increased wildfire risk over time due to invasive annual grasses.

#### **3.11.5.1.3 Mitigation Measures**

Implementation of standard BMPs and project stipulations would help identify, prevent, and treat the spread of noxious and/or invasive species. No additional mitigation measures have been identified and the remaining impacts from noxious weeds and invasive species would be negligible.

#### **3.11.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for noxious weeds and invasive species is the Dry Lake SEZ and a 50-mile (80-km) buffer around the SEZ. Section 11.3.22.4.9 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to noxious weeds and invasive species. The Proposed Action would contribute to the cumulative impacts from noxious weeds and invasive species.

The Proposed Action, in conjunction with other projects, would result in cumulative impacts on native vegetation communities, including the potential spread of noxious and/or invasive weeds. The combined effects of the reasonably foreseeable future actions have the potential to increase the rate at which the noxious and invasive weeds colonize lands with the cumulative impacts area.

It is assumed that all reasonable foreseeable future development on BLM lands in the SEZ and cumulative impacts area of analysis would be subject to the same design features and mitigation measures which reduce the potential cumulative increases in noxious weeds and invasive species. In addition, other reasonably foreseeable future actions that would result in ground-disturbing activities would be required to comply with the Las Vegas Field Office Noxious Weed Plan (BLM 2003).

#### **3.11.5.2 NO ACTION**

##### **3.11.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and invasive species and noxious weeds would continue under current conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts from invasive species and noxious weeds similar to those described under the Proposed Action.

#### **3.11.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to invasive species and noxious weeds there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts from invasive species and noxious weeds from that development would likely be similar to or greater than those described in the Proposed Action section above.

### **3.12 Forestry Resources**

#### **3.12.1 Affected Environment**

Two different forestry program vegetative resources are present in the Dry Lake SEZ and are affected by the Proposed Action: native seed, and cactus and yucca plants. Native seed, collected by commercial vendors under a BLM-issued permit, is important for revegetation, mine reclamation, habitat restoration, and fire rehabilitation of private and public lands. Individual cactus and yucca plants, sold to the public under a permit, are considered wildlings and are in demand for drought-tolerant and native plant landscaping as well as habitat restoration and reclamation projects on public lands.

On average, the Las Vegas Field Office has issued one commercial collection permit for the area every 2 to 3 years. The primary native species collected in the area are creosote bush, bursage, and globemallow (*Sphaeralcea ambigua*). In addition, the proposed project area contains stands of galleta grass (*Pleuraphis* sp.) suitable for commercial seed collection.

#### **3.12.2 Applicable Laws, Regulations, Plans, and Standards**

The BLM administers the sale of forest products and other vegetative resources under 432 CFR 5400. Nevada IM-NV-2010-055 and draft IM-NV-2014-013 clarify and provide guidance for the disposal, sale and pricing of forest products on BLM lands in the state.

#### **3.12.3 Methodology**

A density estimate of the number of cactus and yucca plants present within the project areas was completed and used to evaluate impacts to the forestry program.

#### **3.12.4 Proposed Design Features**

All appropriate and feasible design features outlined in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

### **3.12.5 Environmental Consequences**

#### **3.12.5.1 PROPOSED ACTION**

##### **3.12.5.1.1 Solar PEIS Summary**

The potential impacts to forestry program concerns that may result from the construction and operation of a typical solar PV facility are described in Section 11.3.10.2 of the Final Solar PEIS, and the impacts from this project would be consistent with those described (BLM and DOE 2012:11.3-32, 11.3 – 34).

##### **3.12.5.1.2 Direct and Indirect Effects**

The Proposed Action would result in the loss of approximately 661 acres within the Dry Lake Valley seed-collection area. Opportunities for commercial contractors to collect native seed on public lands are limited by stand location and the density of target species. The Proposed Action would directly affect the ability of the BLM to issue future seed-collection contracts to native seed-collectors in the area. Because many of the target species occur elsewhere, the reduction in seed collection would be negligible. However, the loss of this area for commercial galleta grass seed collection would be moderate.

It is estimated that 716 cactus and yucca plants are present within the proposed project area and would be impacted by the Proposed Action.

##### **3.12.5.1.3 Mitigation Measures**

Because of the project timing, scheduling a commercial salvage contract may not be practical and the Applicant may agree to purchase cactus and yucca at a salvage sale prices determined by the BLM Nevada State Office.

##### **3.12.5.1.4 Cumulative Effects**

It is assumed that all reasonable foreseeable future development on BLM lands in the SEZ and cumulative impacts area of analysis would be subject to the same design features and mitigation measures which reduce the potential cumulative impacts to forestry program concerns.

#### **3.12.5.2 NO ACTION**

##### **3.12.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and forestry resources would continue under current conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to forestry resources similar to those described under the Proposed Action.

##### **3.12.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to forestry resources, there would be no cumulative impacts associated with the No Action Alternative. If the BLM

authorized some form of solar development in this location in the future, the cumulative impacts to forestry resources from that development would likely be similar to or greater than those described in the Proposed Action section above.

### **3.13 Geology and Mineral Resources**

#### **3.13.1 Affected Environment**

Information for geology and mineral resources presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-10, 11.3-16). BLM-administered lands are available for the exploration and development of mineral resources. The General Mining Law of 1872, as amended, opened public lands of the United States to mineral acquisition by the location and maintenance of mining claims. Mineral deposits subject to acquisition in this manner are generally referred to as “locatable minerals,” and include gypsum and lime in the project area. According to the BLM, “As of September 17, 2010, there were a number of active mining claims, both lode and placer located, in Sections 13 and 14, Township 18S, Range 63E, in the very southern tip of the proposed Dry Lake SEZ” (BLM 2012a:11.3-51). Following the reduction in size of the SEZ, there are no active mining claims in the SEZ, and therefore no active mining claims in the project area.

#### **3.13.2 Applicable Laws, Regulations, Plans, and Standards**

Mineral materials within the project area are public property and administered by the BLM under the regulations at 43 CFR 3600 (Mineral Materials Disposal) and the Federal Aid to Highway Act. Mineral materials area authorized for disposal by the Las Vegas RMP (BLM 1998). The regulations at 43 CFR 3600 establish procedures for the exploration, development, and disposal of mineral material resources on public lands, and for the protection of the resources and environment. The regulations apply to free use permits and contracts for the sale of mineral materials.

The sale, free use, or issuance of a material site ROW for mineral materials must be conformance with the RMP mineral management section, the Federal Aid to Highway Act, and the regulations found at 43 CFR 3600. Any mineral materials extracted, severed, or removed from public lands without a contract, free use permit, or material site ROW constitutes unauthorized use.

#### **3.13.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility:

- The analysis makes use of the best available data, and the professional judgment and field observations of BLM specialists. The analysis also compares an overlay of the project area on areas with active mining and areas. This was completed in the Final Solar PEIS.

#### **3.13.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.11.2.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented. No SEZ-specific design features to address impacts to geology and minerals were identified in the Final Solar PEIS. The BLM reduced the developable area within the SEZ, including the project area, which resulted in the removal of active mining claims from the developable area of the SEZ.

### **3.13.5 Environmental Consequences**

#### **3.13.5.1 PROPOSED ACTION**

##### **3.13.5.1.1 Solar PEIS Summary**

The potential impacts to geology and mineral resources on lands in the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.8.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts that are relevant to the Proposed Action is presented below. A summary of the related design features for geology and mineral resources that have been fully analyzed in the PEIS is provided in Section 3.13.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. According to the BLM, “As of September 17, 2010, there were a number of active mining claims, both lode and placer located, in Sections 13 and 14, Township 18S, Range 63E, in the very southern tip of the proposed Dry Lake SEZ” (BLM and DOE 2012:11.3-51). Following the reduction in size of the SEZ, there are no active mining claims in the project area identified.

##### **3.13.5.1.2 Direct and Indirect Effects**

The Proposed Action has potential to produce excess mineral materials. Any mineral materials produced as a result of the Proposed Action would be used on site, or stockpiled on site for future use on site. NV Energy would obtain all necessary permits or additional ROWs before removing excess mineral materials from the project site.

If a contract, free use permit or material site ROW is necessary for the export of excess mineral materials or the import of federally owned mineral materials, the BLM may issue the required contract, free use permit, or material site ROW.

##### **3.13.5.1.3 Mitigation Measures**

All mineral materials need to be used on site within the ROW or stockpiled on site for disposal by the BLM. If mineral materials are stockpiled on site for future disposal by the BLM, a mineral material contract, free use permit, or material site ROW must be issued by the BLM before those mineral materials may be used.

##### **3.13.5.1.4 Cumulative Effects**

Because the Proposed Action would not result in impacts to geology and mineral resources, there would be no contribution to cumulative impacts.

#### **3.13.5.2 NO ACTION**

##### **3.13.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and geology and minerals would not be directly or indirectly impacted. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different

PV project could be constructed and presumably would result in impacts to geology and mineral resources similar to those described under the Proposed Action.

#### **3.13.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to geology and mineral resources, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to geology and mineral resources from that development would likely be similar to or greater than those described in the Proposed Action section above.

### **3.14 Soils**

#### **3.14.1 Affected Environment**

Information for soil resources presented in the affected environment section of the Final Solar PEIS remains valid. Soils within the project area are very gravelly and stony loams of the Colorock–Tonopah and the Bard-Tonopah association. These gently to moderately sloping soils are derived alluvium from sedimentary rocks (mainly carbonates); some soils (particularly those of the Colorock series) have well developed pavements. They are characterized as deep and well to excessively drained. Most of the soils on the site have a high surface runoff potential and moderate permeability (BLM and DOE 2012:11.3-12).

In addition, biological soil crusts and desert pavement exist throughout the Mojave Desert and are present in the project area. Biological soil crusts are matrices of soil particles on the surface of the soil that comprise cyanobacteria, mosses, lichens, and bacteria (Williams et al. 2013). Desert pavement is a soil feature that refers to the interlocking rock fragments on the surface of the soil with sparse plant cover (Williams et al. 2013).

#### **3.14.2 Applicable Laws, Regulations, Plans, and Standards**

Soils within the project area are managed under the authority of the Federal Clean Water Act, as amended (33 USC 1251 et seq.) and Chapter 445A of the NRS.

#### **3.14.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility:

- The analysis makes use of the best available data, and the professional judgment and field observations of BLM specialists. The analysis also compares a GIS overlay of the U.S. Department of Agriculture soil map of the project area to identify soil types, runoff and erosion potential. A qualitative evaluation of potential for soil crusts and desert pavement to exist in the project area was also prepared.

#### **3.14.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.11.2.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

On the basis of impact analyses conducted for the Final Solar PEIS, updates to those analyses due to changes to the SEZ boundaries, and consideration of comments received as applicable, no SEZ-specific design features for soil resources have been identified at the proposed Dry Lake SEZ (BLM and DOE 2012).

### **3.14.5 Environmental Consequences**

#### **3.14.5.1 PROPOSED ACTION**

##### **3.14.5.1.1 Solar PEIS Summary**

The potential impacts to soil resources on lands in the Dry Lake SEZ that may result from the construction and operations of a typical solar PV are described in Section 11.3.5.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to soils that are relevant to the Proposed Action is presented below. A summary of the related design features for soils that have been fully analyzed in the PEIS is provided in Section 3.14.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. Impacts on soil resources would occur mainly as a result of ground-disturbing activities (e.g., grading, excavating, and drilling), especially during the construction phase of a solar project. Because impacts on soil resources result from ground-disturbing activities in the project area, soil impacts would be roughly proportional to the size of a given solar facility, with larger areas of disturbed soil having a greater potential for impacts than smaller areas (BLM and DOE 2012:11.3-12, 11.3-16).

Activities in the SEZ have the potential to directly impact soil resources through compaction and erosion. Soil loss may occur through sediment transport. Indirect impacts include increased runoff to the Dry Lake Basin, increased wind erosion due to grading and soil contamination due to spills.

##### **3.14.5.1.2 Direct and Indirect Effects**

The Proposed Action has the potential to permanently impact 661 acres and temporarily impact 32 acres through ground-disturbing activities. The impacts associated with the loss of soils are consistent with those described in Section 3.14.5.1.1 above.

In addition to the impacts listed above in the Final PEIS, the development of the Proposed Action has the potential to cause loss of biological soil crusts and desert pavement. Biological soil crusts increase water holding capacity and nutrient availability of surface soils and cause dust accumulation which prevents wind erosion of surface soils (Williams et al. 2013). Loss of the biological soil crusts would increase erosion potential of surface soils and decrease available water and nutrients to nearby plant communities. Loss of desert pavement would decrease surface soil stability and increase wind erosion potential.

##### **3.14.5.1.3 Mitigation Measures**

Although application of the proposed design features would reduce impacts to soils, disturbance of 661 acres of soils as a result of the Proposed Action would remain in the long term. Impacts from this project warrant off-site mitigation. Mitigation would adhere to the recommendations in the SRMS to offset the unavoidable adverse impacts to soils that would occur in the project area. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this project to mitigate for soil impacts (ecosystem services lost by irreversible loss of desert pavement and biological soil crusts). The BLM will decide the amount of those funds as part of the decision record. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

##### **3.14.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for soils is Hydrographic Basin 216. Section 11.3.22.4.6 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to soils. The Proposed Action would contribute to the cumulative impacts on soil resources in the basin. The cumulative loss of

soils for the entire Dry Lake SEZ would be 2,359 acres. Cumulative impacts to soils would be addressed through the implementation of the SRMS.

### **3.14.5.2 NO ACTION**

#### **3.14.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and soil resources would not be directly or indirectly impacted. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to soils similar to those described under the Proposed Action.

#### **3.14.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to soils, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to soils from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.15 Hazards and Hazardous Materials**

### **3.15.1 Affected Environment**

The project area is currently undeveloped desert with no structures or paved roads, surrounded by industrial operations. Nearby industrial operations include three natural-gas energy generating stations and two PV solar facilities. Other facilities near the project area that could contribute to hazardous materials released into the environment include a landfill, limestone mining and processing facility, retail gas station, and a bulk fuel pipeline and pipeline terminal.

The nearest residences are over 12 miles southwest of the project area in the Las Vegas Valley. The project area is not located in an area that is regularly traveled by the public. As described in the Draft Solar PEIS, the area is not a major recreation destination, although OHV use of roads and trails and some recreational shooting are evident on nearby public lands (BLM and DOE 2010:11.3-11).

### **3.15.2 Applicable Laws, Regulations, Plans, and Standards**

All site characterization, construction, operation, maintenance, and decommissioning activities would be conducted in compliance with applicable federal, state, and local laws and regulations, including the following.

- 40 CFR Part 117 – Determination of Reportable Quantities for Hazardous Substances, which establishes the quantities of hazardous substances above which the release of these substances must be reported to the federal government.

- 40 CFR Part 112 – Oil Pollutions Prevention, which requires a handler of hazardous waste to obtain a permit from the state or federal government prior to operation if storage thresholds for petroleum are exceeded and certain other preconditions are met. Conditions of the permit would require the permit holder to limit the potential for accidental release by identifying all wastes generated, limiting the amount of waste that can accumulate at the site where waste is generated, and keeping accurate records of hazardous waste handling.

A SWPPP would ensure erosion and other water-quality pollutants associated with construction are controlled through use of standard and Project-specific BMPs.

### **3.15.3 Methodology**

The Solar PEIS evaluated effects of solar energy development by describing the hazardous materials and haul routes proposed for use in all anticipated solar technology types and qualitatively described the release risk in the context of relevant regulations. Risks of spills, leaks, or other releases of hazardous materials during construction, operation, maintenance, or transportation of project materials were considered potential impacts in the Solar PEIS. These methods adequately identify all potential impacts associated with exposure to hazardous materials.

### **3.15.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.11.2.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

### **3.15.5 Environmental Consequences**

#### **3.15.5.1 PROPOSED ACTION**

##### **3.15.5.1.1 Solar PEIS Summary**

This analysis of environmental consequences tiers to Sections 5.20 and 5.21 of the Draft Solar PEIS (BLM and DOE 2010:5-238, 5-268) and Sections 5.20 and 5.21 of the Final Solar PEIS (BLM and DOE 2012:5-26). The analysis and other information provided in those documents remains applicable except as detailed below for purposes of this Project-specific analysis of potential impacts for the Proposed Action.

##### **3.15.5.1.2 Direct and Indirect Effects**

Exposure to hazardous materials directly resulting from the Proposed Action could occur as a result of spills, leaks, or other releases during construction, operation, maintenance, and transport of materials to and from the project area.

Construction of the Proposed Action could result in increased risks of fires and contamination of environmental media from improper storage and handling of hazardous materials, leading to spills or leaks, and potential contamination of the environment from improper collection, containerization, storage, or disposal during short-term accumulation of wastes on-site. These adverse impacts would be reduced by the implementation of protective measures that fulfill the requirements of the programmatic design features.

During O&M activities, workers could be exposed to hazardous materials and wastes and environmental contamination resulting from spills or leaks of dielectric fluid in transformers. However, the risk of

accidental exposure to transformer fluid would be minimized by the regular monitoring of transformer containment that is proposed as part of the Project.

The types of materials and wastes to be used or generated as a result of the Proposed Action were included in the analysis of the Solar PEIS. In addition, the effects identified above were disclosed in the Draft and Final Solar PEIS. The Proposed Action is consistent with the analysis and findings in the Draft and Final Solar PEIS. All applicable design features and protective measures would be implemented as a part of the Proposed Action and no new significant direct or indirect effects would occur related to hazards and hazardous materials as a result of the Proposed Action.

#### **3.15.5.1.3 Mitigation Measures**

Because no new significant impacts related to hazards or hazardous materials would occur as a result of the Proposed Action relative to those considered in the Solar PEIS, no mitigation measures are recommended.

#### **3.15.5.1.4 Cumulative Effects**

Impacts caused by the projects in the cumulative scenario, combined with the Proposed Action, would not result in an adverse cumulative hazard or hazardous materials impact even if all of the projects were to be constructed simultaneously, in part because all projects would be required to adhere to the robust body of regulations that govern hazardous materials transport, storage, and handling, and worker health and safety. These laws and other requirements have been adopted with cumulative safety considerations in mind and to be sufficiently protective of human health and safety under cumulative conditions. In addition, the Proposed Action, the Harry Allen Solar Energy Center Project, and the Playa Solar Energy Center (each of which is proposed within the Dry Lake SEZ) would comply with the programmatic design features identified in the Solar PEIS ROD.

#### **3.15.5.2 NO ACTION**

Under the No Action Alternative, the Project ROW would be denied and there would be no additional impacts from hazardous materials in the area. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific materials that may be used are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts from hazardous materials similar to those described under the Proposed Action.

##### **3.15.5.2.1 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to hazardous materials, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts from hazardous materials from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.16 Lands/Access**

### **3.16.1 Affected Environment**

Information for lands and access presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-5). In addition, land uses throughout the project area consist of undeveloped land, transmission lines, and belowground pipelines. Surrounding land uses include the remainder of the Dry Lake SEZ, the Harry Allen Combined Cycle Generation Station, transmission lines, substations, natural gas pipelines, the Union Pacific Railroad, I-15, U.S. 93, and other smaller paved and dirt roads.

### **3.16.2 Applicable Laws, Regulations, Plans, and Standards**

The BLM manages land use and access according to the BLM Las Vegas RMP (BLM 1998).

### **3.16.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility:

- Review data in LR2000 and Master Title Plats to identify existing and proposed land uses. Notify adjacent ROW holders of the Proposed Action. Use a GIS overlay comparison of compatible and non-compatible uses to illustrate indicators of what land uses would be most affected by the proposed project.

### **3.16.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.11.2.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

No SEZ-specific design features to address impacts to lands and access were identified in the Final Solar PEIS. The BLM revised the developable area within the SEZ, including the project area, to account for current existing land uses.

### **3.16.5 Environmental Consequences**

#### **3.16.5.1 PROPOSED ACTION**

##### **3.16.5.1.1 Solar PEIS Summary**

The potential impacts to land and access on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.2.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to lands and access that are relevant to the Proposed Action is presented below. A summary of the related design features for lands and access that have been fully analyzed in the PEIS is provided in Section 3.16.4 above.

The impacts and design features analyzed and described in the PEIS are incorporated into this document. According to the BLM, “the proposed Dry Lake SEZ still partially overlaps three locally designated corridors” (BLM 2012a:11.3-6). “Solar Development of the SEZ would establish a large industrial area that would exclude many existing and potential uses of the land, perhaps in perpetuity” (BLM 2012a:11.3-6).

### **3.16.5.1.2 Direct and Indirect Effects**

There would be a loss of 661 acres of land to solar development that would not be available for other public land uses. The final project area was identified by the BLM prior to the auction to avoid a majority of existing land uses and ROWs. In addition, as described in the SRMS, “By regulation, any new activity must occur in deference to existing rights. Thus, potential impacts have been avoided” (BLM 2014b:49).

### **3.16.5.1.3 Mitigation Measures**

No mitigation measures to address impacts to land use and access have been identified. Because there are no mitigation measures, impacts would remain unchanged from the direct/indirect impacts described above.

### **3.16.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for lands and access is the RMP boundary administered by the BLM Southern Nevada District Office. Section 11.3.22.4.1 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to lands and access. The development of other projects in the Dry Lake SEZ would result in the direct loss of 2,359 acres of public land for other public land uses. The Dry Lake SEZ has been identified specifically for solar energy development, and withdrawn from other uses by the BLM so the cumulative impacts of all development in the SEZ on land use and access would be negligible.

The development of the remainder of the Dry Lake SEZ, in combination with other reasonably foreseeable future actions in the BLM planning area would add to the impacts of the Proposed Action and contribute to the cumulative reduction in lands available for other uses, and a cumulative reduction in public access.

## **3.16.5.2 NO ACTION**

### **3.16.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and land use and access would continue to be managed consistent with the objectives of the BLM Las Vegas RMP. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activities are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to land use and access similar to those described under the Proposed Action.

### **3.16.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to land use and access, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to land use and access from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.17 Military and Civilian Aviation**

### **3.17.1 Affected Environment**

Information for recreation presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-10). The project area is located approximately 13.5 miles (22 km) northeast of Nellis Air Force Base, and is not located under designated military airspace, or in a Department of Defense consultation area. The project area is located south of and within 5 miles (8 km) of an area identified by Nellis Air Force Base as an emergency military aircraft bailout area.

The Project Area is located approximately 21 miles (34 km) north of the North Las Vegas Airport and approximately 25 miles (40 km) from McCarran International Airport.

### **3.17.2 Applicable Laws, Regulations, Plans, and Standards**

Not applicable.

### **3.17.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility:

- Review of analysis in the Final Solar PEIS. BLM conducted SEZ-specific consultation with the Department Defense.

### **3.17.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.11.2.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

No SEZ-specific design features to address impacts to military and civilian aviation were identified in the Final Solar PEIS. The BLM revised the developable area within the SEZ, including the project area, to include only the southernmost areas of the SEZ which reduced potential impacts on the emergency bailout area.

The military has indicated that structures higher than 50 feet above ground level may present concerns. BLM has provided Nellis Air Force Base with the Project POD to evaluate potential safety hazards. The Proposed Action does not include any structures greater than 50 feet.

### **3.17.5 Environmental Consequences**

#### **3.17.5.1 PROPOSED ACTION**

##### **3.17.5.1.1 Solar PEIS Summary**

The potential impacts to military and civilian aviation on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.6.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts that are relevant to the Proposed Action is presented below. A summary of the related design features for military and civilian aviation that have been fully analyzed in the PEIS is provided in Section 3.17.4 above. The impacts and design features analyzed and described in the Draft PEIS are incorporated into this document. "Nellis Air Force Base Command has continued to express concerns over potential

impacts on the approach and departure of aircraft from the base from solar energy facilities that might be located in the SEZ” (BLM and DOE 2012:11.3-10).

#### **3.17.5.1.2 Direct and Indirect Effects**

Impacts from implementation of the Proposed Action to military and civilian aviation operations are not expected. The Proposed Action is not located under military airspace. The area is south of a controlled bailout area, but within a 5-mile (8-km) buffer of that area. The Proposed Action is not expected to create hazards for pilots. The PV panels associated with the Proposed Action would have a maximum ground clearance of approximately 5 feet when flat. They do not create significant glare as PV panels are designed to absorb as much light as possible. The Proposed Action gen-tie line would not be expected to create additional air navigation hazards because there are multiple existing transmission towers in the area.

If pilots eject over the project area, they may suffer potential injuries from colliding with the infrastructure. Potential damage to the solar field may occur depending on the altitude and direction of the aircraft during an emergency ejection.

The North Las Vegas and McCarran Airports are located far enough away from the Proposed Action that there would be no effect to their operations (BLM and DOE 2010:11.3-35).

#### **3.17.5.1.3 Mitigation Measures**

No mitigation measures to address impacts to military and civilian aviation have been identified. Because there are no mitigation measures, impacts would remain unchanged from the direct/indirect impacts described above.

#### **3.17.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for military and civilian aviation is defined as the Dry Lake SEZ. Section 11.3.22.4.5 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to military and civilian aviation. The development of other projects in the Dry Lake SEZ would result in the installation of PV panels and associated infrastructure on up to 2,359 acres of public land currently undeveloped and within the 5-mile (8-km) buffer of the emergency bailout zone.

### **3.17.5.2 NO ACTION**

#### **3.17.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and military and civilian aviation operations would continue to be subject to existing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other aboveground facilities are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to military and civilian aviation operations similar to those described under the Proposed Action.

### **3.17.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to military and civilian aviation operations, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to military and civilian aviation from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.18 Recreation**

### **3.18.1 Affected Environment**

Information for recreation presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-9). The project area offers limited potential for recreation opportunities. Although there are no developed recreation sites within the project area, roads and trails in the dry lake valley are used for dispersed recreation on a limited basis. The predominant recreation activities would be hunting access to the Arrow Canyon Range and casual OHV use. There is also casual OHV use on the dry lake bed north of the project area. In addition, the dry lake bed is used for model airplane flying, and for target shooting.

### **3.18.2 Applicable Laws, Regulations, Plans, and Standards**

The BLM manages recreation on public lands by identifying SRMAs. SRMAs have a distinct recreation market and corresponding management strategy. BLM-managed public lands not delineated as SRMAs are managed as extensive recreation management areas (ERMAs) and do not require a specific management strategy or activity-level planning. The RMP states under RC-10 “Manage lands not included within Special Recreation Management Areas as the Southern Nevada Extensive Recreation Management Area, emphasizing dispersed and diverse recreation opportunities” (BLM 1998).

### **3.18.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility:

- Recreation use data are not collected for the dry lake valley area, or for this portion of the Southern Nevada ERMA. The analysis makes use of the best available data, and the professional judgment and field observations of BLM recreation specialists to identify specific recreational trends and opportunities in the project area and on nearby lands. The analysis also compares the project area boundary with known routes accessing the Arrow Canyon Range and the dry lake bed.

### **3.18.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.10.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented. No SEZ-specific design features to address impacts to recreation were identified in the Final Solar PEIS. The BLM revised the developable area within the SEZ, including the project area, to include only the southernmost areas of the SEZ which reduced potential impacts to recreation opportunities.

### **3.18.5 Environmental Consequences**

#### **3.18.5.1 PROPOSED ACTION**

##### **3.18.5.1.1 Solar PEIS Summary**

The potential impacts to recreation resources on lands in the Dry Lake SEZ and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.5.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to recreation that are relevant to the Proposed Action is presented below. A summary of the related design features for recreation that have been fully analyzed in the PEIS is provided in Section 3.18.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. The closing of roads/routes could result in adverse impacts to public access in the area; however “the revised area contains the more developed portions of the SEZ, and this area offers very little in the way of recreation opportunities” (BLM 2012a:11.3-9).

##### **3.18.5.1.2 Direct and Indirect Effects**

The project area would be fenced with security fencing and would be closed to public access in the long term. This would result in a direct, long-term loss of 661 acres of public land currently available for dispersed recreation activities. Because this area has limited opportunities for dispersed recreation, this would be a negligible impact. The Proposed Action would not result in changes to public access to the Arrow Canyon Range or to the dry lake bed.

##### **3.18.5.1.3 Mitigation Measures**

Because there would be negligible impacts to dispersed recreation opportunities, and public access to the Arrow Canyon Range and the dry lake bed would not be impacted, no additional mitigation measures to address recreation impacts have been identified. Because there are no additional mitigation measures, impacts would remain unchanged from the direct/indirect impacts described above.

##### **3.18.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for recreation is defined as public lands that area accessible from I-15 and that are developed recreational sites, routes, SRMAs, or that have dispersed recreation opportunities (to address potential cumulative effects that could result if recreationalists using lands within the study area are displaced to another recreation location along I-15). Section 11.3.22.4.4 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to recreation. The development of other projects in the Dry Lake SEZ would result in the direct loss of 2,359 acres of public land currently available for dispersed recreation activities and would result in route closures and access restrictions that would impact casual OHV use in the area. The Dry Lake SEZ has limited opportunities for dispersed recreation, and development would not result in the displacement of recreation. The cumulative impacts of all development in the SEZ would remain negligible. Other reasonably foreseeable future actions would have similar impacts, also in areas providing limited opportunities for recreation.

#### **3.18.5.2 NO ACTION**

##### **3.18.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and recreation opportunities and access would continue to be managed consistent with the objectives of the Southern Nevada ERMA, the

BLM Las Vegas RMP. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and areas to be fenced off from the public are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to recreation similar to those described under the Proposed Action.

#### **3.18.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to recreation, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to recreation from that development would likely be similar to or greater than those described in the Proposed Action section above.

### **3.19 Socioeconomics and Environmental Justice**

#### **3.19.1 Affected Environment**

Section 11.3.19.1 of the Draft Solar PEIS (BLM and DOE 2010:11.3-297 et seq.) and Section 11.3.19.1 of the Final Solar PEIS (BLM and DOE 2012:11.3-85) describe the social and demographic background and existing conditions in the Region of Influence for the Dry Lake SEZ, which consists of Clark County, Nevada. For purposes of analyzing socioeconomic impacts of the Proposed Action and No Action Alternative, the study area is the same area that was evaluated in the Draft and Final Solar PEIS. This analysis of the Proposed Action and No Action Alternative relies on that discussion and updates it to reflect changes that have occurred since publication of the Final Solar PEIS; namely, that new employment and fiscal data are available that may provide a more accurate reflection of the current socioeconomic conditions in the study area than those relied on in the Draft and Final Solar PEIS, in particular because these new data reflect years during which the U.S. experienced an economic recession, resulting in high unemployment. These data are presented below.

In 2013, employment in Clark County stood at 891,483. Over the period 2004 to 2013, the annual average employment growth rate was 1.3% percent in Clark County, which was higher than the average rate for the state of Nevada (1.0%). Employment fell substantially in both geographies between 2008 and 2010, during the recent economic recession, contributing to the low average annual growth. In 2012, the services sector provided the highest percentage of employment in Clark County at 65.1%, followed by wholesale and retail trade at 15.8%. Construction provided 4.6% of employment.

The Draft Solar PEIS identified a low-income population as one in which the percentage of individuals with incomes below the poverty line exceeds 50% or is at least 20 percentage points greater than the average for the state as a whole. Overall, between 2008 and 2012, 14.2% of Nevada's population had incomes below the poverty line. Therefore, a low-income population would include at least 34.2% of individuals with incomes below the poverty line. In 2012, 33 of 487 census tracts in Clark County had a population of 34.2% or more with incomes below the poverty line (Bureau of the Census 2013). These were located within or adjacent to the Las Vegas metropolitan area and tended to cluster to the southeast of I-15 in the eastern portion of the Las Vegas area. None were adjacent to the Project site, and only one was within 10 miles of the Project site.

### **3.19.2 Applicable Laws, Regulations, Plans, and Standards**

There are no laws, regulations, plans, or standards that provide thresholds that are relevant to the consideration of the impacts of the Proposed Action and No Action Alternative on socioeconomics and environmental justice.

### **3.19.3 Methodology**

Appendix M of the Draft Solar PEIS describes the impact methodology relied upon to analyze the effect of solar development of that program on socioeconomics (Section M.19). No update to Appendix M of the Draft Solar PEIS methodology was needed in the Final Solar PEIS. This analysis of the effects of the Proposed Action and No Action Alternative in this EA relies on the same methodology.

### **3.19.4 Proposed Design Features**

Section 2.2.9, Protective Measures, describes design features, resource surveys, and management plans that are proposed to avoid or reduce potential impacts of the Project. However, none relates specifically to socioeconomic and environmental justice considerations.

### **3.19.5 Environmental Consequences**

#### **3.19.5.1 PROPOSED ACTION**

##### **3.19.5.1.1 Solar PEIS Summary**

The potential impacts to socioeconomics and environmental justice on lands in the Dry Lake SEZ and lands surrounding the Dry Lake SEZ that may result from the construction and operation of a typical solar PV facility are described in Section 11.3.14.2 of the Final Solar PEIS, and the impacts from this Project would be consistent with those detailed. This analysis of environmental consequences tiers to Sections 11.3.19.2 and 5.18 of the Draft Solar PEIS (BLM and DOE 2010:11.3-305 et seq.; p. 5-250 et seq.) and Sections 11.3.19.2.4 and 11.3.20.2 of the Final Solar PEIS (BLM and DOE 2012:11.3-92 et seq.; p. 11.3-94 et seq.). The analysis and other information provided in those documents remains applicable except as detailed below.

##### **3.19.5.1.2 Direct and Indirect Effects**

The Project would employ an average of 200 to 400 workers during construction, with a peak not expected to exceed 400 workers at any given time. Based on the ratio of direct to indirect labor derived from the input-output model prepared for the Solar PEIS (BLM and DOE 2012:11.3- 93), it is anticipated that an average labor force of approximately 200 to 400 workers would produce a total of approximately 400 to 800 jobs, including indirect labor.

During operation, the Project would create approximately six direct full-time-equivalent jobs, and less than one indirect job.

Because the negligible expected in-migration of workers would not result in a measurable increase in the service population of local government or community services, no new service employment would be required to continue to meet existing levels of service in Clark County. Additionally, because the Project is not expected to result in population growth in Clark County as a whole or in individual communities within Clark County, it is not anticipated that Project construction or operation would cause social change or disruption in these communities.

### **3.19.5.1.3 Mitigation Measures**

As described above, it is not anticipated that the Project would result in the need for new or expanded local government or community services; therefore, it is not expected that the Project would need to secure agreements for local government services as a condition of its Notice to Proceed. Because no new significant impacts have been identified, no additional mitigation is recommended.

### **3.19.5.1.4 Cumulative Effects**

This cumulative effects analysis tiers to Sections 11.3.22.4.18 and 11.3.22.4.19 of the Draft Solar PEIS (BLM and DOE 2010:11.3-359 et seq.) and Section 11.3.22.4 of the Final Solar PEIS (BLM and DOE 2012:11.3-104). Because the Project would not result in impacts that could be experienced disproportionately within the identified low-income areas, it would not contribute to cumulative environmental justice impacts.

As indicated above, it is anticipated that the Project would result in minimal in-migration, and as a result, would not increase the service populations of local government and community services or cause social change or disruption in local communities. During operation, solar projects in the cumulative scenario are expected to create approximately 20 to 50 long-term positions based on their sizes and technologies. No noticeable in-migration is expected to occur as a result of these jobs being created. The potential cumulative impacts of the Proposed Action in combination with other reasonably foreseeable projects are within the range of socioeconomic and environmental justice impacts identified in the Solar PEIS, and no new significant impact would occur.

### **3.19.5.2 NO ACTION**

#### **3.19.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and socioeconomics and environmental justice in the area would continue to be subject to existing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, employment levels, and other sources of revenue are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to socioeconomics and environmental justice populations similar to those described under the Proposed Action.

#### **3.19.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to socioeconomics and environmental justice, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to socioeconomics and environmental justice from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.20 Transportation**

### **3.20.1 Affected Environment**

A detailed description of the transportation characteristics serving the project area can be found in Section 11.3.21 of the Draft Solar PEIS (BLM and DOE 2010:11.3-323 et seq.) and Section 11.3.21 of the Final Solar PEIS (BLM and DOE 2012:11.3-95 et seq.). Those characteristics remain unchanged since publication of the Draft and Final Solar PEIS. Interstate 15, a four-lane divided freeway, passes about 2 miles southeast of the Project, carrying average traffic volumes of about 20,000 to 25,000 vehicles per day in the vicinity of the Project (Nevada Department of Transportation 2013). Based on generalized capacity estimates for rural freeways, the estimated carrying capacity of I-15 is about 60,000 vehicles per day (Florida Department of Transportation 2012). Thus, the current traffic density on this segment of I-15 is no more than 42%.

Traveling to the northwest from I-15, U.S. 93, a two-lane undivided highway, borders the southwestern edge of the project area, carrying average traffic volumes of about 2,600 vehicles per day in the vicinity of the Project (Nevada Department of Transportation 2013). The estimated carrying capacity of U.S. 93 is about 28,600 vehicles per day (Florida Department of Transportation 2012). Thus, the current traffic density on this segment of U.S. 93 is of no more than 9%. The proposed primary access for the Project would connect to the existing paved Harry Allen Road.

### **3.20.2 Applicable Laws, Regulations, Plans, and Standards**

There are no laws, regulations, plans, or standards that provide thresholds that are relevant to the consideration of the impacts of the Proposed Action and No Action Alternative on transportation systems.

### **3.20.3 Methodology**

The analysis of potential traffic congestion and travel delays on I-15 and U.S. 93 during peak construction used an impact indicator of the change in traffic density by road (i.e., percent of carrying capacity). A comparison of the existing traffic density with expected densities during Project construction and operation was evaluated to determine the effect on local traffic.

### **3.20.4 Proposed Design Features**

Section 2.2.9, Protective Measures, describes design features, resource surveys, and management plans that are proposed to avoid or reduce potential impacts of the Project. Table 4, Dry Lake Programmatic Design Features, describes how the Proposed Action would address programmatic design feature T2-1, which requires applicants to prepare plans to manage project-related traffic for BLM review and approval.

### **3.20.5 Environmental Consequences**

#### **3.20.5.1 PROPOSED ACTION**

##### **3.20.5.1.1 Solar PEIS Summary**

This analysis of environmental consequences tiers to Section 11.3.21 of the Draft Solar PEIS (BLM and DOE 2010:11.3-326) and Section 11.3.21 of the Final Solar PEIS (BLM and DOE 2012:11.3-95). The analysis and other information provided in those documents remains applicable except as detailed below for purposes of this Project-specific analysis of potential impacts of the Proposed Action.

### 3.20.5.1.2 Direct and Indirect Effects

The primary transportation impacts from the Proposed Action would result from commuting construction-worker traffic on I-15 and U.S. 93. Truck traffic generated by Project construction activities would add to the increased traffic volumes on I-15 and U.S. 93, but to a lesser extent than would the worker traffic. The Project would cause a temporary increase in traffic volumes on I-15 of up to about 10%, and up to 15% of the traffic level on U.S. 93 north of its junction with I-15. Those levels of increase are consistent with what was analyzed in the Draft and Final Solar PEIS. While percent increase in traffic volumes is a factor to consider when determining impacts, a more relevant measure is change in traffic density. As described above, the current traffic density on I-15 and U.S. 93 in the project area is no more than 42% and 9%, respectively. The existing-plus-Project traffic densities would be no more than 43% and 10%, respectively, remaining within the carrying capacity of the affected roadways. Because spikes in traffic volumes would be experienced during shift changes, traffic on I-15 could experience minor slowdowns during these time periods, specifically near Exit 64 (the U.S. 93 and I-15 interchange). However, the anticipated level of traffic during Project construction would not exceed the capacity of I-15. No new significant direct or indirect effects would occur relative to construction-related activities of the Proposed Action.

Operation of the Project would require a workforce of up to six full-time-equivalent positions. This workforce would include administrative and management personnel, operators, and security and maintenance personnel. Employees would be based at the on-site O&M building. Operation and maintenance would require the use of vehicles and equipment such as pickup trucks, crane trucks, and forklifts. Because operation and maintenance of the Project would generate substantially less traffic than construction activities, and because the construction phase would not degrade traffic flow conditions on I-15 or U.S. 93 below acceptable levels (as stated above), no adverse impacts are expected to occur due to the traffic generated during the operation and maintenance phase of the Proposed Action.

### 3.20.5.1.3 Mitigation Measures

No additional or revised mitigation measures are recommended for the Proposed Action, as there would be no new transportation impacts relative to the Solar PEIS.

### 3.20.5.1.4 Cumulative Effects

Traffic generated by existing, ongoing projects is reflected in the existing traffic conditions described in Section 3.20.1 above. Reasonably foreseeable future projects would have the potential to result in cumulative impacts if they are operating or under construction during the Proposed Action's construction-related activities. Future projects that are anticipated to be constructed during the 18-month Project construction period include the Playa Solar Energy Center, Harry Allen Solar Energy Center, Moapa Solar Project, Copper Mountain Solar 2 Project, Moapa Solar Energy Center, Nellis Air Force Base Area II Solar Project, and Clark, Lincoln, and White Pine Counties Groundwater Development Project. Each of these projects is expected to contribute some traffic to I-15 in southern Nevada. In combination with the Proposed Action, these projects could have a combined average construction workforce of approximately 3,600 personnel, generating about 7,200 one-way trips per day. It is also assumed that each of these projects would have an average daily truck-trip generation similar to the Proposed Action (i.e., about 100 truck trips per day), for a combined average of 800 daily truck trips (1,600 one-way truck trips per day). As described above, the current traffic density on I-15 and U.S. 93 in the project area is no more than 42% and 9%, respectively. The cumulative traffic densities, with the assumed concurrent trip generation of about 8,800 one-way trips per day, would be no more than 56% and 40%, respectively, remaining within the carrying capacity of the affected roadways. The scope of potential cumulative effects on transportation is within that analyzed in the Final Solar PEIS, and no new or increased significant cumulative effects would occur to transportation as a result of the Proposed Action.

### **3.20.5.2 NO ACTION**

#### **3.20.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and transportation in the area would continue to be subject to existing conditions. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of vehicle traffic are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to transportation similar to those described under the Proposed Action.

#### **3.20.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to transportation, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to transportation from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.21 Visual Resources**

### **3.21.1 Affected Environment**

Information for visual resources presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-64–11.3-65). The BLM uses a VRM system to inventory and manage visual resources on public lands. The primary objective of VRM is to maintain the existing visual quality of BLM-administered public lands and to protect unique and fragile visual resources. The VRM system uses four classes to describe different degrees of modification allowed to the landscape. Visual Resource Inventory classes are visual ratings that describe an area in terms of visual or scenic quality and viewer sensitivity to the landscape (the degree of public concern for an area's scenic quality). Once an area has been assigned a VRM class, the management objectives of that class can be used to analyze and determine visual impacts of proposed activities and to gauge the amount of disturbance an area can tolerate before it exceeds the visual management objectives of its VRM class (BLM 1980).

VRM class designations are based on a combination of the area's scenic quality, visual sensitivity, and distance zones and other land use allocations and desired outcomes outlined in the RMP to establish compatibility between VRM class designations and other land use decisions (BLM 1992).

Visual resources (the landscape) consist of landform (topography and soils), vegetation, and human-made structures (roads, buildings, and modifications of the land, vegetation, and water). These elements of the landscape can be described in terms of their form, line, color, and texture. Normally, the more variety of these elements there is in a landscape, the more interesting or scenic the landscape becomes if the elements exist in harmony with each other. The BLM manages landscapes for varying levels of protection and modification, giving consideration to other resource values, land uses, and the scenic quality of the landscape. The analysis area for visual resources includes lands where potential changes to the landscape from the Project may be discerned.

The dominant landscape characteristic within and surrounding the project area is the large, wide, open valley floor with north-south-trending mountain range to the west. Rocky, sloping alluvial fans come down from the mountains into the valley. Vegetation typical of the Mojave Desert environment occurs throughout the project area. Creosote bush and other shrubs and grasses dominate the bajadas and valley floors and contribute to the scenic quality of the area. Naturally exposed black and brown bands of rock within the mountains, and tan to white-colored soils in the valley also add scenic contrasts and scenic quality to the area. The project area is adjacent to the Harry Allen power generation facility, substation, and several distribution lines interspersed throughout the valley. Both I-15 and U.S. 93 are visibly obvious highways. The existing infrastructure is easily visible to travelers throughout the project area.

Lands in the project area are designated as VRM Class III and Class IV (BLM 1998). There are 501 acres of VRM Class III–managed lands and 159 acres of VRM Class IV–managed lands (Figure 7). The VRM Class III management objective “is for partial retention of the existing character of the landscape. In these areas, authorized actions may alter the existing landscape, but not the extent that they attract or focus attention of the casual viewer. The VRM Class IV objective is allows activities involving major modification of the landscape’s existing character. Authorized actions may create significant landscape alterations and would be obvious to casual viewers (BLM 1998). However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements” (BLM 1998:Appendix A, p. 3).

### **3.21.2 Applicable Laws, Regulations, Plans, and Standards**

The BLM manages visual resources within the project area in accordance with VRM classes established in the Las Vegas RMP (BLM 1998).

### **3.21.3 Methodology**

The following methods are used to evaluate impacts from the Project facility:

A contrast rating was done from critical viewpoints, known as Key Observation Points (KOPs), located along commonly traveled routes, such as highways, access roads, or hiking trails. A KOP can either be a single point of view that an observer/evaluator uses to rate an area or panorama, or a linear view along a roadway, trail, or river corridor. Factors considered in selecting KOPs for the Project were:

- Angle of observation or slope of the Project
- The spatial qualities of the landscape
- Number of potential viewers of the Project
- Length of time that the Project would be in view
- Relative size of the Project
- Light conditions

Four KOPs were selected to determine the potential impacts of the proposed project on visual resources within the project area (see Figure 7). The primary public views of the proposed project would be from two travel routes (I-15 and U.S. 93), the Loves Travel Center, and the Dry Lake bed. KOPs were selected to represent effects of the Project as seen from public areas that permit a high degree of visibility to the project area. Photographic simulations of the Project were prepared for each KOP and the degree of visual contrasts was rated at each KOP, based on the form, line, color, and texture changes between the existing landscapes and how the landscapes would look after implementation of the potential project.

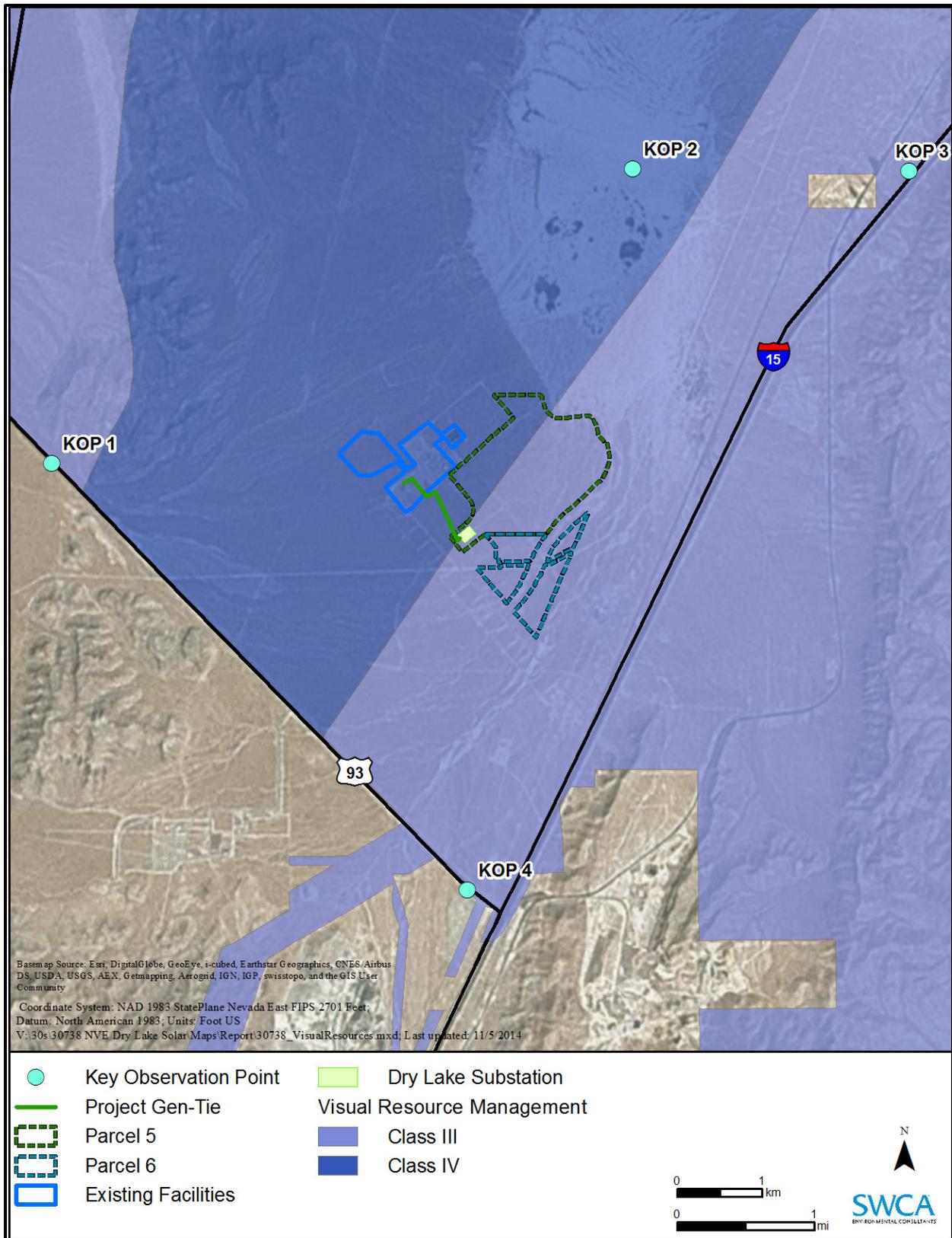


Figure 7. Key Observation Points and VRM Classes.

The contrast ratings, recorded on a BLM Visual Contrast Rating Form (Appendix B), were then used to determine whether or not the level of disturbance associated with the Proposed Action would exceed the VRM objectives for the area (BLM 1986).

### **3.21.4 Proposed Design Features**

Programmatic design features described in Section A.2.2 of Appendix A of the Final Solar PEIS (BLM and DOE 2012) would be implemented to reduce potential visual impacts.

### **3.21.5 Environmental Consequences**

#### **3.21.5.1 PROPOSED ACTION**

##### **3.21.5.1.1 Solar PEIS Summary**

The potential impacts to visual resources on lands in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV facility are described in Section 11.3.14.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to visual resources that are relevant to the Proposed Action is presented below. A summary of the related design features for visual resources that have been fully analyzed in the PEIS is provided in Section 3.21.4 above.

The impacts and design features analyzed and described in the PEIS are incorporated into this document.

According to the BLM, “solar development still would involve major modification of the existing character of the landscape; it likely would dominate the views from most locations within the SEZ” (BLM 2012a:11.3-65). However, “with the reduction in size of the SEZ, solar energy development within the SEZ would be expected to create minimal or weak visual contrasts for viewers within many of the surrounding scenic resource areas and other resources listed in Table 11.3.14.2-1. Exceptions include the Desert NWR, the Old Spanish National Historic Trail, Arrow Canyon Wilderness Area, Muddy Mountains Wilderness Area, and the Nellis Dunes SRMA. In these areas, moderate or strong visual contrasts still could occur” (BLM 2012a:11.3-70).

##### **3.21.5.1.2 Direct and Indirect Effects**

Under the Proposed Action, the solar fields and transmission line would occupy approximately 694 acres. Short-term contrasts with the characteristic landscape of the project area would result from activities associated with construction of the Project. Removal of vegetation and grading (leveling) would result in contrasts to the color and irregular texture and lines of the characteristic landscape over the construction period. In addition, construction equipment, vehicles, supplies, and associated project activities would be clearly visible during construction activities.

Changes to the scenic quality of the project would result from the introduction of PV panels, new transmission structures, and new building structures. The project area Scenic Quality Rating Unit is an area of low scenic quality due to the lack of topographic features, water bodies, and variety of color.

Because of its location within the SEZ, the Project would not be visible from the Desert National Wildlife Refuge, the congressionally designated Old Spanish National Historic Trail, Arrow Canyon Wilderness Area, Muddy Mountains Wilderness Area, or the Nellis Dunes SRMA. During the long-term operation of the Project, the regular geometric forms and strong horizontal and vertical lines associated with the solar fields would result in a visual contrast with the forms and colors of the existing landform and vegetation. Although concentrated light would not be directly reflected towards any of the KOPs, the solar panels, when viewed from elevated viewing positions at certain times of the day, would

reflect the sky resulting in intermittent bright colors that would sharply contrast with the dull hues of the surrounding tan soils and grey green vegetation. The proposed transmission line would parallel and repeat the basic visual elements of the many existing transmission lines that are similar in form, line, and color.

Four KOPs were selected to represent critical viewpoints for each of the three sensitive viewer types: travel routes, recreation areas, and public gathering locations (see Figure 7). The selected KOPs also represent different viewing elevations and distance zones relative to the Project. KOPs that are visually screened from the project area by topography and/or vegetation would observe little to no change and are described below. The apparent contrast visible from the KOPs would range from weak/moderate. A visual resource assessment for the Project was completed including visual contrast ratings and photographic visual simulations (see Appendix B). Visual contrast ratings and photographic simulations were completed for each of the four KOPs.

**KOP 1, U.S. 93 Eastbound:** This KOP is representative of viewers traveling on U.S. 93. The project would not be visible from this KOP, however, as drivers continue east along U.S. 93; elements of the project would become visible. The project is approximately 3 miles (4.8 km) from the KOP, and is screened from view by topography in the foreground. Speed limits along this portion of U.S. 93 are 70 miles per hour and as drivers continue east, the Project would be visible for approximately 4 miles (6 km), or 3.4 minutes. The project would be viewed from U.S. 93 for a short duration and would be viewed in context with existing modifications, including transmission structures, both U.S. 93 and I-15, and the existing combined cycle generation station.

There would be no visible contrast resulting from changes to form, line, color, and texture from the KOP. There would be weak to no contrasts to the line and color of the vegetation; and to the line, color, and texture of structures from farther east along U.S. 93. Although viewed from a superior angle, these weak contrasts would be further screened by existing transmission line structures, the Harry Allen combined-cycle facilities, and the other proposed solar facilities located between the U.S. 93 and the Project. Because of the limited viewing time, the movement and speed associated with surrounding traffic, and the existing landscape modifications, it would not demand the attention or dominate the landscape. The proposed project would meet both VRM Class III and IV objectives.

**KOP 2, Dry Lake Bed:** The dry lake bed is a dispersed recreation area popular for target shooting and motorized recreation. The project would be viewed from this KOP for longer durations, but would not be the primary focus of viewers during motorized recreation activities. This KOP is also at a lower observational angle to the project which results in the project components appearing to have less depth than in actuality. The Project facilities would also be partially screened by some of the taller vegetation present along the edge of the dry lake bed as well as some of the transmission structures between the KOP and the Project. In addition, the Project would be viewed in context with existing modifications, including transmission structures crossing the dry lake bed; the Harry Allen combined-cycle station, and numerous roads and routes.

There would be moderate project contrasts that do begin to attract attention and begin to dominate the characteristic landscape. However, because of the types of recreational use, lower observational angle, the brightness of the dry lake bed surface, and existing landscape modifications, these do not lend the casual user to be attracted to or focus their attention on the proposed Project. The type of casual observer utilizing the lake bed would not find their attention attracted to or focused on the proposed Project. The proposed Project would meet both VRM Class III and IV objectives.

**KOP 3, I-15 Southbound:** This KOP is representative of viewers traveling on the I-15. This KOP is at a superior observational angle to the project and the maximum area of development associated with the project would be visible. The project is approximately 3 miles (4.8 km) from the KOP, but would continue to be intermittently visible as travelers continue south along I-15. Speed limits along this portion

of I-15 are 75 miles per hour and the Project would be visible for approximately 6 miles (10 km), or 4.8 minutes. The Project would be viewed from this KOP for a short duration and would be viewed in context with existing modifications, including transmission structures, the Interstate, railroad, and the existing solar and combined-cycle generation stations.

There would be no contrast resulting from changes to landform. There would be moderate contrasts to the line and color of the vegetation, and to the line, color, and texture of structures. These contrasts would begin to attract attention and begin to dominate the characteristic landscape; however, because of the limited viewing time, and the movement and speed associated with surrounding traffic, and the existing landscape modifications, casual viewers would not find their attention attracted to or focused on the proposed project. The proposed project would meet both VRM Class III and IV objectives.

**KOP 4, Loves Travel Center:** This KOP is representative of people leaving the Loves Travel Center. The project facilities would not be visible from this specific location. This KOP is at a lower observational angle to the Project, and the Project would be screened from view by existing developments and structures between the KOP and the Project. The proposed project would meet both VRM Class III and IV objectives from this KOP.

### **BLM VRM Conformance**

VRM objectives for the project area are Class III and IV. Under the BLM VRM program, the Class III management objective “is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention, but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.” The objective of Class IV is to allow activities involving major modification of the landscape’s existing character. Authorized actions may create significant landscape alterations and would be obvious to casual viewers (BLM 1998). Under the Proposed Action the level of change to the characteristic landscape would range from weak to moderate, based on the visual resource contrast analysis and would meet BLM VRM Class III and IV objectives.

#### **3.21.5.1.3 Mitigation Measures**

Although application of the proposed design features would reduce impacts to visual resources, moderate levels of visual contrasts from the Proposed Action would remain in the long term. During development of the Dry Lake SEZ SRMS, cumulative impacts to visual resources were identified as an unavoidable impact which cannot be mitigated on-site. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this Project. The BLM will decide as part of the decision record for this Project if fees will be collected, and if so, the amount of those fees. Off-site mitigation for visual resources may include amending the VRM Classes within the Gold Butte ACEC from VRM Class II to VRM Class I. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

#### **3.21.5.1.4 Cumulative Effects**

The area of cumulative analysis for visual resources is the viewshed within a 25-mile (40-km) radius of the Dry Lake SEZ. Section 11.3.22.4.13 of the Draft Solar PEIS (BLM and DOE 2010:11.3-356) analyzes the cumulative impacts to visual resources. The development of other projects in the Dry Lake SEZ would result in the modification of 2,359 acres of undeveloped public land managed as both VRM Class III and Class IV. The Dry Lake SEZ also has a number of existing modifications to the characteristic landscape. The level of change to the characteristic landscape from the cumulative impacts of all development in the SEZ would be moderate. Other reasonably foreseeable future actions would have similar impacts, also in areas with existing modifications.

### **3.21.5.2 NO ACTION**

#### **3.21.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and visual resources in the project area would continue to be influenced by the existing modifications to the landscape, and managed consistent with the objectives of the BLM Las Vegas RMP. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, necessary equipment, and other sources of ground disturbance and visual contrast are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to visual resources similar to those described under the Proposed Action.

#### **3.21.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to visual resources, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to visual resources from that development would likely be similar to or greater than those described in the Proposed Action section above.

## **3.22 Water Resources**

### **3.22.1 Affected Environment**

Information for hydrologic conditions presented in the affected environment section of the Final Solar PEIS remains valid (BLM and DOE 2012:11.3-5). The project area is located in the Garnet Valley Area in Hydrographic Basin 216. There are no perennial surface waters located in the project area. There are several ephemeral channels in the project area, including two intermittent/ephemeral channels within the 100-year floodplain that were excluded from development in Parcel 6 (see Figure 2).

### **3.22.2 Applicable Laws, Regulations, Plans, and Standards**

Water resources within the project area are managed under the authority of the Federal Clean Water Act, as amended (33 USC 1251 et seq.) and Chapter 445A of the NRS.

### **3.22.3 Methodology**

The following methods are used to evaluate impacts from the Proposed Action facility:

- The analysis makes use of the best available data, and the professional judgment and field observations of BLM specialists.
- Review and incorporation by reference of the analysis in Section 11.3.9.2 of the Final Solar PEIS.

### **3.22.4 Proposed Design Features**

All appropriate design features outlined in Volume 4, Section 11.3.11.2.3 and in Section A.2.2 of Appendix A in the PEIS (BLM and DOE 2012) would be implemented.

No SEZ-specific design features to address impacts to hydrologic conditions were identified in the Final Solar PEIS. The BLM revised the developable area within the SEZ, including the project area, to account for current existing land uses.

### **3.22.5 Environmental Consequences**

#### **3.22.5.1 PROPOSED ACTION**

##### **3.22.5.1.1 Solar PEIS Summary**

The potential impacts to hydrologic conditions in the Dry Lake SEZ, and lands surrounding the Dry Lake SEZ that may result from the construction and operations of a typical solar PV are described in Section 11.3.2.2 of the Final Solar PEIS and the impacts from this project would be consistent with those detailed. Because this EA tiers to the PEIS, a brief summary of those impacts to lands and access that are relevant to the Proposed Action is presented below. A summary of the related design features for water resources that have been fully analyzed in the PEIS is provided in Section 3.22.4 above. The impacts and design features analyzed and described in the PEIS are incorporated into this document. “Disturbance to intermittent/ephemeral stream channels within the Dry Lake SEZ could pose an impact on the critical functions of groundwater recharge, sediment transport, flood conveyance, and ecological habitat in the vicinity of the SEZ. The intermittent/ephemeral stream evaluation suggests that several intermittent/ephemeral channels within the SEZ have a moderate sensitivity to disturbance. Surface disturbances within the Dry Lake SEZ could also lead to impacts within upstream and downstream reaches of unnamed intermittent/ephemeral streams that flow through the SEZ” (BLM and DOE 2012:11.3-31). The change in boundaries of the Dry Lake SEZ and the designation of non-development areas within the 100-year floodplain have reduced potential impacts surface disturbance on surface water features.

##### **3.22.5.1.2 Direct and Indirect Effects**

The Proposed Action has the potential to permanently impact 661 acres and temporarily impact 32 acres through ground-disturbing activities. The impacts to hydrologic conditions are consistent with those described in Section 3.15.5.1.1 above. Development of the project area may alter groundwater recharge, ecological habitats, and ephemeral stream channels that can impact flooding and debris flow during storms. The removal of intermittent/ephemeral stream channels in Parcel 6 would reduce impacts to hydrologic conditions. In addition, implementation of measures identified in a SWPPP would further reduce impacts to hydrologic conditions.

The Proposed Action does not include a groundwater well, and there would be no impacts to hydrologic conditions from water drawdown associated with the Project.

##### **3.22.5.1.3 Mitigation Measures**

Although application of the proposed design features would reduce impacts to hydrologic conditions, disturbance of 661 acres as a result of the Proposed Action would remain in the long term. Impacts from this project warrant off-site mitigation. Mitigation would adhere to the recommendations in the SRMS to offset the unavoidable adverse impacts to hydrology/water resources that would occur in the project area. To compensate for unavoidable impacts, a per-acre fee was recommended for acres disturbed by this project to mitigate for hydrology and water resource impacts. The BLM will decide the amount of those funds as part of the decision record. Off-site mitigation actions funded to offset those impacts may require additional NEPA analysis by the BLM prior to implementation.

The Applicant would also prepare a Site Drainage Plan and SWPPP.

#### **3.22.5.1.4 Cumulative Effects**

The cumulative impacts area of analysis for water resources is the Dry Lake SEZ and tributaries into the Dry Lake. Section 11.3.22.4.8 of the Draft Solar PEIS (BLM and DOE 2010:11.3-352) analyzes the cumulative impacts to water resources. The Proposed Action would contribute to the cumulative impacts on hydrologic conditions in the basin. The Proposed Action would not contribute to water drawdown in the basin. Cumulative impacts to hydrologic conditions from development in the Dry Lake SEZ would be addressed through the implementation of the regional mitigation strategy.

#### **3.22.5.2 NO ACTION**

##### **3.22.5.2.1 Direct and Indirect Effects**

Under the No Action Alternative, the Project ROW would be denied and water resources would continue to be impacted by existing uses and trends. Because the project area is located within the Dry Lake SEZ, the land would remain available for future solar energy development and it is possible that some form of solar development could occur in this location if the Proposed Action were not authorized.

Specific locations of activity, water use, necessary equipment, and other sources of ground disturbance are not available, and so it is only possible at this time to provide a general analysis of potential future solar development that could occur in the project area. If the Proposed Action were not constructed, a different PV project could be constructed and presumably would result in impacts to water resources similar to those described under the Proposed Action.

##### **3.22.5.2.2 Cumulative Effects**

Because the No Action Alternative would result in no direct or indirect impacts related to water resources, there would be no cumulative impacts associated with the No Action Alternative. If the BLM authorized some form of solar development in this location in the future, the cumulative impacts to water resources from that development would likely be similar to or greater than those described in the Proposed Action section above.

## 4.0 COORDINATION

### 4.1 Introduction

As described in the Solar PEIS ROD, extensive coordination, consultation, and public involvement specific to solar energy development in SEZs has occurred. The BLM will use this input to inform future development in SEZs. Additional public involvement for projects in SEZs is not under NEPA (BLM 2008a:76). This EA for the development of Parcels 5 and 6 and incorporates by reference the coordination, consultation, and public involvement completed for the Solar PEIS. This EA will be released to the public for review and comment. A summary of the coordination, consultation, and public involvement completed through the Solar PEIS and follow-on work completed specific to the Dry Lake SEZ is provided below.

#### 4.1.1 Solar PEIS

A Notice of Intent to prepare the Solar PEIS was published in the *Federal Register* on May 29, 2008. The Notice of Intent initiated the first scoping period, which lasted from May 29 to July 15, 2008. During that period, the BLM invited the public to provide comments on the scope and objectives of the Solar PEIS, including identification of issues and alternatives that should be considered in the PEIS analyses. Public meetings were held at 11 locations across the six states. A second scoping period was announced through a Notice of Availability of Maps and Additional Public Scoping published in the *Federal Register* on June 30, 2009. During this scoping period, the BLM solicited comments about environmental issues, existing resource data, and industry interest with respect to 24 proposed solar energy study areas (later the terminology was changed to SEZs). It is estimated that approximately 15,900 individuals, organizations, and government agencies provided comments during the first scoping process and approximately 300 entities provided comments during the second scoping process. The results of the first scoping process were documented in a report issued in December 2008 (BLM and DOE 2008). The comments received during the second scoping process are summarized in Chapter 14 of the Draft Solar PEIS.

After publication of the Draft Solar PEIS in December 2010, 14 public meetings were held in the six-state study area between January and March 2011. More than 86,000 comments were received. The public, as well as many cooperating agencies and key stakeholders, offered suggestions on how the BLM could increase the utility of the document, strengthen elements of the proposed Solar Energy Program, and increase certainty regarding solar energy development on BLM-administered lands. These comments were considered in preparation of the Supplement to the Draft Solar PEIS, published in October 2011 (BLM and DOE 2011). The BLM and DOE held five public meetings in the study area between November 2011 and January 2012, to present the new information provided in the Supplement. During the public comment period on the Supplement to the Draft Solar PEIS, more than 134,000 comments were received.

In addition to public scoping, the BLM initiated government-to-government consultation with 316 tribes, chapters, and bands with a potential interest in solar energy development on BLM-administered lands in the six-state study area. The BLM also coordinated with appropriate agencies in accordance with the requirements of Section 106 of the NHPA and Section 7 of the ESA.

Nineteen federal, state, and local government agencies worked with the BLM as cooperating agencies on the Solar PEIS. As cooperators, these agencies were involved in the development of the Draft Solar PEIS, the Supplement to the Draft Solar PEIS, and the Final Solar PEIS.

### 4.1.2 Dry Lake SEZ

Comments were received during the Solar PEIS process specific to the Dry Lake SEZ. Many of the comments received on the Dry Lake SEZ were in favor of identifying the area as an SEZ with proper siting and design. For example, The Wilderness Society et al. and the Nevada Wilderness Project recommended excluding the dry lake, playa, and washes to avoid impacts on wildlife and special-status species habitat, and removing the portion of the SEZ that is southeast of I-15 to avoid impacts on the Old Spanish National Historic Trail. The Cultural Resources Preservation Coalition and Partnership for the National Trails System also recommended adjusting the SEZ boundary to reduce impacts on the National Historic Trail. The U.S. Department of Defense expressed concerns regarding impacts on use of the area for emergency aircraft bailout purposes. The USFWS identified the entire SEZ as an area of concern for desert tortoise recovery. Western Watersheds Project recommended that the Dry Lake SEZ be eliminated to avoid impacts on desert tortoise habitat.

Based on the comment received, the Dry Lake SEZ was reconfigured to include only the southernmost area northwest of I-15, excluding the northern portion of the SEZ. This reconfiguration was intended to mitigate some potential impacts including impacts on desert tortoise and other wildlife and potential impacts on military operations. In addition, 469 acres of floodplain and wetland were identified as non-development areas within the remaining SEZ boundaries resulting in a developable area of 5,700 acres.

The SRMS for the Dry Lake SEZ, released on March 17, 2014, was prepared to meet a commitment from the ROD for the Solar PEIS to develop regional mitigation strategies for each of the SEZs (BLM 2014b). Preparation of the SRMS involved a significant amount of public involvement, including four public workshops, three web-based meetings, and several public comment opportunities. Representatives from federal, state, and local government agencies; nongovernmental organizations concerned with issues such as environmental or recreational impacts; representatives from the solar development industry, mining industry, and utilities; tribal representatives; and individual members of the public who had been involved in the Solar PEIS process were invited to attend these activities. The SRMS describes unavoidable adverse impacts and makes recommendations for off-site mitigation actions and costs that the BLM will consider when processing ROW applications in the SEZ. The SRMS is incorporated by reference into this EA.

## 4.2 Persons, Groups, and Agencies Consulted

Table 11 lists all persons, agencies, and organizations consulted for purposes of this EA, including a brief summary of their findings and conclusions.

**Table 11.** List of all Persons, Agencies, and Organizations Consulted for Purposes of this EA

Name	Purpose and Authorities for Consultation or Coordination	Findings and Conclusions
<b>Tribes and Native American Interests</b>		
State Historic Preservation Office (SHPO)	Consultation for undertakings, as required by the NHPA (16 USC 470)	SHPO has concurred, by letter dated October 23, 2014, with the BLM's determinations of the direct and indirect Areas of Potential Effects, the adequacy of the identification efforts outline for the proposed undertaking, and the eligibility of specified cultural resources for inclusion on the NRHP (Appendix C).

**Table 11.** List of all Persons, Agencies, and Organizations Consulted for Purposes of this EA (Continued)

Name	Purpose and Authorities for Consultation or Coordination	Findings and Conclusions
Chemehuevi Indian Tribe Colorado River Indian Tribe Fort Mojave Indian Tribe Kaibab Band of Paiutes Las Vegas Paiute Tribe Moapa Band of Paiutes Pahrump Paiute Tribe (non-federally recognized) Paiute Indian Tribe of Utah San Juan Southern Paiute Tribe The Hopi Tribe Timbisha Shoshone	Consultation as required by the American Indian Religious Freedom Act of 1978 (42 USC 1531) and NHPA Section 106 (16 USC 1531)	A letter was sent on October 16, 2014. The Hopi Tribe has responded by letter dated November 3, 2014 that the Dry Lake SEZ projects are unlikely to affect cultural resources significant to them.
<b>Federal Agencies</b>		
U.S. Fish and Wildlife Service	Consultation for undertakings, as required by Section 7 of the ESA (16 USC Section 1531)	The BLM and USFWS are currently proceeding with Section 7 consultation under the ESA. At this time, the BO has not been developed. The BO will include information such as the translocation location(s) and stipulations associated with that activity.
U.S. Environmental Protection Agency (EPA) Region IX	Notification as required by Master Memorandum of Understanding between the DOI-BLM AZ, CA, NV and the EPA	BLM notified the Environmental Protection Agency Region 9 on September 12, 2014 of the Proposed Action (personal communication, Nancy Christ, BLM Las Vegas, EPA Region 9, September 12, 2014).
National Park Service (NPS) – Lake Mead National Recreation Area		BLM coordinated informally with the NPS Renewable Energy Specialist on September 11 and November 5, 2014, who indicated that Lake Mead National Recreation Area had no concerns relative to the Proposed Action. BLM also consulted with NPS National Historic Trails staff September 12–October 28, 2014, on any potential adverse effect to the Old Spanish National Historic Trail. Viewshed analysis by both NPS and BLM concluded that there was no adverse effect to the congressionally designated National Historic Trail (email communication from Michael Romero Taylor, Cultural Resources Specialist, National Trails Intermountain Region, NPS, dated November 5, 2014).
<b>State Agencies</b>		
Nevada Department of Wildlife		
<b>Local Agencies</b>		
Clark County Clark County Health Department	Notification as required by 43 CFR 2807.14	BLM notified Clark County on September 16, 2014 of the Proposed Action. The letter indicated that if no response was received, BLM would assume Clark County had no problems or issues with BLM granting the ROW. No response was received.

**Table 11.** List of all Persons, Agencies, and Organizations Consulted for Purposes of this EA (Continued)

Name	Purpose and Authorities for Consultation or Coordination	Findings and Conclusions
Chemical Lime Co. Central Telephone dba Century Link FTV Comm c/o Level 3 Genscape Inc. Great Basin Transmission, LLC Holly Energy Partners Kern River Gas Transmission Co. LA & SL RR Co. Level 3 Lhoist North America MCI Worldcom Network Svc Inc. NV Power Co. dba NV Energy Sierra Pacific Power Co. Southwest Gas Corporation	Notification as required by 43 CFR 2807.14	BLM notified adjacent ROW holders on September 16, 2014 and/or September 17, 2014, notifying them of the Proposed Action. The letter indicated that if no response was received, BLM would assume the adjacent ROW holder had no problems or issues with BLM granting the ROW.  A response from NV Energy was received on October 28, 2014, indicating the Proposed Action would not adversely affect NV Energy's ability to operate their existing facilities as the Proposed Action will be owned and operated by NV Energy.  A response was also received from Southwest Gas Corporation on October 9, 2014, indicating no objection to the Proposed Action.

### 4.3 Summary of Public Participation

The process used to involve the public included the direct mail of letters to Tribes; federal, state, and local agencies; private landowners, and other interested parties as documented in the table above to solicit their comments and concerns about the Proposed Action. A public comment period was offered between December 9, 2014, and January 7, 2015, to keep the public informed of actions occurring following the Dry Lake SEZ auction.

### 4.4 List of Preparers/Reviewers

The BLM staff and environmental resource specialists of the BLM's consultant (SWCA Environmental Consultants [SWCA]) who participated in the development of this EA are identified in Table 12 below.

**Table 12.** List of Preparers/Reviewers

Name	Title	Affiliation	Responsibility
Nancy Christ	Planning and Environmental Coordinator	BLM	All sections
Lisa Christianson	Environmental Protection Specialist	BLM	Air Resources Climate Hazards and Hazardous Materials
Melanie Cota	Wildlife Biologist	BLM	Biological Resources - Wildlife and Aquatic Biota Specially Designated Areas
Stan Plum	Archaeologist	BLM	Cultural Resources and Native American Concerns Paleontological Resources
Greg Helseth	Project Manager	BLM	Acoustic Environment, Military and Civilian Aviation, and Transportation
Sean McEldery	Fire Management Specialist	BLM	Biological Resources – Vegetation and Wildland Fire Ecology
Evan Allen	Geologist	BLM	Minerals

**Table 12.** List of Preparers/Reviewers (Continued)

<b>Name</b>	<b>Title</b>	<b>Affiliation</b>	<b>Responsibility</b>
Boris Poff	Hydrologist	BLM	Soil Resources Water Resources
Ben Klink	Range Specialist	BLM	Biological Resources – Vegetation and Wildland Fire Ecology
Kathryn Foster	Realty Specialist	BLM	Lands/Access
Chris Linehan	Recreation Planner	BLM	Recreation
Fred Edwards	Botanist	BLM	Biological Resources – Vegetation and Wildland Fire Ecology
John Schumacher	Natural Resource Specialist	BLM	Visual Resources
Randy Kyes	Wilderness Planner	BLM	Specially Designated Areas and Lands with Wilderness Characteristics
Steve Leslie	Project Manager	SWCA	All sections
Eric Koster	Project Director	SWCA	All sections
Adrian Hogel	Environmental Specialist	SWCA	Biological Resources
Blake Fox	Environmental Specialist	SWCA	Soil Resources, Biological Resources
Victor Villagran	Archaeologist	SWCA	Cultural Resources and Native American Concerns

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**APPENDIX A**  
**Project Conservation Measures**



## CONSERVATION MEASURES

Following are conservation measures proposed by the Applicant to avoid and/or minimize the potential impacts of the Proposed Action on federally listed species. These measures will also serve to ensure that all Project activities (construction, O&M, and decommissioning) are implemented in compliance with local, state, and federal laws, guidelines and protocols.

1. The Applicant's Environmental Services Team will manage and oversee all environmental compliance measures over the life of the Project during construction, O&M, and decommissioning activities through the use of Environmental Scientists on staff as well as qualified third-party contractors, as necessary.
2. The Applicant's Environmental Services Team will serve as the Field Contract Representative (FCR) for the life of this non-linear project during construction, O&M, and decommissioning activities. The Applicant may choose to utilize a qualified third-party contractor to perform FCR duties during the construction phase.
3. The Applicant's Environmental Services Team will ensure that all required compliance measures are implemented and enforced during the life of the Project during construction, O&M, and decommissioning activities. The Applicant may choose to utilize a qualified third-party contractor(s) to support these efforts.
4. The Applicant's Environmental Services Team will ensure that the Applicant, its contractors, and/or its subcontractors meet the compliance requirements of all local, state and federal permits, laws, guidelines and protocols for the protection of natural resources as a result of implementation of the Project. The Applicant will determine through its contracting processes which entity will be responsible for which permit(s) along with the implementation, monitoring, and enforcement thereof.
5. The Applicant's Environmental Services Team will develop environmental awareness training materials that describe the listed species, resource concerns, compliance measures, and requirements of the final permits and authorizations for the Project as issued by the applicable local, state, and federal agencies issuing such permits and authorizations.
6. The Applicant's Environmental Services Team will ensure that all workers during the construction phase receive environmental awareness training prior to commencing construction work on the project. Likewise, the Applicant's Environmental Services Team will ensure that all O&M personnel who serve or perform any duty/function on-site over the life of the Project receive environmental awareness training.
7. The Applicant's Environmental Services Team will ensure that all third-party environmental monitors it contracts with and utilizes on-site over the life of the Project during construction, O&M, and decommissioning activities are properly qualified, authorized, and/or permitted for the specific and general requirements necessary, such as, but not limited to: desert tortoise, migratory birds, noxious weeds, cultural resources, fugitive dust, and general environmental compliance.
8. The Applicant's Environmental Services Team will determine the timing, quantity, and utilization of qualified desert tortoise biologists and monitors to support activities over the life of the Project, as deemed necessary or otherwise required to maintain compliance with the Biological Opinion issued for the Project.

9. The Applicant's Environmental Services Team will ensure the utilization of desert tortoise biologists who are authorized by the USFWS and permitted by the Nevada Department of Wildlife, in accordance with the Biological Opinion issued for the project. Desert tortoise monitors may also be used, as deemed appropriate and qualified by the Applicant's Environmental Services Team.
10. The Applicant's Environmental Services Team will ensure that desert tortoise protection and exclusionary measures are incorporated into the planning, design, and construction of the Project and maintained over the life of the Project during O&M and decommissioning activities such that the access road(s) and facilities maintain 100% exclusion from entry by desert tortoise. Such measures include: permanent desert tortoise exclusionary fencing, per USFWS specifications, along the project perimeter security fencing, with shade shelters as necessary; permanent desert tortoise guards installed at all vehicular gates; and permanent exclusionary devices (e.g., concrete threshold, steel plates, exclusionary fencing) at all non-vehicular (e.g., personnel emergency exit) gates.
11. The Applicant's Environmental Services Team will determine the quantity and type of resource monitors (e.g., Authorized Biologists, tortoise monitors, avian biologists, botanists, archaeologists, etc.) to contract and utilize over the life of the project during construction, O&M, and decommissioning activities. This determination will be relative to the scope and extent of the activity needing coverage, compliance requirements of all permits, time of year, seasonal weather patterns, observed and anticipated wildlife activity levels (e.g., desert tortoise, migratory birds), and other factors as deemed appropriate by the Applicant to ensure permit compliance.
12. The Applicant's Environmental Services Team will ensure that all environmental compliance measures implemented over the life of the Project during construction, O&M, and decommissioning activities are in accordance with all Project permit compliance requirements and the most current agency protocols.
13. The Applicant's Environmental Services Team will be responsible for the oversight, tracking, management, and report submittals of Project biological data collected over the life of the Project during construction, O&M, and decommissioning activities in accordance with the reporting requirements of the Biological Opinion and any other authorizing documents.
14. The Applicant's Environmental Services and Property Services Teams will be the main points of contact between the BLM and the Applicant for all oversight and coordination of the Project, as authorized by BLM, over the life of the Project during construction, O&M, and decommissioning activities.
15. The Applicant's Environmental Services Team will be the main point of contact for Adaptive Management coordination with BLM, and other pertinent regulatory agency(s) as necessary, relative to the mitigation and protective measures for listed and protected species (i.e., desert tortoise, migratory birds) within the authorized limits of the Project over the life of the Project during construction, O&M, and decommissioning activities.

## **APPENDIX B**

### **Visual Contrast Rating Analysis and Simulations**



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**VISUAL CONTRAST RATING WORKSHEET**

Date: 10.17.2014

District/ Field Office: Las Vegas Field Office

Resource Area: Las Vegas

Activity (program): Generation

**SECTION A. PROJECT INFORMATION**

1. Project Name: Dry Lake Solar Energy Center (DLSEC)	4. Location Township_____	5. Location Sketch
2. Key Observation Point: 1/ U.S. 93 eastbound	Range _____	
3. VRM Class: III/IV	Section_____	

**SECTION B. CHARACTERISTIC LANDSCAPE DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently sloping valley floor (FG/MG) Rugged irregular ridges and mountains (BG)	Low, rounded, numerous shrubs and grasses (FG/MG) Flat, low, indistinct vegetation (BG)	Strong and regular angular and straight towers (FG/MG) Indistinct buildings and areas cleared of vegetation (BG)
LINE	Flat valley floor (FG) Angular, rugged mountains cut by irregular broken lines (BG)	Rounded, soft irregular edges (FG/MG) Strong edge to cleared areas around plant (BG)	Complex network of horizontal, vertical, angular lines of transmission, railroad, fence line, and highway. Geometric
COLOR	Tan exposed soils along highway and valley floor (FG/MG) Dark, flat grayish browns in mountains (BG)	Subtle green, gray, tans.	Flat subtle metallic grays, tans, and wooden browns.
TEX-TURE	Coarse and uneven gravels (BG) Smooth valley floor (MG, BG)	Coarse (FG) Smooth, patchy (BG)	Smooth

**SECTION C. PROPOSED ACTIVITY DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently rolling valley floor (FG/MG) Rugged irregular mountains (BG)	Low, rounded, numerous shrubs and grasses (FG/MG) Flat, low, indistinct vegetation (BG)	Not visible
LINE	Flat valley floor (FG) Angular, rugged mountains cut by irregular broken lines (BG)	Rounded, soft irregular edges (FG/MG) Strong edge to cleared areas around plant (BG)	Not visible
COLOR	Tan exposed soils along highway and valley floor (FG/MG) Dark, flat grayish browns in mountains (BG)	Subtle green, gray, tans.	Not visible
TEX-TURE	Coarse and uneven gravels (BG) Smooth valley floor (MG, BG)	Coarse (FG) Smooth, patchy (BG)	Not visible

**SECTION D. CONTRAST RATING   \_\_SHORT TERM   X LONG TERM**

<b>1.</b>	<b>DEGREE OF CONTRAST</b>	<b>FEATURES</b>												2. Does project design meet visual resource management objectives? <input checked="" type="checkbox"/> Yes   __No (Explain on reverse side)  3. Additional mitigating measures recommended <input checked="" type="checkbox"/> Yes   __No (Explain on reverses side)  Evaluator's Names Steve Leslie
		LAND/WATER BODY				VEGETATION				STRUCTURES				
		(1)				(2)				(3)				
		STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	
					X				X				X	
ELEMENTS	FORM											X		
	LINE											X		
	COLOR											X		
	TEXTURE											X		
												Date 10.17.2014		

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SECTION D. (Continued)

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Comments from item 2.

This KOP is representative of viewers traveling on U.S. 93. The project would not be visible from this KOP, however, as drivers continue east along U.S. 93; elements of the project would become visible. The project is approximately 3-miles from the KOP, and is screened from view by topography in the fore ground. Speed limits along this portion of U.S. 93 are 70 miles per hour and drivers continue east, the project would be visible for approximately 4-miles, or 3.4 minutes. The project would be viewed from U.S. 93 for a short duration and would be viewed in context with existing modifications, including transmission structures, both the 93 and the I-15, and the existing combined cycle generation station.

There would be no visible contrast resulting from changes to form, line, color, and texture from the KOP. There would be weak to no contrasts to the line and color of the vegetation; and to the line, color, and texture of structures from further east along 93. Although viewed from a superior angle, these weak contrasts would be further screened by existing transmission line structures, the Harry Allen Combined Cycle facilities, and the other proposed solar facilities located between the 93 and the DLSEC. Because of the limited viewing time, the movement and speed associated with surrounding traffic, and the existing landscape modifications, it would not demand the attention or dominate the landscape. The project contrast would meet both VRM class III and IV objectives.

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Additional Mitigating Measures (See item 3)

The BLM Final Solar PEIS established a number of requisite design features to address potential visual impacts that will be incorporated as needed into the Dry Lake Solar Energy Center.

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Existing View



Simulated View

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**VISUAL CONTRAST RATING WORKSHEET**

Date: 10.17.2014

District/ Field Office: Las Vegas Field Office

Resource Area: Las Vegas

Activity (program): Generation

**SECTION A. PROJECT INFORMATION**

1. Project Name: Dry Lake Solar Energy Center	4. Location Township_____	5. Location Sketch
2. Key Observation Point: 2/Dry Lake	Range _____	
3. VRM Class: III/IV	Section_____	

**SECTION B. CHARACTERISTIC LANDSCAPE DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently rolling valley floor and flat dry lake bed (FG/MG) Rugged irregular mountains (BG)	Low, rounded, numerous shrubs, taller along edge of dry lake bed (FG/MG) Flat, low, indistinct vegetation (BG)	Square, geometric buildings Strong V-shaped towers and regular angular towers (FG/MG) Indistinct (BG)
LINE	Bold straight edge of dry lake (FG) Angular, rugged mountains cut by irregular broken lines (BG)	Rounded, soft irregular edges (FG/MG) Indistinct (BG)	Complex network of horizontal, vertical, angular lines. Open, angular transmission structures Geometric
COLOR	Brilliant white dry lake bed and exposed dull tan soils of valley floor (FG) Dark, flat grayish browns in mountains (BG)	Subtle green, gray, tans.	Flat subtle metallic grays, tans, and reddish browns.
TEX-TURE	Smooth to fine dry lake bed, valley floor (FG) Coarse and uneven (BG)	Coarse (FG) Smooth, patchy (BG)	Smooth

**SECTION C. PROPOSED ACTIVITY DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently rolling valley floor and flat dry lake bed (FG/MG) Rugged irregular mountains (BG)	Low, rounded, numerous shrubs, taller along edge of dry lake bed (FG/MG) Flat, low, indistinct vegetation (BG)	Regular, geometric
LINE	Horizontal, angular	Hard regular edge	Simple and strong, vertical and horizontal
COLOR	Brilliant white dry lake bed and exposed dull tan soils of valley floor (FG) Dark, flat grayish browns in mountains (BG)	May result in brighter greens along edges of disturbance	Dark gray
TEX-TURE	Smooth to fine dry lake bed, valley floor (FG) Coarse and uneven (BG)	Smooth	Smooth

**SECTION D. CONTRAST RATING       SHORT TERM     X  LONG TERM**

<b>ELEMENTS</b>	<b>DEGREE OF CONTRAST</b>	<b>FEATURES</b>												2. Does project design meet visual resource management objectives? <u> X </u> Yes <u>  </u> No (Explain on reverse side)  3. Additional mitigating measures recommended <u> X </u> Yes <u>  </u> No (Explain on reverses side)  Evaluator's Names <span style="float: right;">Date</span> Steve Leslie <span style="float: right;">10.17.2014</span>
		<b>LAND/WATER BODY</b> (1)				<b>VEGETATION</b> (2)				<b>STRUCTURES</b> (3)				
		STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	
		FORM			X				X			X		
LINE			X			X				X				
COLOR				X		X				X				
TEXTURE				X			X			X				

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SECTION D. (Continued)

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Comments from item 2.

The Dry Lake Bed is a dispersed recreation area popular for target shooting and motorized recreation. The project would be viewed from this KOP for longer durations, but would not be the primary focus of viewers during motorized recreation activities. This KOP is also at a lower observational angle to the project which results in the project components appearing to have less depth than in actuality. The project facilities would also be partially screened by some of the taller vegetation present along the edge of the dry lake bed as well as some of the transmission structures between the KOP and the project. In addition, the project would be viewed in context with existing modifications, including transmission structures crossing the dry lake bed, the Harry Allen combined cycle station, and numerous roads and routes.

There would be moderate project contrasts that do begin to attract attention and begin to dominate the characteristic landscape. However, because of the types of recreational use, lower observational angle, the brightness of the dry lake bed surface, and existing landscape modifications, it does not demand attention or dominate the landscape. The project contrast would meet both VRM class III and IV objectives.

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Additional Mitigating Measures (See item 3)

The BLM Final Solar PEIS established a number of requisite design features to address potential visual impacts that will be incorporated as needed into the Dry Lake Solar Energy Center.

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Existing View



Simulated View

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**VISUAL CONTRAST RATING WORKSHEET**

Date: 10.17.2014

District/ Field Office: Las Vegas Field Office

Resource Area: Las Vegas

Activity (program): Generation

**SECTION A. PROJECT INFORMATION**

1. Project Name: Dry Lake Solar Energy Center	4. Location Township_____	5. Location Sketch
2. Key Observation Point: 3/I-15 southbound	Range _____	
3. VRM Class: III/IV	Section_____	

**SECTION B. CHARACTERISTIC LANDSCAPE DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently rolling valley floor (FG/MG) Rugged irregular mountains (BG)	Low, rounded, numerous shrubs and grasses (FG/MG) Flat, low, indistinct vegetation (BG)	Square, geometric buildings and areas cleared of vegetation Strong and regular angular and straight towers (FG/MG) Indistinct (BG)
LINE	Flat valley floor (FG) Angular, rugged mountains cut by irregular broken lines (BG)	Rounded, soft irregular edges (FG/MG) Strong edge to cleared areas around plant (BG)	Complex network of horizontal, vertical, angular lines of transmission, railroad, fence line, and highway. Geometric
COLOR	Tan exposed soils along highway and valley floor (FG/MG) Dark, flat grayish browns in mountains (BG)	Subtle green, gray, tans.	Flat subtle metallic grays, tans, and wooden browns.
TEX-TURE	Smooth valley floor (FG) Coarse and uneven (BG)	Coarse (FG) Smooth, patchy (BG)	Smooth

**SECTION C. PROPOSED ACTIVITY DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently rolling valley floor (FG/MG) Rugged irregular mountains (BG)	Low, rounded, numerous shrubs and grasses (FG/MG) Flat, low, indistinct vegetation (BG)	Regular, geometric
LINE	Horizontal, angular	Hard regular edge	Simple and strong, vertical and horizontal
COLOR	Tan exposed soils along highway and valley floor (FG/MG) Dark, flat grayish browns in mountains (BG)	May result in brighter greens along edges of disturbance	Darker reflective gray
TEX-TURE	Smooth valley floor (FG) Coarse and uneven (BG)	Coarse (FG) Smooth, patchy (BG)	Smooth

**SECTION D. CONTRAST RATING   \_\_SHORT TERM   X\_LONG TERM**

<b>1.</b>	<b>DEGREE OF CONTRAST</b>	<b>FEATURES</b>												2. Does project design meet visual resource management objectives? <input checked="" type="checkbox"/> Yes   __No (Explain on reverse side)  3. Additional mitigating measures recommended <input checked="" type="checkbox"/> Yes   __No (Explain on reverses side)
		<b>LAND/WATER BODY</b> (1)				<b>VEGETATION</b> (2)				<b>STRUCTURES</b> (3)				
		STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	
ELEMENTS	FORM			X				X			X		Evaluator's Names Steve Leslie	Date 10.17.2014
	LINE		X		X				X					
	COLOR			X		X			X					

	TEXTURE				X				X		X			
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SECTION D. (Continued)

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Comments from item 2.

This KOP is representative of viewers traveling on the I-15. This KOP is at a superior observational angle to the project and the maximum area of development associated with the project would be visible. The project is approximately 3-miles from the KOP, but would continue to be intermittently visible as travelers continue south along the I-15. Speed limits along this portion of the I-15 are 75 miles per hour and the project would be visible for approximately 6-miles, or 4.8 minutes. The project would be viewed from this KOP for a short duration and would be viewed in context with existing modifications, including transmission structures, the interstate, railroad, and the existing solar and combined cycle generation stations.

There would be no contrast resulting from changes to landform. There would be moderate contrasts to the line and color of the vegetation, and to the line, color, and texture of structures. These contrasts would begin to attract attention and begin to dominate the characteristic landscape; however, because of the limited viewing time, and the movement and speed associated with surrounding traffic, and the existing landscape modifications, it would not demand the attention of the viewers along the interstate or dominate the landscape. The project contrast would meet both VRM class III and IV objectives.

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Additional Mitigating Measures (See item 3)

The BLM Final Solar PEIS established a number of requisite design features to address potential visual impacts that will be incorporated as needed into the Dry Lake Solar Energy Center.

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Existing View



Simulated View

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**VISUAL CONTRAST RATING WORKSHEET**

Date: 10.17.2014

District/ Field Office: Las Vegas Field Office

Resource Area: Las Vegas

Activity (program): Generation

**SECTION A. PROJECT INFORMATION**

1. Project Name: Dry Lake Solar Energy Center	4. Location Township_____	5. Location Sketch
2. Key Observation Point: 4/Loves	Range _____	
3. VRM Class: III/IV	Section_____	

**SECTION B. CHARACTERISTIC LANDSCAPE DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently sloping valley floor (FG/MG) Rugged irregular mountains (BG)	Low, rounded, numerous shrubs and grasses (FG/MG) Flat, low, indistinct vegetation (BG)	Bold square signs at travel center, boxy gas pumps, buildings (immediate FG). Strong angular shaped towers and regular (FG/MG) Square, blocky buildings (BG)
LINE	Bold straight edge of dry lake (FG) Angular, rugged mountains cut by irregular broken lines (BG)	Rounded, soft irregular edges (FG/MG) Indistinct (BG)	Complex network of horizontal, vertical, angular lines. Bold line of 93 crossing immediate FG
COLOR	White to gray gavel along road (FG) Tan exposed soils of valley floor (MG) Dark, flat grayish browns in mountains (BG)	Subtle and flat green, gray, tan.	Flat subtle metallic grays, tans, and browns.
TEX-TURE	Coarse, regular gravels and rocks (FG) Smooth valley floor (MG) Coarse and uneven (BG)	Coarse (FG) Smooth, patchy (BG)	Smooth

**SECTION C. PROPOSED ACTIVITY DESCRIPTION**

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM	Large, open gently sloping valley floor (FG/MG) Rugged irregular mountains (BG)	Low, rounded, numerous shrubs and grasses (FG/MG) Flat, low, indistinct vegetation (BG)	Regular, geometric
LINE	Horizontal, angular	Hard regular edge	Simple and strong, vertical and horizontal
COLOR	White to gray gavel along road (FG) Tan exposed soils of valley floor (MG) Dark, flat grayish browns in mountains (BG)	May result in brighter greens along edges of disturbance	Darker more reflective gray
TEX-TURE	Coarse, regular gravels and rocks (FG) Smooth valley floor (MG) Coarse and uneven (BG)	Coarse (FG) Smooth, patchy (BG)	Smooth

**SECTION D. CONTRAST RATING   \_\_SHORT TERM   X\_LONG TERM**

<b>1.</b>	<b>DEGREE OF CONTRAST</b>	<b>FEATURES</b>												2. Does project design meet visual resource management objectives? <input checked="" type="checkbox"/> Yes   __No (Explain on reverse side)  3. Additional mitigating measures recommended <input checked="" type="checkbox"/> Yes   __No (Explain on reverses side)
		<b>LAND/WATER BODY</b> (1)				<b>VEGETATION</b> (2)				<b>STRUCTURES</b> (3)				
		STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	STRONG	MODERATE	WEAK	NONE	
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ELEMEN-TS	FORM			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			
	LINE		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>					
	COLOR		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>					
											Evaluator's Names Steve Leslie	Date 10.17.2014		

	TEXTURE			X				X			X			
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SECTION D. (Continued)

Comments from item 2.

This KOP is representative of people leaving the Loves Travel Center. This KOP is at a lower observational angle to the project which results in the project components appearing to have less depth than in actuality. The project would be visible from this KOP in context with existing modifications, including facilities associated with the travel center, numerous transmission structures, substations, and the existing combined cycle generation station. The project is approximately 2-miles north of the KOP, and views would be partially screened by the numerous transmission structures crossing in multiple directions across the valley. The project would be viewed from this KOP for a short duration as travelers stop and scan traffic to turn out of the travel center. People at this KOP would be focused on oncoming and surrounding traffic, and the project would only begin to attract their attention. For people stopped at the travel center itself, either pumping gas, or visiting the store, the associated vehicle traffic and travel center facilities are the features that demand the viewers' attention, and dominate the landscape.

There would be moderate project contrasts to the line and color of vegetation, and to the line, color, and texture of structures. These contrasts would begin to attract attention and begin to dominate the characteristic landscape; however, because of the limited viewing time, the existing landscape modifications, and the movement associated with surrounding traffic, it would not demand attention or dominate the landscape. The project contrast meets both VRM class III and IV objectives.

Additional Mitigating Measures (See item 3)

The BLM Final Solar PEIS established a number of requisite design features to address potential visual impacts that will be incorporated as needed into the Dry Lake Solar Energy Center.



Existing View



Simulated View



## **APPENDIX C**

### **State Historic Preservation Office Letter of Concurrence**





LEO M. DROZDOFF, P.E.  
Director  
Department of Conservation and  
National Resources

REBECCA L PALMER  
State Historic Preservation Officer

BRIAN SANDOVAL  
Governor

STATE OF NEVADA



Address Reply to:  
901 S. Stewart St, Suite 5004  
Carson City, NV 89701-5248  
Phone: (775) 684-3448  
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[shpo.nv.gov](http://shpo.nv.gov)

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
STATE HISTORIC PRESERVATION OFFICE

October 23, 2014

Shonna Dooman  
Assistant Las Vegas Field Office Manager  
Bureau of Land Management  
Las Vegas Field Office  
4701 North Torrey Pines Drive  
Las Vegas, NV 89130

RE: A Class III Cultural Resource Inventory of Dry Lake SEZ, Clark County, Nevada.  
BLM Report: NVS0100-8100 5-2708/ Undertaking #2014-3286

Dear Ms. Dooman:

The Nevada State Historic Preservation Office (SHPO) has reviewed the subject documents in compliance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended.

**Areas of Potential Effect (APE):**

The SHPO concurs with the Bureau of Land Management's (BLM) determination of the direct APE as defined in the subject documents.

The SHPO concurs with the BLM's determination of the indirect APE as defined in the subject documents.

**Identification and National Register Eligibility:**

The SHPO concurs with the BLM's determination that the identification efforts actions outline for the above-mentioned undertaking under NHPA are adequate for the both the direct and indirect APE.

The SHPO concurs with the BLM's determination that the following cultural resources are not eligible for the National Register of Historic Places under any of the Secretary's criteria:

26CK6136

26CK9947

As the historic road 26CK9405 is not fully recorded, the SHPO would concur with BLM's determination that the recorded portion does not embody any of the Secretary's criteria. We would, however, note that unidentified sections of the site remain unevaluated.

The BLM, in consultation with the Old Spanish Trail Association (OSTA) has identified a segment of the Old Spanish Trail, 26CK3848 within the indirect APE, which is eligible for the National Register of Historic Places under Criteria A and D.

The SHPO notes that the associated cultural resources inventory report identified 15 historic properties located within the indirect APE, which have been previously determined eligible for the National Register of Historic Places. It is currently unclear if this determination of National Register status was established in consultation with the SHPO. Could you please provide additional clarification on this point?

The SHPO notes that the associated cultural resources inventory report identifies the 19 cultural resources located within the indirect APE, which are unevaluated for the National Register of Historic Places.

**Consultation:**

The SHPO reminds the BLM that the agency must consult with Native American representatives concerning properties of religious or cultural significance that could be affected by the undertaking (36 CFR Part 800.4.a.4.). What efforts have been made to provide these representatives with an opportunity to comment on this undertaking? Please see BLM Instructional Memorandum No. NV-2011-073 for additional guidance.

The SHPO acknowledges receipt of documentation that consultation with the affected members of the public and representatives of organizations that have a demonstrated interest in historic properties that could be affected by the undertaking, such as OSTA, has been concluded per 36 CFR 800.3.c.5. and 36 CFR 800.3.d.

**Effect:**

Based upon the subject documents submitted to the SHPO which include identification of historic properties within the APE through professional survey and consultation with consulting parties, such as OSTA, the SHPO notes that there seems to be a potential for substantial alteration of the historic landscape. Based on this information the SHPO would concur with a BLM's determination that the proposed undertaking will pose an adverse effect to the identified historic properties within this established APE.

The SHPO looks forward to further consultation on this undertaking with the BLM, which should include a formal federal agency determination of effect to historic properties and, potentially, the development of an agreement document to address a determination of adverse effect, should that be the federal agency's determination of effect for this undertaking.

Should you have any questions concerning this correspondence, please contact Jessica Axsom at (775)684-3445 or by e-mail at [jaxsom@shpo.nv.gov](mailto:jaxsom@shpo.nv.gov).

Sincerely,



Julie H. Ernstein, Ph.D., RPA  
Deputy State Historic Preservation Officer