APPENDIX B

Scoping Report

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PUBLIC SCOPING REPORT

Environmental Impact Statement / Environmental Impact Report McCoy Solar Energy Project

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Acronyms Used in this Report

ACM	asbestos containing material
BLM	Bureau of Land Management
CCR	California Code of Regulations
CDCA	California Desert Conservation Area
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CRS	Colorado River Substation
CUP	Conditional Use Permit
CWA	Clean Water Act
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
FR	Federal Register
GHG	Greenhouse Gas
GO	General Order
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NOI	Notice of Intent
NOP	Notice of Preparation
kV	kilovolt
MW	megawatt
MWac	megawatts per acre
NRDC	Natural Resource Defense Council
O&M	Operation and Maintenance
PUP	Public Use Permit
PV	photovoltaic
ROD	Record of Decision
ROW	Right-of-Way
SB	Senate Bill
SCE	Southern California Edison
USFWS	U.S. Fish and Wildlife Service

1.0 OVERVIEW OF NEPA/CEQA SCOPING PROCESS

1.1 Introduction

McCoy Solar, LLC, a subsidiary of NextEra Energy Resources LLC (Applicant), has applied to the Bureau of Land Management (BLM) for a right-of-way (ROW) grant on public lands to construct, operate, maintain, and decommission an up to 750 megawatt (MW) photovoltaic (PV) solar energy generating facility and related infrastructure approximately 13 miles northwest of the town of Blythe, California, in unincorporated Riverside County, to be known as the McCoy Solar Energy Project (Project). The Project would be constructed on about 7,700 acres of BLM administered public lands and on approximately 477 acres of private and County-owned land. Since the proposed site consists of lands administered by BLM and is subject to the California Desert Conservation Area (CDCA) Plan, authorization of the ROW by BLM would require an amendment of the CDCA Plan. The Applicant also has applied for a Conditional Use Permit (CUP) and a Public Use Permit (PUP) from Riverside County for the small portion of the site that lies on private land and County-owned land, respectively, within its land use jurisdiction.

This public scoping report documents the joint National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) scoping process and summarizes the scoping comments received for the Project. Specifically, this report describes the scoping events and activities conducted for the Project. It also summarizes the written and verbal comments received on the BLM's Notice of Intent (NOI) and County's Notice of Preparation (NOP). The BLM is the NEPA Lead Agency for the Project; Riverside County is the CEQA Lead Agency. This report serves as an information source to the Lead Agencies in their determination of the range of issues and alternatives to be addressed in the joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR). The Lead Agencies will use the comments received during the scoping period to:

1) Identify key issues to focus the analysis
2) Identify reasonable alternatives to the Project
3) Analyze environmental impacts of the Project and alternatives
4) Identify ways to avoid or reduce environmental impacts
5) Inform the Lead Agencies' decision-making processes.

1.2 Summary of NEPA/CEQA Scoping Process

The NEPA/CEQA scoping process provides government agencies, public and private organizations, and members of the general public the opportunity to identify environmental

issues and alternatives for consideration in the EIS/EIR. The scoping process and results are an initial step in the NEPA/CEQA process.

To comply with NEPA (40 CFR 1501.7), the U.S. Environmental Protection Agency (EPA) published a NOI in the Federal Register on August 29, 2011, that provided notice of the BLM's intent to prepare an EIS for the Project (76 FR 53693). The NOI serves as the official legal notice that a federal agency is commencing preparation of an EIS. The Federal Register serves as the U.S. Government's official noticing and reporting publication. The NOI initiates the public scoping period for the EIS, provides information about the Project, and serves as an invitation for other federal agencies granted cooperating agency status to provide comments on the scope and content of the EIS. The NOI for the Project is included as Appendix A-1.

The BLM issued a press release regarding the NOI on August 29, 2011. Another press release was issued by the BLM on September 2, 2011 to announce the date and location of the public scoping meeting that was held in Palm Desert. The NOI and the press release, included as Appendix B-1, were made available to agencies and the public on BLM's website for the Project:

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

As required by §15082 of the CEQA Guidelines (14 CCR 15000 et seq.), Riverside County issued an NOP on October 3, 2011, that summarized the Project, stated the County's intention to prepare a joint EIS/EIR, and requested comments from interested parties. The NOP is included as Appendix A-2. There were 64 public notices sent to property owners within 2,400 feet of the proposed site; 15 copies of the NOP were sent to the California State Clearinghouse; 79 public notices were sent to federal, state, and local agencies and organizations; and 2 public notices were sent to local libraries. Public notices also were sent to Native American groups. The County's public notice, included as Appendix B-2, ran in the Desert Sun newspaper on October 6, 2011 and Palo Verde Valley Times on October 7, 2011.

During the NOI comment period, the BLM held a public scoping meeting on September 20, 2011, at the UCR Palm Desert Graduate Center (75-080 Frank Sinatra Drive, Palm Desert, California, 92211). A project fact sheet, comment cards and speaker cards were available to participants. The BLM put on a PowerPoint presentation that identified the critical elements of the human environment to be evaluated in the EIS/EIR, including, but not limited to, environmental justice and socioeconomics (see Appendix C for a full copy of the PowerPoint presentation). The County held a separate public scoping meeting on October 19, 2011, in the Blythe City Council Chambers (235 N. Broadway, Blythe, California, 92225). The County presented information at the BLM's NOI scoping meeting, and the BLM presented information at the County's NOP scoping meeting.

The scoping meetings provided the public and government agencies opportunities to receive information on the NEPA/CEQA process and about the Project, as well as to provide oral and written comments. The scoping meetings in Palm Desert and Blythe were attended by eight and seven persons, respectively, including representatives from local and state agencies, organizations, and private citizens.

Project fact sheets and comment cards were provided as handouts at the public scoping meetings. All materials provided to the public at the scoping meetings are contained within Appendix C and include the following:

1) Project Fact Sheet
2) Comment Cards
3) Speaker Registration Cards
4) Scoping Meeting Presentations

Appendix D includes the sign-in sheets from both scoping meetings and Appendix E includes the completed speaker registration cards and a summary of the verbal comments from the BLM meeting (there were no speaker comments at the County meeting).

Speaker comments made during the BLM scoping meeting were recorded by-hand and summarized. A court reporter was present at the Riverside County meeting to record speaker comments, but no comments were made during the meeting.

The comment period ended on September 28, 2011 for the BLM's NOI and November 2, 2011 for the County's NOP. In total, 20 letters were received: 19 from federal, state, and local agencies and organizations; and one from an individual (see Table 1). These comments have been included in the administrative record for the Project and are documented and summarized in this scoping report.

1.3 Agencies, Organizations, and Persons Providing Scoping Comments

Federal, state, and local agencies; private and public organizations; and the general public provided written comments during the public scoping period. Written comments received during the public scoping meetings and in response to the NOP/NOI are included in Appendix F. In summary, Table 1 presents the agencies, organizations, and private citizens that provided comments during the NEPA/CEQA scoping process organized in the order they were issued.

Table 1
Comments Received During Public Scoping Period

Commenter	Date
Federal, State, and Local Agencies and Organizations	
The Metropolitan Water District of Southern California, Deirdre West, Manager, Environmental Planning Team	September 1, 2011
Riverside County Fire Department	September 24, 2011
Western Watersheds Project	September 26, 2011
Defenders of Wildlife, Natural Resources Defense Council Center for Biological Diversity, Sierra Club	September 27, 2011
U.S. EPA Region IX	September 27, 2011
Southern California Edison (SCE)	September 28, 2011
La Cuna de Aztlan Sacred Sites Protection Circle, Patricia Pinon, Chairperson	October 2, 2011
La Cuna de Aztlan Sacred Sites Protection Circle, Alfredo A. Figueroa	October 4, 2011
Native American Heritage Commission	October 5, 2011
Mojave Desert Air Quality Management District	October 7, 2011
Southern California Association of Governments	October 25, 2011
Department of Toxic Substances Control	October 26, 2011
Riverside County Waste Management Department	October 27, 2011
Colorado River Board of California	October 28, 2011
Riverside County Fire Department	October 30, 2011
Riverside County Flood Control and Water Conservation District	October 31, 2011
Riverside County Airport Land Use Commission	November 1, 2011
Southern California Edison	November 1, 2011
Riverside County Information Technology Department	November 10, 2011
Solar Trust of America	November 29, 2011
Individuals	
Jared Fuller	September 28, 2011

1.4 Scoping Report Organization

This scoping report summarizes the comments and issues identified during the scoping period, including the public scoping meetings. The Lead Agencies will review and consider all of the scoping comments received in preparing the EIS/EIR for the Project.

Section 2 provides summary information on the Applicant's stated Project objectives and a description of the Project.

Section 3 provides a summary of the comments received and issues raised during the Project's scoping periods, including comments received during the public scoping meetings.

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

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

The Appendices that follow Section 5 include notices, scoping meeting notices, scoping comments received, and other information.

2.0 SUMMARY OF THE PROPOSED PROJECT

This section provides an overview of the Project.

2.1 Applicant's Objectives

The Applicant's fundamental objective for the Project is to construct, operate, maintain, and decommission am up-to 750-MW solar energy facility and associated interconnection transmission infrastructure to provide renewable electric power to California's existing transmission grid to help meet federal and state renewable energy supply and greenhouse gas (GHG) emissions reduction requirements. The Applicant is committed to constructing and operating the Project in an environmentally responsible manner and to providing a sustainable source of renewable energy to the State's investor-owned utilities and the public. The Applicant's stated objectives for the Project are to:

1) Construct, operate, and maintain an efficient, cost-competitive, reliable, safe and environmentally-sound solar powered generating facility using proven PV technology capable of generating a minimum of 500 MW and up to 750 MW that would help achieve:

    a) the State of California objectives mandated by Senate Bill 1078 (California Renewable Portfolio Standard Program);

    b) Assembly Bill 32 (California Global Warming Solutions Act of 2006), and;

    c) other local mandates adopted by the state's municipal electric utilities to meet the requirements for the long term wholesale purchase of renewable electric energy for distribution to their customers.

2) Develop a site on contiguous lands with an excellent solar resource.

3) Develop a site within close proximity to transmission infrastructure and access roads in order to minimize environmental impacts.

4) Receive authorization for constructing and operating a range of panel types and tracking options so that the Project can take advantage of the rapid improvements in PV technology/efficiency that are anticipated to take place between early permitting and commencing construction.

2.2 Project Description

The Project would be constructed in two units, or two solar facilities. Unit 1 would have a 250 MW per acre (MWac) capacity comprised of an estimated 125 complete or equivalent partial 2 MW blocks. Unit 2 would have an up-to-500 MWac capacity comprised of an up to 250

complete or equivalent partial 2 MW blocks. Unit 1 would be arranged on the eastern side of the solar plant site; Unit 2 would be located west of Unit 1 within the solar plant site. Of the total Project, approximately 50 MW would be located on private land that is under Riverside County's land use jurisdiction. In addition to solar field, Project would include the following components:

1) Two on-site substations (the McCoy Solar Energy Project Unit 1 and Unit 2 Substations);

2) One operations and maintenance facility (approximately 3,000 square feet) and parking area (approximately 10,000 square feet) to be shared by Unit 1 and Unit 2 and located in the eastern portion of Unit 1;

3) A centrally located temporary laydown area which is proposed to be converted to permanent solar field area at the end of construction;

4) Perimeter maintenance roads (24 feet wide and 22 miles long) and a main access road (24 feet wide with 3-foot shoulders, and approximately 2.6 miles long);

5) Fencing and site security;

6) A shared water treatment area;

7) An approximately 11 mile long (measured from the solar plant site boundary), double-circuit, overhead 230 kilovolt (kV) generation-tie (gen-tie) line;

8) 230 kV switchyard located near the Colorado River Substation (CRS) to connect the Project with SCE's 230 kV CRS;

9) Two telecommunications lines (primary and redundant); and

10) An SCE-owned and operated distribution line.

This Project requires a Record of Decision (ROD) from BLM and, from Riverside County, approval of a CUP and a PUP. Prior to ROW grant issuance, the Project would require a Land Use Plan Amendment to the CDCA Plan of 1980, as amended.

3.0 SUMMARY OF SCOPING COMMENTS

This section of the report summarizes the comments raised by agencies, organizations, and members of the public during the scoping process. This summary is based upon both written and oral comments that were received during the NOP/NOI public scoping periods. Table 1 provides a list of commenters including federal, state, and local agencies as well as organizations and an individual who provided comments during the public review period. A number of environmental concerns were raised during the scoping process that focused on the Project's potential effects to several environmental resources and issue areas. This scoping report summarizes the comments received according to the following major themes:

1) Project description
2) Human environment issues
3) Natural environment issues
4) Indirect and cumulative impacts
5) Project alternatives
6) EIS/EIR administrative and permitting issues.

3.1 Project Description

Several commenters expressed concerns regarding the proposed location of the Project, particularly that it is located on relatively undisturbed land within the CDCA. Many of these commenters noted that the Project could have significant impacts on biological and cultural resources due to the location of the site. The Defenders of Wildlife, NRDC, Center for Biological Diversity and Sierra Club (because these four organizations submitted a joint comment letter, they are referred to collectively as "Defenders of Wildlife") all advocate for large-scale solar energy projects to be located on degraded or disturbed lands.

Statement of Purpose and Need

Both the EPA and Defenders of Wildlife submitted comments regarding the Statement of Purpose and Need of the Project. The Defenders of Wildlife stated that the Statement of Purpose and Need should not simply indicate that BLM is responding to an applicant's ROW application for a proposed project. The framing of the purpose and need should be broad enough to support alternatives that are meaningful.

The EPA submitted comments stating the following with regard to the Statement of Purpose and Need:

1) The purpose and need should be a clear, objective statement of the rational for the proposed Project.
2) The EIS/EIR should discuss the Project in the context of the larger energy market that the Project would serve; and
3) The EIS/EIR should discuss how the Project will assist the State in meeting its renewable energy portfolio standards and goals.

3.2 Human Environment Issues

Aesthetics/Visual Resources

One commenter stated that the proposed Project location is close to designated Wilderness and that the EIS/EIR should fully review the impacts of each alternative on visual resources including the effects on wilderness character and values.

Wildfire Hazards

One comment is about the increased risk of wildfire hazards due to the introduction of a large-scale solar field and new transmission infrastructure. The commenter stated that a wildfire could be caused by construction or operation of the transmission lines. Development of roads and transmission lines could encourage increased motorized vehicle access which increases fire risk, especially when coupled with the spread of invasive weeds.

Cultural Resources

Numerous comments involved the Project's potential effect on existing cultural and historic resources in the area. Several commenters described the cultural resources that exist in the area and their disappointment that these resources will be lost with the increasing development of solar projects. Several commenters stated that the EIS/EIR should include a thorough analysis of the cultural resources in the area and that mitigation and monitoring measures should be implemented throughout construction to minimize the potential impacts that the development of the Project otherwise may create.

The EPA and Native American Heritage Commission submitted comments recommending coordination with tribal governments to determine the location of cultural artifacts and minimize the potential damage to these resources. The EPA stated that the EIS/EIR should describe the process and outcome of government-to-government consultation between the BLM and each of the tribal governments within the Project area, issues that were raised (if any), and how those issues were addressed in the selection of the proposed alternative.

The EPA also suggested that the EIS/EIR discuss the existence of Indian sacred sites in the Project area. It should address Executive Order 13007, distinguish it from Section 106 of the National Historic Preservation Act, and discuss how the BLM will avoid adversely affecting the physical integrity, accessibility, or use of sacred sites, if they exist. The EIS/EIR should provide a summary of all coordination with Tribes and with the State Historic Preservation Officer and Tribal Historic Preservation Officer, including identification of National Register of Historic Places eligible sites, and development of a Cultural Resource Management Plan.

Public Health and Safety

The Western Watersheds Project stated that the EIS/EIR should disclose any potentially toxic or hazardous wastes that may be associated with these projects during Project construction, operation, and maintenance including pesticides and herbicides.

The Department of Toxic Substances control submitted the following comments:

1. The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment.

2. The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

3. Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment investigations, should be summarized. All sampling results in which hazardous substances were found above regulatory standards should be summarized clearly in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.

4. If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation also should be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations.

5. Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

6. Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

7. If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the Project.

8. If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility also should obtain an EPA Identification Number. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency.

The Riverside County Waste Management District (RCWMD) commented about the quantity of construction and demolition waste that could be generated by the Project and how the waste will be disposed of. This agency also expressed concern about the cumulative effects of such waste on landfill capacity.

The Riverside County Airport Land Use Commission stated that weather stations or other aspects of the generation facility involving structures or towers with an overall height exceeding 200 feet above ground level will require Airport Land Use Commission review. The proposed 230kV generation tie line would pass through the Blythe Airport Influence Area and is therefore subject to review. This agency also stated that the cumulative effects of large-scale solar energy projects and their associated aboveground transmission lines on flight activities in the vicinity of Blythe Airport should be considered as potentially significant. The proliferation of generation tie

lines within an airport's approach and departure paths (or other locations within Blythe Airport's inner Compatibility Zones) is of particular concern.

The EPA submitted comments stating that the EIS/EIR should address potential indirect and cumulative impacts of hazardous waste from construction and operation. The document should identify projected hazardous waste types and volumes, and expected storage, disposal and management plans. It should address the applicability of state and federal hazardous waste requirements and include measures to mitigate hazardous waste.

The EPA also recommended that the Applicant strive to address the full product life cycle by sourcing PV components from a company that: 1) minimizes environmental impacts during raw material extraction; 2) manufactures PV panels in a zero waste facility; 3) provides future disassembly for material recovery for reuse and recycling; and 4) minimizes the carbon footprint associated with the manufacture and transport of PV panels.

Project Decommissioning, Site Restoration and Financial Assurance

The EPA stated that the EIS/EIR should include a requirement for a decommissioning and site restoration plan. The plan should include: 1) cost estimates – including a requirement for the Applicant to secure a performance bond surety bond, letter of credit, corporate guarantee, or other form of financial assurance adequate to cover the cost of decommissioning/restoration; 2) time allotted to complete the decommissioning/restoration; 3) description of the structures, facilities, and foundations to be removed; and 4) description of restoration measures including recontouring the surface and revegetation to a condition reasonably similar to the original condition.

Public Services and Utilities

The Riverside County Fire Department commented about the Project's cumulative increase on the Fire Department's ability to provide an acceptable level of service to the Project site. They also commented about being able to handle an increased volume of service calls, maintaining response times, and having a sufficient number of personnel to respond to an emergency during the construction and operation of the solar facility. The Fire Department stated that due to the remote location and climate conditions, a response by the fire department would require multiple units to respond. In addition, the onsite conditions create a high risk potential for a technical rescue, and a hazardous materials incident which would require specialized equipment and trained staff to respond. The Fire Department warns that extended response times from specialized equipment can be anticipated to the Project area.

The Riverside County Information Technology Department stated that the EIS/EIR needs to identify the radio communication, if any, which may be part of the Project. They also issued a reminder that the County of Riverside has built numerous new sites in the eastern county area to support the new 700 MHz voice / data public safety radio network (Public Safety Enterprise System) supporting the Sheriff, Fire Dept, and Public Safety. This includes new microwave links at each site. The County must ensure there is no chance for radio interference to jeopardize Public Safety Enterprise Communications operations.

Environmental Justice

Comments submitted by the EPA state that the EIS/EIR should include an evaluation of environmental justice populations within the geographic scope of the Project. If such populations exist, the EIS/EIR should address the potential for disproportionate adverse impacts to minority and low-income populations, and the approaches used to foster public participation by these populations. Assessment of the Project's impact on minority and low-income populations should reflect coordination with those affected populations.

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

Land Use

The Western Watersheds Project submitted a comment stating that the Project would be located on “Class L” or “Limited Use” Lands close to a designated Wildlife Habitat Management Area and the proposed switchyard overlaps the Mule Mountains Area of Environmental Concern. They request that the EIS/EIR fully review the direct, indirect and cumulative impacts of each alternative on these significant resources.

The Metropolitan Water District of Southern California commented about the potential direct and indirect impacts that may result from the construction and operation of the Project on or near their facilities and transmission line infrastructure. Metropolitan requested that the EIS/EIR analyze and assess the potential impacts to their facilities due to the construction of the Project.

Southern California Association of Governments (SCAG) commented that the project is regionally significant and should be analyzed for consistency with SCAG’s Regional Transportation Plan and Compass Growth Visioning effort.

The EPA stated that the EIS/EIR should discuss how the Project would support or conflict with the objectives of federal, state, tribal or local land use plans, policies and controls in the Project

area. The term "land use plans" includes all types of formally adopted documents for land use planning, conservation, zoning and related regulatory requirements. Proposed plans not yet developed should also be addressed if they have been formally proposed by the appropriate government body in a written form (CEQ's Forty Questions, #23b).

3.3 Natural Environment Issues

Biological Resources

Biological issues raised by the public and responsible agencies included potential direct, indirect, and cumulative impacts on the overall health of the ecosystem and special-status species known to occur in the region. Specific comments (among others) included potential impacts to several species including: desert tortoise, bighorn sheep, golden eagle and other avian species. Commenters requested that the Project site be surveyed for these species, as well as any other special status species, and that the EIS/EIR include a full analysis of the potential direct, indirect, and cumulative impacts to these species.

One commenter is concerned that the Project may lead to desert tortoise translocation, and requested that the agencies include a detailed translocation plan for the Project in the NEPA/CEQA documentation (this is also recommended by the EPA in point 8 below). This commenter also explained some of the threats created by invasive species and recommended that the EIS/EIR describe how invasive plants and weeds will be managed and controlled.

Another commenter expressed concern about the Project’s impact on the McCoy Wash valley and the dissected fans or upper bajadas which are adjacent to the McCoy Mountains. The commenter stated that the McCoy Valley wash contains a significant amount of Dry Desert Wash, which is known for its ecological significance, and that an alternative location that does not contain this type of habitat must be considered in the EIS/EIR. This commenter also stated that the upper bajadas, adjacent to the McCoy Mountains, contains high quality desert tortoise habitat and that the U.S. Fish and Wildlife Service (USFWS) recommended that the BLM prohibit further renewable energy development in this area.

Comments submitted by the EPA state the following with regard to biological resources and invasive plant management:

1) The BLM should consult with the USFWS and prepare a Biological Opinion under section 7 of the Endangered Species Act for all threatened or endangered species present.

2) The BLM should coordinate across field offices and with the USFWS and California Department of Fish and Game (CDFG) to ensure that current and consistent surveying, monitoring, and reporting protocols are applied in protection and mitigation efforts. The

BLM should provide a recent status update on this topic if these actions have been or will be undertaken. Analysis of impacts and mitigation on covered species should include:

a) Baseline conditions of habitats and populations of the covered species

b) A clear description of how avoidance, mitigation and conservation measures will protect and encourage the recovery of the covered species and their habitats in the Project area.

c) Monitoring, reporting and adaptive management efforts to ensure species and habitat conservation effectiveness.

3) Incorporate, into the EIS/EIR, information on the compensatory mitigation proposals (including quantification of acreages, estimates of species protected, costs to aquire compensatory lands, etc.) for unavoidable impacts to waters of the State and biological resources such as desert tortoise.

4) Identify compensatory mitigation lands or quantify, in the EIS/EIR, available lands for compensatory habitat mitigation for this Project, as well as reasonably foreseeable Projects in the eastern Riverside County area. Specify, in the EIS/EIR, provisions that will ensure habitat selected for compensatory mitigation will be protected in perpetuity.

5) Incorporate, into the EIS/EIR, mitigation, monitoring, and reporting measures that result from consultation with the USFWS and CDFG, and that incorporate lessons learned from other solar Projects and recently released guidances to avoid and minimize adverse effects to sensitive biological resources.

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

7) The EIS/EIR should describe the potential for habitat fragmentation and obstructions for wildlife movement from the construction of this Project and other utility scale renewable energy projects in the eastern Riverside County area.

8) Discuss the need for monitoring, mitigation, and if applicable, translocation management plans for the sensitive biological resources, approved by the BLM and the biological resource management agencies. This would include, but not be limited to, an Avian Protection Plan, a Raven Monitoring, Management, and Control Plan, Burrowing Owl Mitigation, Monitoring and Translocation Plan, Desert Tortoise Relocation/Translocation Plan, Desert Tortoise Compensatory Mitigation Plan, Special – Status Plant Impact Avoidance and Mitigation Plan, and Management Plan for Sand Dune/Fringed-Toed Lizard.

9) The EIS/EIR should include assurances that the design of the transmission line would be in compliance with current standards and practices that reduce the potential for raptor

fatalities and injuries. The commonly referenced source of such design practices is found within the avian Power Line Interaction Committee documents: *Suggested Practices for Avian Protection on Power Lines: State of the Art in 2006* manual and *Mitigation Bird Collisions with Power Lines: The State of the Art in 1994.* Also include a requirement for an Avian Protection Plan to be developed using the 2005 Avian Power Line Interaction Committee and USFWS Avian Protection Plan Guidelines.

10) The EIS/EIR should describe the extent of potential impacts from construction, installation, and maintenance activities.

11) The EIS/EIR should indicate the location of important wildlife habitat areas. The EIS/EIR should describe what measures will be taken to protect important wildlife habitat areas and to preserve linkages between them.

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

13) The EIS/EIR should provide detailed information on any proposed fencing design and placement and its potential effects on drainage systems on the Project site. Fencing proposed for this Project should meet appropriate hydrologic, wildlife protection and movement, and security performance standards. Those standards should be described in the EIS/EIR.

14) The EIS/EIR should include an invasive plant management plan to monitor and control noxious weeds.

Water Resources

Comments regarding the Project's impact on water resources were received from the Metropolitan Water District of Southern California, the Western Watersheds Project, Riverside County Flood Control and Water Conservation District (FCWCD), Colorado River Board (CRB) and the EPA.

Both Metropolitan and the Western Watersheds Project stated that the EIS/EIR should fully review the direct, indirect, and cumulative impacts to local and regional water reserves. Metropolitan was particularly concerned with the Project's potential impact on Colorado River resources and local groundwater supplies.

The Western Watersheds Project commented that impacts to desert washes, drainage systems, and washlets, as well as, changes in hydrology and soil movements may impact rare plants, habitats for sensitive species, and burrowing species such as the desert tortoise. They stated that these impacts should be fully considered and analyzed in the EIS/EIR.

The FCWCD stated that the entire Project site lies within a floodplain and potential hazards, impacts and mitigation efforts to the development shall be identified in the EIS/EIR. This agency is also concerned with the proposed grading and drainage plan and requires that it be described and the site's tributary drainage area be identified.

The CRB stated that no additional Colorado River water is available for use by new project proponents along the Colorado River, except through the contract of an existing Boulder Canyon Project Act (BCPA) Section 5 contract holder, either by direct service or through an exchange of non-Colorado River water for Colorado River water. The MSEP is located adjacent to the Blythe Solar Power Project. The CRB has identified a preferred option for obtaining a legally authorized and reliable water supply for these projects. Currently, that option involves obtaining water through an existing BCPA Section 5 contract holder, The Metropolitan Water District of Southern California. Although other options may be available, it is the Board's assessment that they could not be implemented in a timely manner and address the requirement that water consumptively used from the Colorado River must be through a BCPA Section 5 contractual entitlement.

The EPA submitted comments concerning the Project's impact on water resources and stated that the EIS/EIR should describe the availability of a water supply for construction and operation of the proposed Project and fully evaluate the environmental impacts associated with using the selected water supply. The EPA recommends that the EIS/EIR address the following points to identify the Project's water needs and the resulting impacts on water resources.

1. A discussion of the amount of water needed for the proposed PV electrical generation facility and where this water will be obtained.
2. A discussion of availability of groundwater within the basin and annual recharge rates. A description of the water right permitting process and the status of water rights within that basin, including an analysis of whether water rights have been over-allocated.
3. A discussion of cumulative impacts to groundwater supply within the hydrographic basin, including impacts from other large-scale wind installations that have also been proposed.
4. An analysis of different types of technology that can be used to minimize or recycle water.
5. A discussion of whether it would be feasible to use other sources of water, including potable water, irrigation canal water, wastewater or deep-aquifer water.
6. An analysis of the potential for alternatives to cause adverse aquatic impacts such as impacts to water quality and aquatic habitats.

The EPA also recommended that the EIS/EIR address the potential effects of Project discharges, if any, on surface water quality. Specific discharges should be identified and potential effects of

discharges on designated beneficial uses of affected waters should be analyzed. If the facility is a zero discharge facility, the EIS/EIR should disclose the amount of process water that would be disposed of onsite and explain methods of onsite containment.

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

The EIS/EIR should describe the water reliability for the Project and clarify how existing and/or proposed sources may be affected by climate change. At a minimum, the EPA expects a qualitative discussion of impacts to water supply and the adaptability of the Project to these changes.

Additionally, the EPA recommended the Applicant coordinate with the U.S. Army Corps of Engineers to obtain a jurisdictional delineation and confirm the presence of Waters of the U.S. in the Project area, in order to determine whether or not a Clean Water Act (CWA) Section 404 permit is needed. If a permit is needed, the EIS/EIR should demonstrate the Project's compliance with the CWA 404(b)(1) Guidelines. The EIS/EIR should describe the function and location of any Waters of the U.S. at the Project site, as well as drainage patterns at the Project location. The EIS/EIR should discuss the steps taken to avoid and minimize impacts to Waters of the U.S.

If an aquatic feature does not constitute a Water of the U.S. but has the potential to be affected by the Project, the EPA recommends that the EIS/EIR characterize the functions of the aquatic feature and discuss potential mitigation measures. To avoid and minimize direct and indirect impacts to desert washes (such as erosion, migration of channels, and local scour), as applicable:

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

The EPA also recommended that the EIS/EIR discuss the availability of sufficient compensation lands within the Project’s watershed to replace desert wash functions lost on the Project site.

The Applicant is should determine the need for a California State Water Resources Control Board General Permit associated with construction activity Construction General Permit Order 2009-0009-DWQ. If such a permit is required, include a description of the proposed stormwater pollution control and mitigation measures in the EIS/EIR.

Air Resources

The EPA stated that the EIS/EIR should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts of the proposed Projects (including cumulative and indirect impacts). The EPA believes such an evaluation is necessary to assure compliance with State and Federal air quality regulations, and to disclose the potential impacts from temporary or cumulative degradation of air quality.

The EPA also recommended that the EIS/EIR describe and estimate air emissions from potential construction and maintenance activities, as well as, proposed mitigation measures to minimize those emissions. In addition, the EPA recommends an evaluation of the following measures to reduce emission of criteria air pollutants and hazardous air toxics.

1) *Existing Conditions* - The EIS/EIR should provide a detailed discussion of ambient air conditions, NAAQS, and criteria pollutant nonattainment areas in all areas considered for solar development.

2) *Quantify Emissions* - The EIS/EIR should estimate emissions of criteria pollutants from the proposed Project and discuss the timeframe for release of these emissions over the lifespan of the Project. The EIS/EIR should describe and estimate emissions from potential construction activities, as well as proposed mitigation measures to minimize these emissions.

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

4) *Construction Emissions Mitigation Plan* - The EIS/EIR should include a Construction Emissions Mitigation Plan and ultimately adopt this plan in the ROD. In addition to all applicable local, state, or federal, requirements, the EPA recommends that the following mitigation measures be included in the Construction Emission Mitigation Plan in order to reduce impacts associated with emission of particulate matter and other toxics from construction-related activities:

    - *Fugitive Dust Control Plan* - The EIS/EIR should identify the need for a Fugitive Dust Control Plan to reduce Particulate Matter 10 and Fine Particulate Matter 2.5

emissions during construction and operations. The EPA recommends that the plan include the following general commitments: stabilize heavily used unpaved roads; use water during grading to control visible plumes; limit vehicle speeds; inspect and wash construction equipment vehicle tires before entering paved roadways; take measures to prevent run-off in roadways; keep paved roadways free of dirt; stabilize disturbed soils; cover or treat soil storage piles; and utilize wind erosion control techniques.

- *Mobile and Stationary Source Controls* – commit to the best available emission control technology; use most fuel-efficient vehicles possible; minimize vehicle trips and idling; and maintain engines to perform at California Air Resources Board and/or EPA certification levels.

- *Administrative Controls* – Develop a construction traffic and parking management plan; identify sensitive receptors in the Project area and minimize impacts to these populations; and include provision for monitoring fugitive dust in the fugitive dust control plan and initiate increased mitigation measures to abate any visible dust plumes.

Climate Change

The EPA and Western Watersheds Project submitted comments regarding climate change impacts. The Western Watersheds Project stated that the EIS/EIR should address the carbon footprint of the Project and any losses to carbon storage and sequestration it will engender.

The EPA stated that the EIS/EIR should consider how climate change could potentially influence the Project, specifically within sensitive areas, and assess how the projected impacts could be exacerbated by climate change.

The EIS/EIR should quantify and disclose the anticipated climate change benefits of solar energy. EPA suggests quantifying GHG emissions from different types of generating facilities including solar, geothermal, natural gas, coal-burning, and nuclear and compiling and comparing these values.

3.4 Indirect and Cumulative Impacts

One commenter is concerned about the cumulative impacts created by the Project in combination with all other consumptive uses that are occurring on the surrounding public lands (including grazing, off road vehicle activity, energy projects and mining). This commenter also is concerned that new and expanding transmission infrastructure will open up more lands to development.

Another commenter stated that the cumulative impacts need to be analyzed and considered in the context of various laws and regulations pertaining to management of public lands in the CDCA.

Additionally, they strongly urge the BLM to consider the ecological condition and trend of lands and biological resources within the McCoy Wash region, where the Project is proposed.

The EPA stated that the cumulative impacts analysis should identify how resources, ecosystems, and communities in the vicinity of the Project have been, or will be, affected by past, present, or future activities in the Project area. Comments submitted by the EPA state the following with regard to indirect and cumulative impacts:

For each resource analyzed, the EIS/EIR should:

1) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date.

2) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis.

3) Identify all on-going, planned, and reasonably foreseeable projects in the study area that may contribute to cumulative impacts.

4) Identify the future condition of the resource based on an analysis of impacts from reasonably foreseeable projects or actions added to existing conditions and current trends.

5) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives.

6) When cumulative impacts are identified for a resource, mitigation should be proposed.

7) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts.

8) Identify opportunities to avoid and minimize impacts, including working with other entities.

The EIS/EIR should consider the cumulative impacts associated with multiple renewable energy and other development projects proposed in the eastern Riverside County area and the potential impacts on various resources including: water supply, endangered species, and habitat.

The BLM and Applicant should conduct a regional assessment of resource impacts, given the number of projects under construction or planned for the region.

The EIS/EIR should describe the reasonable foreseeable future land use and associated impacts that will result from the additional power supply. The document should provide an

estimate of the amount of growth, its likely location, and the biological and environmental resources at risk.

3.5 Project Alternatives

The EPA, Defenders of Wildlife, and Western Watersheds Project submitted comments regarding Project alternatives. The EPA has a similar opinion as the one stated in the Defenders of Wildlife comment that alternatives to the Project, including alternative locations and reduced Project sizes, need to be fully considered and analyzed. The Defenders of Wildlife and the Western Watersheds Project stated that a range of alternatives must be considered, beyond the Project as proposed or No Project. A full analysis of the alternatives will help clarify the need for the Project.

The EPA submitted comments stating that the EIS/EIR should describe how each alternative was developed, how it addresses each Project objective, and how it would be implemented. The alternatives analysis should include a discussion of a reduced acreage, reduced MW and modified footprint alternatives, as well as alternative sites and generating technologies, including different types of solar technologies, and describe the benefits associated with the proposed technology. The EIS/EIR should clearly describe the rational used to determine whether impacts of an alternative are significant or not. Thresholds of significance should be determined by considering the context and intensity of an action and its effects (40 CFR 1508.27).

The EPA strongly encouraged the BLM and other interested parties to pursue the siting of renewable energy projects on disturbed, degraded, and contaminated sites, including fallow or abandoned agricultural lands before considering large tracts of undisturbed public lands. The EIS/EIR should identify and analyze an environmentally preferable alternative. Options such as reducing the footprint of the Project within the Project area or relocating sections/components of the Project to other areas, including private land, to reduce environmental impacts should be examined. The EPA recommended consideration of a desert or ephemeral wash avoidance alternative for full evaluation in the EIS/EIR.

Solar Trust of America strongly urged that the Project use the utility corridor along the eastern boundary of the Blythe Solar Power Project (BSPP) ROW for the proposed access road and gen-tie line. They stated that the use of this alternative utility corridor would result in less ground disturbance, visual impacts and biological impacts, avoid an indentified cultural resource area, reduce shading on the neighboring BSPP, and avoid predominant wash systems,

3.6 EIS/EIR Administrative and Permitting Issues

Agency Permits/Consultation

SCE submitted a comment stating that construction of new or relocated electrical facilities operating between 50 and 200 kV are subject to the CPUC environmental review requirements specified in the CPUC's General Order 131-D, Section III B. If the interconnection facilities for the Project are not included in the Lead Agency's CEQA document and the facilities are not exempt from the environmental review required by the CPUC, then SCE states that they will have to conduct an additional environmental review of the impacts relating to the transmission interconnection component of the Project. This review is expected to take 18 months or more to complete. Therefore, SCE requested that the Project Applicant include SCE's interconnection facilities and network upgrades work scope in the reports/applications submitted to the Lead Agencies permitting the generation Project, and that such agencies review the potential environmental impacts associated with SCE's work scope in any environmental document issued for the Project.

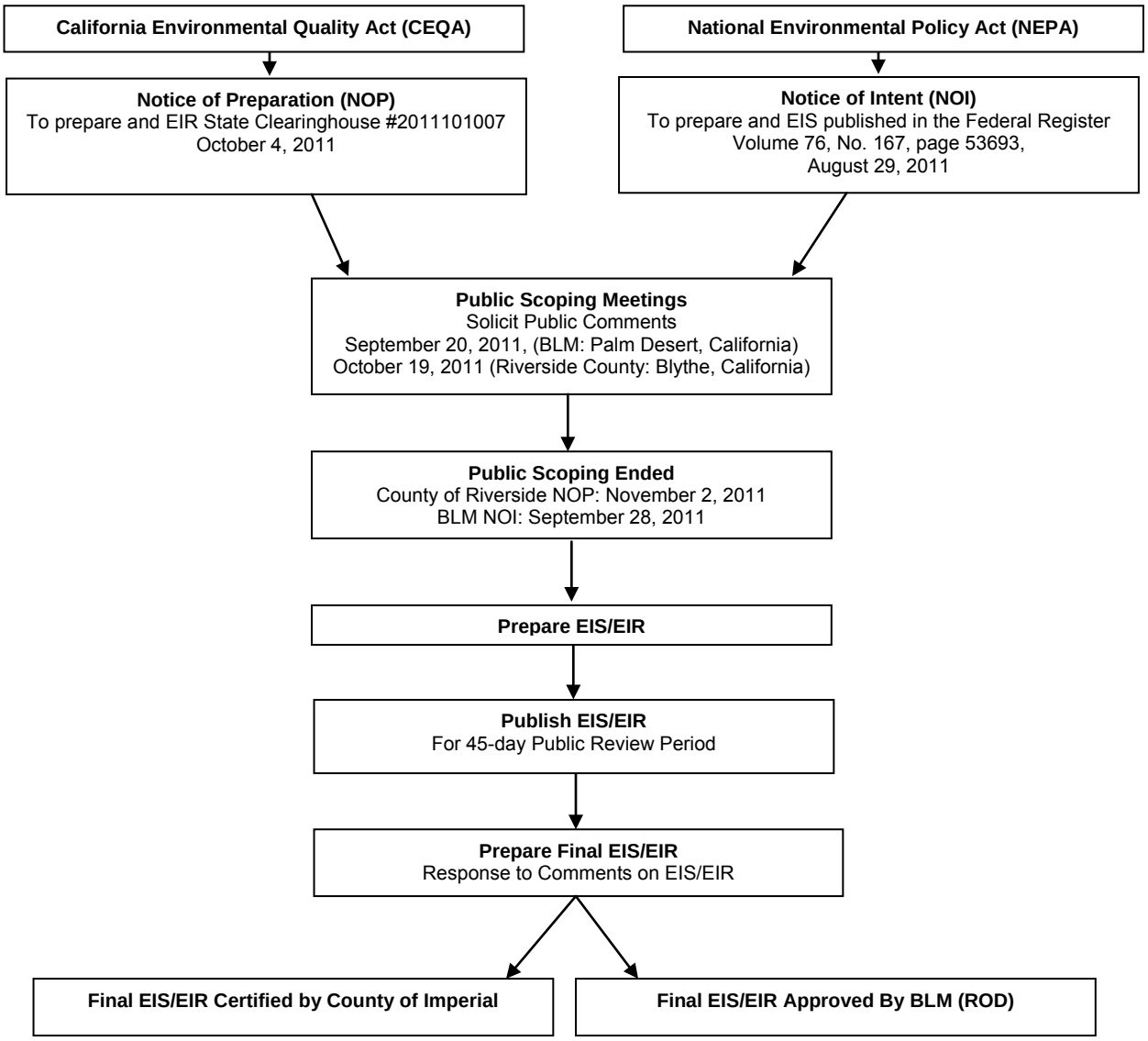
3.7 Issues Outside the Scope of the EIS/EIR

General comments were received that noted support and others that were against the development of the Project. One commenter expressed concern about the current solar development process which begins with developer-initiated Project siting rather than agency-guided siting. Another commenter is concerned about the Project's viability due to the misuse of government economic stimulus money that caused Solyndra Inc. to go bankrupt and lessened the public's image of the solar industry. The same commenter also noted that solar development should be focused in urban areas to generate electricity where it is in the highest demand and avoid blackouts, like the one that occurred on September 10, 2011 in Southern California. Another commenter noted that they had worked with the BLM and NRDC to conserve and protect desert resources and sacred cultural sites, including ones that are on or in the vicinity of proposed solar projects. Therefore, this commenter was upset to find out that the BLM would authorize development on sites that they had worked to jointly conserve.

4.0 SUMMARY OF FUTURE STEPS IN THE PLANNING PROCESS

The EIS/EIR process requires a team of interdisciplinary resource specialists to complete each step. An important part of the environmental planning process is engaging the public and relevant agencies from the earliest stages of and throughout the planning process to address issues, comments, and concerns. The steps of the NEPA and CEQA planning processes and agency authority and decisions to be made are described as follows. Figure 1 provides a summary of the EIS (NEPA) and EIR (CEQA) processes.

Figure 1. NEPA/CEQA Process Flowchart



Identification of Issues

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

Data Information and Collection

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

Preparing EIS/EIR

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

EIS/EIR and Public Comment Period

The next official public comment period will begin upon publication of the EIS/EIR, which is anticipated to be in mid-summer 2012. This document will evaluate a range of Project alternatives including a “No Action” alternative and a “Preferred” alternative and will generally include the following:

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

Upon completion of the EIS/EIR, BLM will publish a Notice of Availability in the Federal Register and the County will file a Notice of Completion with the California State Clearinghouse and a 45-day public comment period will follow. Copies of the EIS/EIR will be distributed to regulatory agencies, public libraries in the Project area, and interested members of the public. The document also will be available online at the BLM Project website:

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

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

Response to Comments, Preparation of Final EIS/EIR, Notice of Determination, and ROD

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

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

5.0 REFERENCES CITED

14 CCR 15000–15387 and Appendix A–L. Guidelines for Implementation of the California Environmental Quality Act.

40 CFR 1501.1–1501.8. NEPA and Agency Planning.

Federal Register, Vol. 76, No. 167, page 53693, August 29, 2010.

Office of Planning and Research, CEQAnet online database, http://www.ceqanet.ca.gov/DocDescription.asp?DocPK=655493, accessed November 8/2011.

research for which the data will be used. The information collected will be stored in a database and will be used to create user IDs and passwords for authenticated users. This information collection will last as long as USPS allows HUD to sub-license its vacancy data to permitted third parties under the agreement.

OMB Approval Number: Pending.

Agency form numbers: None.

Members of Affected Public: It is estimated roughly 7,000 unique users will request access to the data through the Web site in the first year.

Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: Less than 5 minutes per individual requestor.

Status of the proposed information collection: Pending OMB approval.

Authority: U.S. Code 12, 1701z–1, Research and demonstrations.

Dated: August 19, 2011.

Jean Lin Pao,

General Deputy Assistant Secretary for Policy, Development and Research.

[FR Doc. 2011–22031 Filed 8–26–11; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCO921000–L13200000–EL0000, COC–74911]

Notice of Invitation To Participate; Coal Exploration License Application COC–74911, Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Pursuant to the Mineral Leasing Act of 1920, as amended by the Federal Coal Leasing Amendments Act of 1976, and to Bureau of Land Management (BLM) regulations, all interested parties are hereby invited to participate with Oxbow Mining, LLC, on a pro rata cost-sharing basis, in a program for the exploration of coal deposits owned by the United States of America in lands located in Delta County, Colorado.

DATES: This notice of invitation was published in the *Delta County Independent* newspaper once each week for two consecutive weeks beginning the week of July 6, 2011, prior to publication the **Federal Register.** Any party electing to participate in this exploration program must send written notice to both the BLM and Oxbow Mining, LLC, as provided in the **ADDRESSES** section below no later than 30 days after publication of this notice in the **Federal Register** or 10 calendar days after the last publication of this notice in the *Delta County Independent* newspaper, whichever is later.

ADDRESSES: Copies of the exploration plan are available for review during normal business hours in the following offices (case file number COC–74911): BLM, Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215; and BLM, Uncompahgre Field Office, 2465 S. Townsend Avenue, Montrose, Colorado 81401. The written notice should be sent to the following addresses: Oxbow Mining, LLC, Attn: Steve Weist, 3737 Hwy 133, Somerset, Colorado 81434 and BLM, Colorado State Office, Colorado State Director, 2850 Youngfield Street, Lakewood, Colorado 80215.

FOR FURTHER INFORMATION CONTACT: Kurt M. Barton at (303) 239–3714, *kbarton@blm.gov*; or Desty Dyer at (970) 240–5302, *ddyer@blm.gov*. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The purpose of the exploration program is to gain structural and quality information about the coal. The BLM regulations at 43 CFR 3410 require the publication of an invitation to participate in the coal exploration in the **Federal Register**. The Federal coal resources included in the exploration license application are located in the following described lands in Delta County, Colorado:

6th Principal Meridian

T. 13 S., R. 92 W.,
- Sec. 7, Lots 13–20 inclusive;
- Sec. 8, S½;
- Sec. 9, S½;
- Sec. 15, Lots 13, 18, 19, and 22;
- Sec. 16, All;
- Sec. 17, All;
- Sec. 18, All;
- Sec. 19, All;
- Sec. 20, All;
- Sec. 21, All;
- Sec. 22, Lots 4, 5, 12, and 13;
- Sec. 28, Lots 2–7 inclusive;
- Sec. 29, All; and
- Sec. 30, All.

T. 13 S., R. 93 W.,
- Sec. 9, Lots 9–16 inclusive;
- Sec. 10, Lots 9–16 inclusive;
- Sec. 11, Lots 9–16 inclusive;
- Sec. 12, Lots 9–16 inclusive;
- Sec. 13, All;
- Sec. 14, All;
- Sec. 15, Lots 1–10 inclusive, and lots 14–15 inclusive;
- Sec. 16, Lots 1–4 inclusive;
- Sec. 23, All;
- Sec. 24, All;
- Sec. 25, All;
- Sec. 26, All;
- Sec. 35, All; and
- Sec. 36, Lots 1–8 inclusive, and lots 11–14 inclusive.

Containing 14,044 acres, more or less.

The proposed exploration program is fully described in, and will be conducted pursuant to, an exploration plan to be approved by the BLM.

Authority: 43 CFR 3410.2–1(c)(1).

Helen M. Hankins,

State Director.

[FR Doc. 2011–21966 Filed 8–26–11; 8:45 am]

BILLING CODE 4310–JB–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CACA 048728, LLCAD06000, L51010000.LVRWB09B2510.FX0000]

Notice of Intent To Prepare a Joint Environmental Impact Statement and Environmental Impact Report for the Proposed McCoy Solar Energy Project and Possible Land Use Plan Amendment, Riverside County, CA

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), the Federal Land Policy and Management Act of 1976, as amended (FLPMA), and the California Environmental Quality Act, the Bureau of Land Management (BLM) Palm Springs/South Coast Field Office, Palm Springs, California, together with the County of Riverside, California, intend to prepare a joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR), which may include an amendment to the California Desert Conservation Area (CDCA) Plan (1980 as amended), related to McCoy Solar, LLC's right-of-way (ROW) application for the McCoy Solar Energy Project (MSEP), a 750-megawatt (MW) photovoltaic (PV) solar electricity generation project. By this notice, the BLM and Riverside County are announcing the beginning of the scoping process to solicit public comments and identify issues related to the EIS/EIR.

DATES: This notice initiates the public scoping process for the EIS/EIR and

possible plan amendment. Comments on issues related to the EIS/EIR and possible plan amendment may be submitted in writing until September 28, 2011. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local media, newspapers, and the BLM Web site at: *http://www.blm.gov/ca/st/en/fo/cdd.html.* In order to be fully addressed in the Draft EIS/EIR, all comments must be received prior to the close of the scoping period or 15 days after the last public meeting, whichever is later. We will provide additional opportunities for public participation upon publication of the Draft EIS/EIR.

ADDRESSES: You may submit comments on issues and alternatives related to the MSEP EIS/EIR and possible plan amendment by any of the following methods:

- *Web site: http://www.blm.gov/ca/st/en/fo/cdd.html.*
- *E-mail: camccoysep@blm.gov.*
- *Fax:* (951) 697–5299.
- *Mail:* ATTN: Jeffery Childers, Project Manager, BLM California Desert District Office, 22835 Calle San Juan de Los Lagos, Moreno Valley, California 92553–9046.

Documents pertinent to this proposal may be examined at the BLM California Desert District Office.

FOR FURTHER INFORMATION CONTACT: Jeffery Childers; telephone (951) 697–5308; address BLM California Desert District Office, 22835 Calle San Juan de Los Lagos, Moreno Valley, California 92553–9046; e-mail *jchilders@blm.gov.* Also contact Mr. Childers to have your name added to our mailing list. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The applicant, McCoy Solar, LLC has requested a ROW authorization to construct, operate, maintain, and decommission an up to 750–MW PV solar facility and necessary ancillary facilities including a generation tie line, access road and switch yard with the ultimate generation capacity dependent on the technology selected and efficiencies available at the time of ROW authorization. The MSEP is proposed to be located on about 7,700 acres of public lands and 470 acres of private land under the land use authority of Riverside County. The facilities to be located on private land will be limited to solar arrays and inverters, as well as a portion of the access road, generation tie line, electric power distribution line, and a telecommunications line. The proposed 16-mile generation-tie line (gen-tie), with a right-of-way width of 100 feet, will require about 200 acres of public and private lands. The proposed 20-acre switch yard will be located adjacent to and connect into Southern California Edison's Colorado River Substation. The MSEP site is located approximately 13 miles northwest of the City of Blythe, California and approximately 32 miles east of Desert Center.

The BLM has segregated the public lands located within the MSEP application area from appropriation under the public land and mining laws, but not the mineral leasing or material sales acts, for a period of 2 years for the purpose of protecting potential sites for future solar energy development pursuant to 43 CFR 2091.3–1(e) and 43 CFR 2804.25(e) by notice in the **Federal Register** [76 FR 38416] on June 30, 2011.

The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives, and guide the process for developing the Draft EIS/EIR. At present, the BLM has identified the following preliminary issues: air quality and greenhouse gas emissions, biological resources including special status species, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, recreation, traffic, visual resources, lands with wilderness characteristics, cumulative effects, and areas with high potential for renewable energy development.

Pursuant to the BLM's CDCA Plan, sites associated with power generation or transmission not identified in the CDCA Plan will be considered through the plan amendment process to determine the suitability of the site for renewable energy development. Since the proposed MSEP site was not previously identified as suitable, authorization of the MSEP would require amendment of the CDCA Plan. By this notice, the BLM is complying with requirements in 43 CFR 1610.2(c) to notify the public of potential amendments to CDCA Plan predicated on the findings in the EIS/EIR. If a land use plan amendment is necessary, the BLM will integrate the land use planning process with the NEPA process for the MSEP. A preliminary list of the potential planning criteria that will be used to help guide and define the scope of the plan amendment process include:

1. The plan amendments will be completed in compliance with the FLPMA, NEPA, and all other relevant Federal laws, executive orders, and BLM policies;

2. Existing, valid plan decisions will not be changed and any new plan decisions will not conflict with existing plan decisions; and

3. The plan amendment(s) will recognize valid existing rights.

The BLM will use and coordinate the NEPA public participation requirements to assist the agency in satisfying the public involvement requirements under Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. 470(f)) as provided for in 36 CFR 800.2(d)(3). The information about historic and cultural resources within the area potentially affected by the proposed MSEP and the potential CDCA Plan amendment will assist the BLM in identifying and evaluating impacts to such resources in the context of both NEPA and Section 106 of the NHPA. The BLM will consult with Indian tribes on a government-to-government basis in accordance with Executive Order 13575 and other policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with tribes and other stakeholders that may be interested in or affected by the BLM's decision on the MSEP, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

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

Authority: 40 CFR 1501.7, 43 CFR 1610.2, 2091.3–1(e), and 2804.25(e).

Thomas Pogacnik,

Deputy State Director, California.

[FR Doc. 2011–21969 Filed 8–26–11; 8:45 am]

BILLING CODE 4310–40–P

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

Agency Notice of Preparation of an Draft Environmental Impact Report

DATE: October 3, 2011

TO: _____
_____
_____

PROJECT CASE NO./TITLE: Conditional Use Permit No. 3671 and Public Use Permit No. 911/ McCoy Solar Energy Project

PROJECT LOCATION: East Riverside County - Desert Area Plan, more specifically, northerly of Interstate 10, southerly of McCoy Wash, easterly of McCoy Mountains, and westerly of Blythe Airport. The proposed solar plant site is located approximately 13 miles northwest of the CIty of Blythe, California, and approximately 32 miles east of Desert Center. APN's 818-241-020, 818-200-009, 879-080-022, 812-120-001, 812-130-011, 879-090-031, 812-130-013, 812-130-009, 812-130-010, 812-120-008, 812-130-012, 812-120-004, 879-080-021, 812-120-006, 879-090-032, 818-180-018, 818-180-010, 818-160-010, 818-160-003, 812-120-002, 812-120-003, 818-180-017, 818-241-019, 818-180-011, 818-160-011, 879-080-025, 879-080-020, 812-130-006, 812-130-008, 812-130-007, 812-120-007, 818-242-025, 818-210-003, 879-090-001, 818-210-004, and 818-241-021APN's 812-130-006, 812-130-007, 812-130-008, 818-210-014. As shown on the attached Figures A, B, C, D, Water Line Crossing Exhibit, attachment entitled "McCoy Solar Energy Project, Conditional Use Permit Submittal" sheets 1 through 4, as well as Notice of Preparation Exhibits 1 & 2.

PROJECT DESCRIPTION: McCoy Solar, LLC, a subsidiary of NextEra Energy Resources LLC, has requested a Conditional Use Permit and a Public Use Permit to construct, operate, maintain, and decommission a 46 Megawatt (MW) solar photovoltaic (PV) solar power plant on approximately 477 privately owned acres as part of an overall up to 750 MW PV solar power plant project located on a total of approximately 5,636 acres (private land and public land adminstered by the Bureau of Land Management (BLM)). The overall 750 MW solar power plant project would be developed in two phases, to be called Unit 1 and Unit 2. Unit 1, which includes the 477 acre portion of the solar power plant site subject to the Conditional Use Permit, is expected to have an overall 250 MW capacity. Necessary facilities on the private lands subject to County jurisdiction include solar arrays and inverters, portions of the access road, portions of the double-circuit 230 kV generation tie line, electrical power distribution line, and telecommunications line. A single-axis tracking system or a fixed tilt ground mount will be used for the structures that support the PV panels. The proposed 13.7 mile generation tie line, with a BLM-administered right-of-way width of 100 feet, would require about 200 acres of public and private lands. A portion of the project's generation tie line crosses County owned land approximately nine (9) miles to the south of the solar power plant site which will be subject to a Public Use Permit. The proposed 2 acre switch yard would be located adjacent to and connect into Southern California Edison's proposed Colorado River Substation. Security lighting is proposed at key areas such as entrance and substations to be hooded along with perimeter security fencing. The proposed project would operate year-round.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

LEAD AGENCY:
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409
Attn: Jay Olivas, Project Planner

PROJECT SPONSOR:
Applicant: McCoy Solar, LLC
Address: 700 Universe Boulevard FBD/JB
Juno Beach, Florida 33408

Pursuant to Riverside County Rules to Implement the California Environmental Quality Act ("CEQA"), notice is given to responsible and interested agencies that the Riverside County Planning Department plans to oversee the preparation on an Environmental Impact Report for the above-described project. Given that the above-described project is subject to both CEQA and the National Environmental Policy Act ("NEPA"), a combined Environmental Impact Report – Environmental Impact Statement will be prepared. The purpose of this notice is to solicit guidance from your agency as to the scope and content of the environmental information to be included in the EIR. In accordance with the time limits mandated by State law, information in that regard should be submitted to this office as soon as possible, but **not later than thirty (30) days** after receiving this notice.

In addition to offering the opportunity to submit written comments, the County of Riverside will hold a scoping meeting to discuss the proposed project, environmental process, and provide agency representation, individuals, and other interested parties the opportunity to make oral comments regarding the scope of the EIR. The scoping meeting will be held at the time a place indicated below.

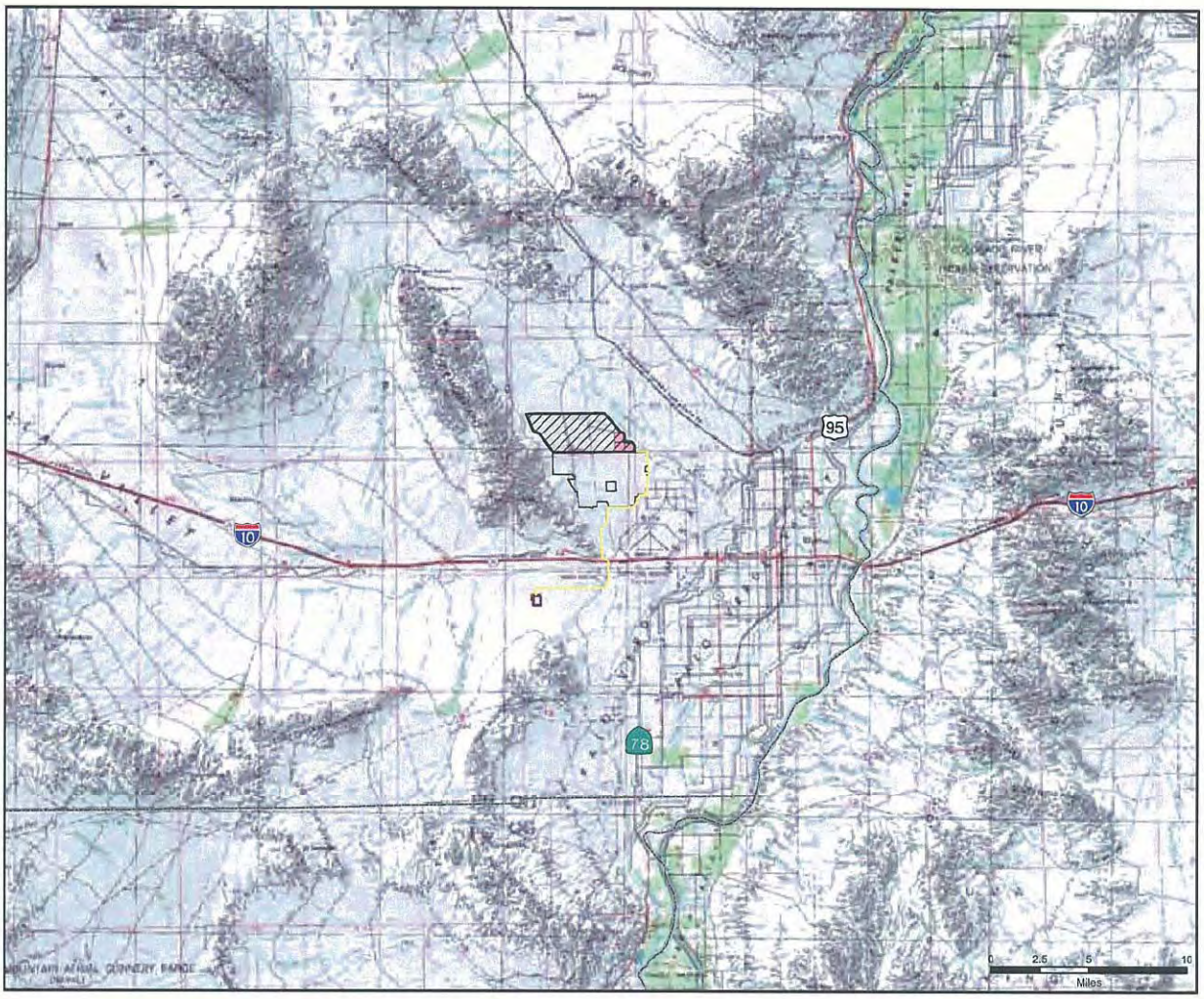
McCoy Solar Energy Project Scoping Meeting
Date: October 19, 2011
Time: 6:00 p.m.
Location: Blythe City Council Chambers
235 North Broadway
Blythe, CA 92225

If you have any questions please contact Jay Olivas, Project Planner at (951) 955-1195.
Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Carolyn Syms Luna, Director

Jay Olivas, Project Planner

Y:\Planning Master Forms\CEQA Forms\NOP Forms\Notice of Preparation-Agency.doc

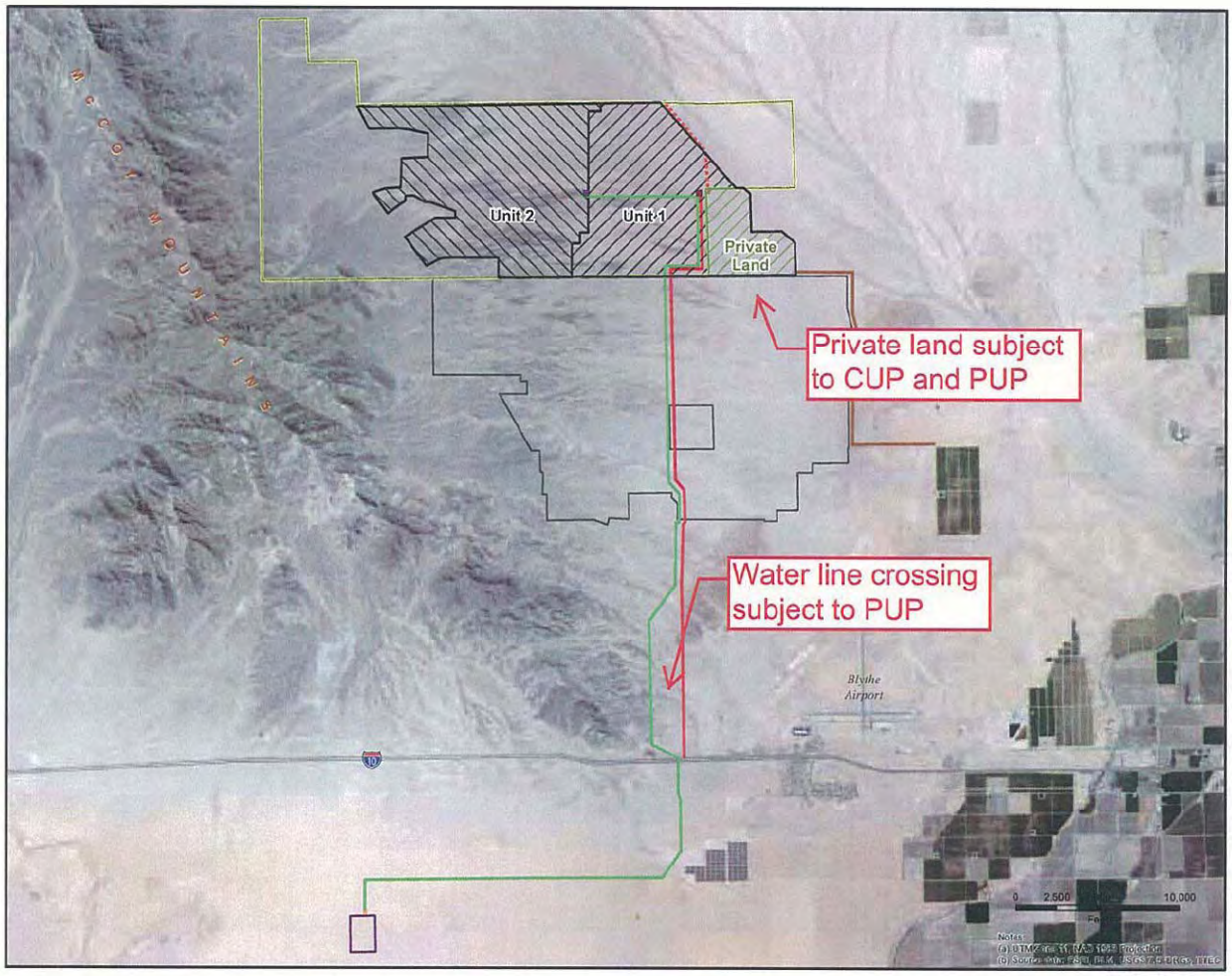


Legend

- MSEP Solar Plant Site Boundary
- Blythe Solar Power Project (BSPP)
- Proposed Gen-Tie Line
- Privately Owned Parcels - Subject of CUP
- Proposed Colorado River Substation (SCE)
- Ring Bus

McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CA

FIGURE A
PROJECT VICINITY



Legend

Project Features

- MSEP BLM ROW Grant Application Boundary (7,700 acres)
- MSEP Solar Plant Site Unit 1 - 2,188 acres
  - 1,719 acres BLM Land
  - 469 acres Private Land
- MSEP Solar Plant Site Unit 2 - 2,446 acres
  - 2,446 acres BLM Land
- Blythe Solar Power Project
- Proposed Distribution Line and Secondary Emergency Access
- MSEP Access Road Shared with Other Solar Projects
- Designated Linear Corridor for Potential Future Solar Projects to the North
- Proposed Switchyard
- Proposed SCE Colorado River Substation
- Proposed Gentie

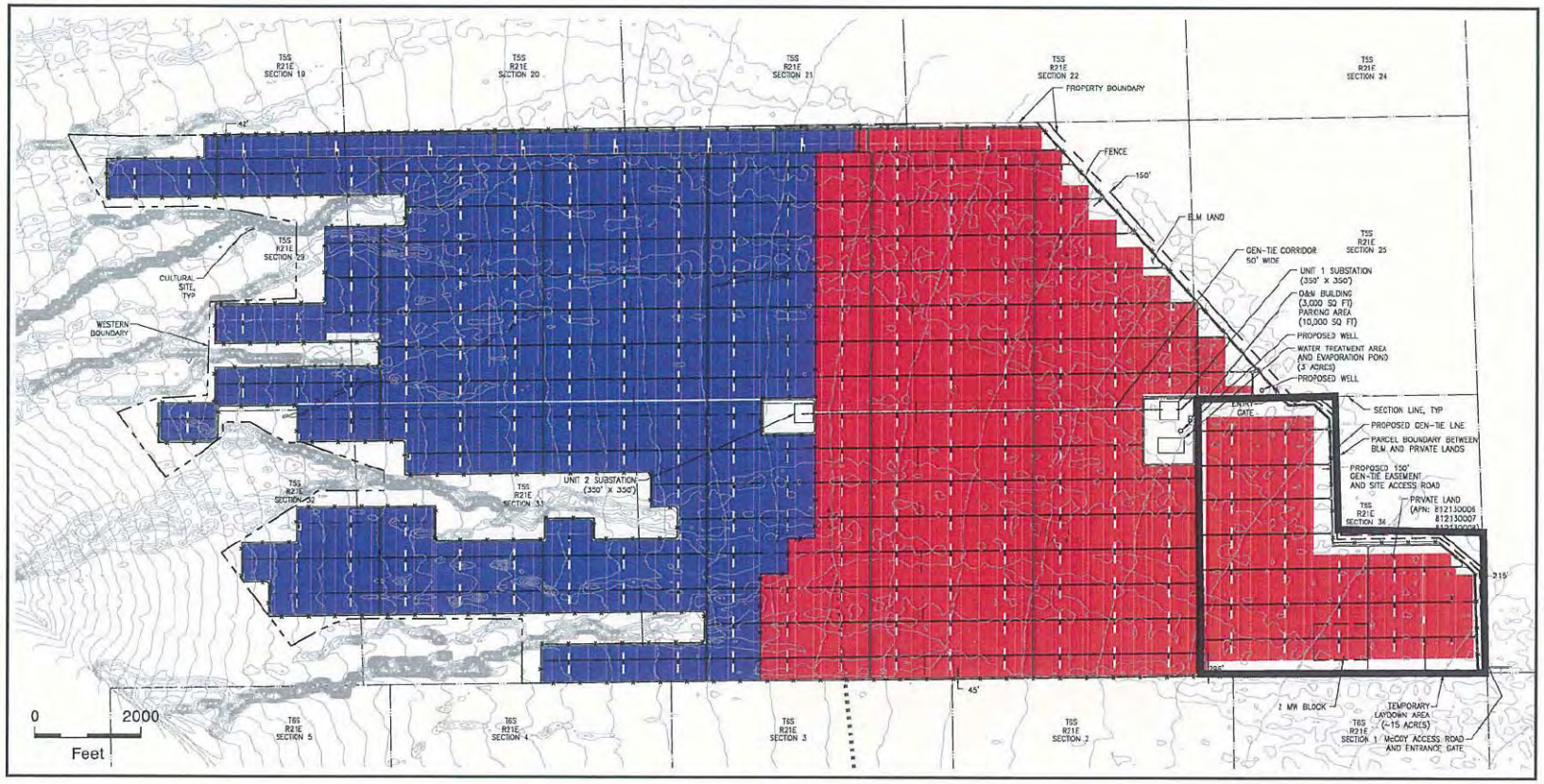
(Approximately 133 acres in corridor outside the solar plant boundary based on 11 miles at 100 foot wide)

McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CA

FIGURE B
PROJECT DESCRIPTION MAP

N

TETRA TECH



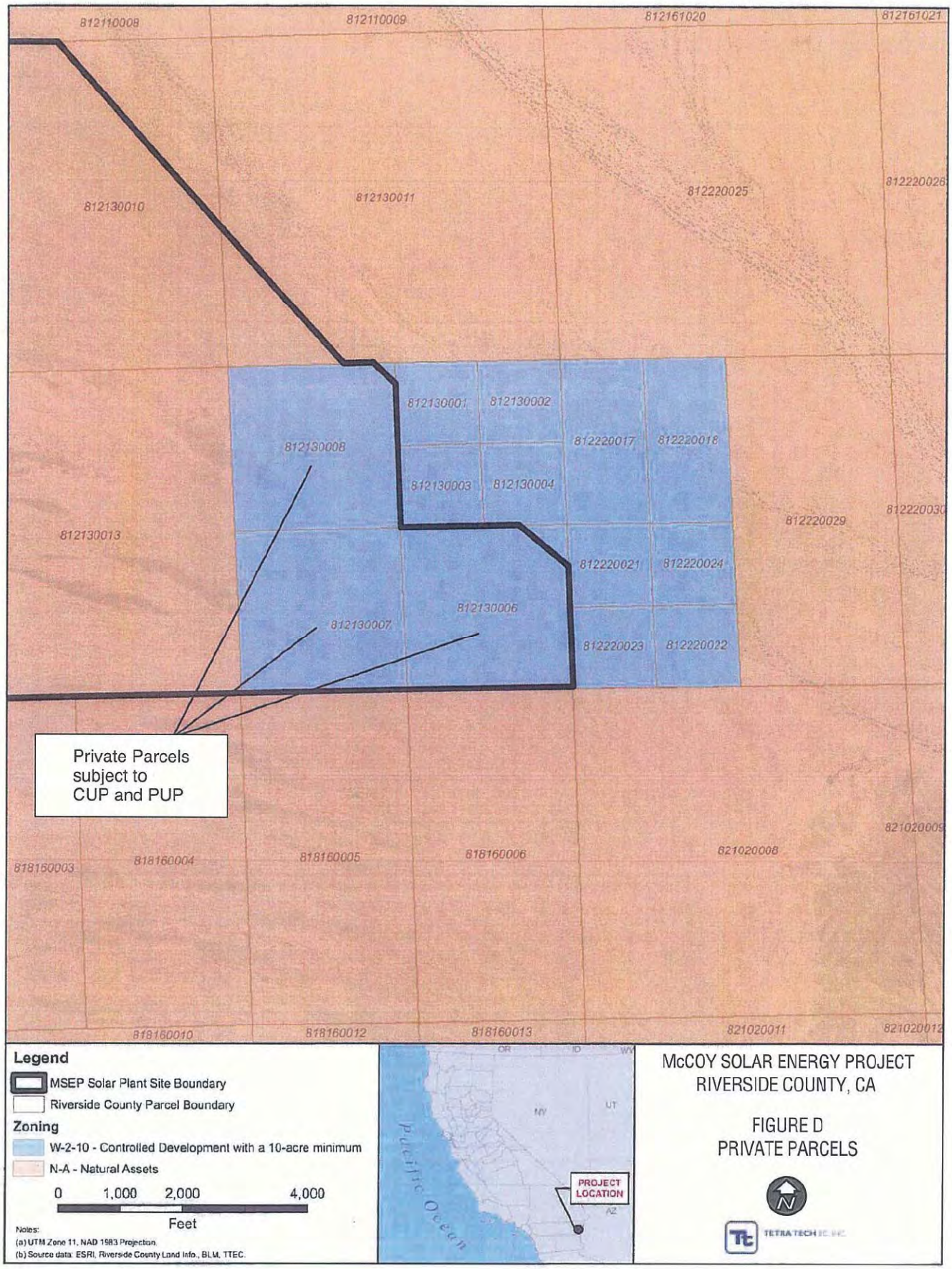
Legend

- Unit 1
- Unit 2
- Well
- Proposed 230 kV Double Circuit Gen-tie Line
- Proposed 230 kV Single Circuit Gen-tie Line
- Private Parcels-the Subject of the Use Permit

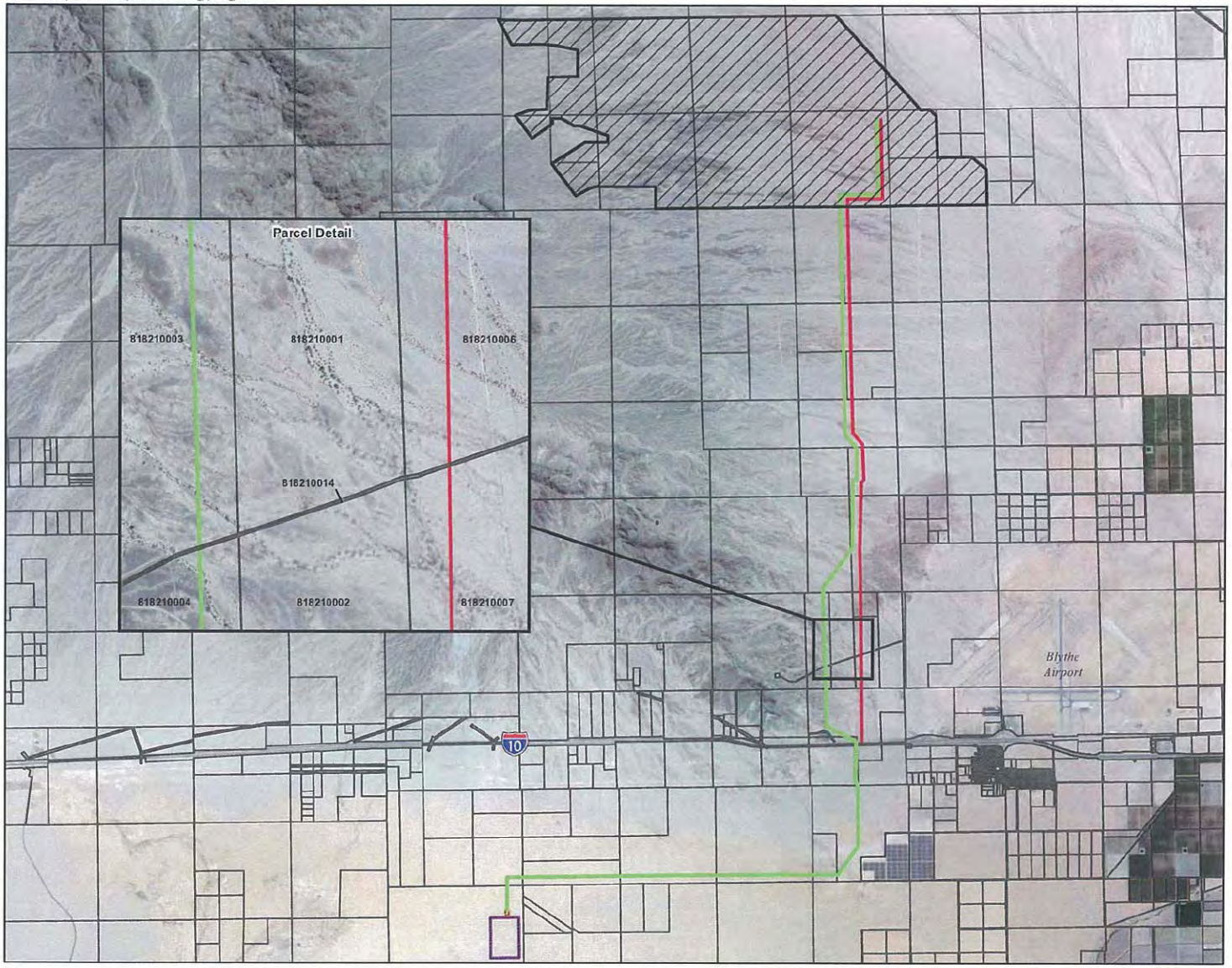
McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CA

FIGURE C
SOLAR PLANT SITE PLAN

TETRA TECH


812110008
812110009
812161020
812161021
812130010
812130011
812220025
812220026
812130001
812130002
812130008
812220017
812220018
812130003
812130004
812130013
812220029
812220030
812220021
812220024
812130006
812130007
812220023
812220022
Private Parcels subject to CUP and PUP
821020009
818160003
818160004
818160005
818160006
821020008
818160010
818160012
818160013
821020011
821020012
Legend
MSEP Solar Plant Site Boundary
Riverside County Parcel Boundary
Zoning
W-2-10 - Controlled Development with a 10-acre minimum
N-A - Natural Assets
0 1,000 2,000 4,000
Feet
Notes:
(a) UTM Zone 11, NAD 1983 Projection.
(b) Source data: ESRI, Riverside County Land Info., BLM, TTEC.
OR
ID
WY
NV
UT
AZ
Pacific Ocean
PROJECT LOCATION
McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CA
FIGURE D
PRIVATE PARCELS
N
TETRA TECH

Path: P:\GIS\Projects\4177-McCoy\Alternatives\Water_pipeline_parcel.mxd



McCOY SOLAR ENERGY PROJECT RIVERSIDE COUNTY, CA

Legend

Riverside County Parcels

Project Features

- MSEP Solar Plant Site
- MSEP Access Road Shared with Other Solar Projects
- Proposed Gentie
- Proposed Switchyard
- Proposed SCE Colorado River Substation

0 2,500 5,000 10,000
Feet

Notes:
(a) UTM Zone 11, NAD 1983 Projection.
(b) Source data: ESRI, TTEC, Riverside Co. Assessor.

WATER LINE CROSSING

TETRA TECH EC, INC.

McCOY SOLAR ENERGY PROJECT

RIVERSIDE COUNTY, CALIFORNIA

CONDITIONAL USE PERMIT SUBMITTAL

LOCATION MAP
NOT TO SCALE

VICINITY MAP
NOT TO SCALE

PROJECT DESCRIPTION

THE McCOY SOLAR ENERGY PROJECT (MSEP) IS A PHOTOVOLTAIC (PV) SOLAR POWER PLANT THAT WILL PROVIDE UP TO 500 MEGAWATTS (MW) OF RENEWABLE ENERGY TO THE CALIFORNIA ELECTRICAL GRID THROUGH AN INTERCONNECTION AT SOUTHERN CALIFORNIA EDISON'S PROPOSED COLORADO RIVER SUBSTATION (CRS). THE MAJORITY OF THE MSEP SITE IS ON FEDERAL PROPERTY MANAGED BY THE BUREAU OF LAND MANAGEMENT (BLM) (APPROX. 4,896 AC), BUT THE MSEP WILL ALSO INCLUDE FACILITIES ON THREE PRIVATELY-OWNED PARCELS AT THE SOUTHEASTERN EXTENT OF THE PROJECT (APPROX. 471 AC). THE THREE PRIVATELY-OWNED PARCELS LIE WITHIN UNINCORPORATED RIVERSIDE COUNTY, AND ARE THE SUBJECT OF THIS CONDITIONAL USE PERMIT.

LAND OWNERS

APN 812130006
PROPERTY OWNERS: SCOTT M. COOLEY AND HEYNIA MARIE COOLEY
MAILING ADDRESS: 15900 KENNEDY ROAD, LOS GATOS, CA 95052

APN 812130007
PROPERTY OWNERS: WILLIAMSON TRUST, ROBERT A. WILLIAMSON TRUSTEE
MAILING ADDRESS: 9217 DORRINGTON PLACE, ARLETA, CA 91331-6008

APN 812130008
PROPERTY OWNERS: LYNDA M. STEWART, LYNN E. SANDLIN
LESLIE C. NEWQUIST TRUST DATED SEPTEMBER 15, 2005
MAILING ADDRESS: c/o LESLIE NEWQUIST
7922 LA CAPELA LANE
CARLSBAD, CA 92009

LEGAL DESCRIPTIONS

APN 812130006 160 ACRES SOUTHEAST ONE-QUARTER OF SECTION 36, TOWNSHIP 5 SOUTH, RANGE 21 EAST, SAN BERNARDINO BASE AND MERIDIAN

APN 812130007 160 ACRES SOUTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 5 SOUTH, RANGE 21 EAST, SAN BERNARDINO BASE AND MERIDIAN

APN 812130008 160 ACRES NORTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 5 SOUTH, RANGE 21 EAST, SAN BERNARDINO BASE AND MERIDIAN

THOMAS BROTHERS MAP

SAN BERNARDINO & RIVERSIDE COUNTY 2003 EDITION
PAGE #: 392
COORDINATE: A9

UTILITIES

ELECTRICITY-SOUTHERN CALIFORNIA EDISON
GAS-SOUTHERN CALIFORNIA GAS COMPANY
SEWER-N/A
WATER-N/A
TELEPHONE-N/A

DRAWING INDEX

DRAWING NO.	TITLE	SHEET	REVISION
T-01	TITLE SHEET	1	A
C-01	SOLAR PLANT SITE DELINEATION PLAN	2	A
C-02	DETAILED SITE PLAN	3	A
C-03	DETAILS AND X-SECTIONS	4	A

T-01

NOT ISSUED FOR CONSTRUCTION

NO.	DATE	REVISION	SUBM'T BY	APPV'D BY
A	5/11/11	INITIAL ISSUE	WS	JAD

REGISTERED PROFESSIONAL ENGINEER JAY A. DEMPSEY CIVIL STATE OF CALIFORNIA

EXHIBIT PREPARER:
TETRA TECH EC, INC.
17885 VON KARMAN AVENUE, SUITE 500
IRVINE, CALIFORNIA 92614-6213
TEL: 949.809.5000

APPLICANT:
McCOY SOLAR, LLC
700 UNIVERSE BOULEVARD
JUNO BEACH, FLORIDA 33408
TEL: 561.694.4000

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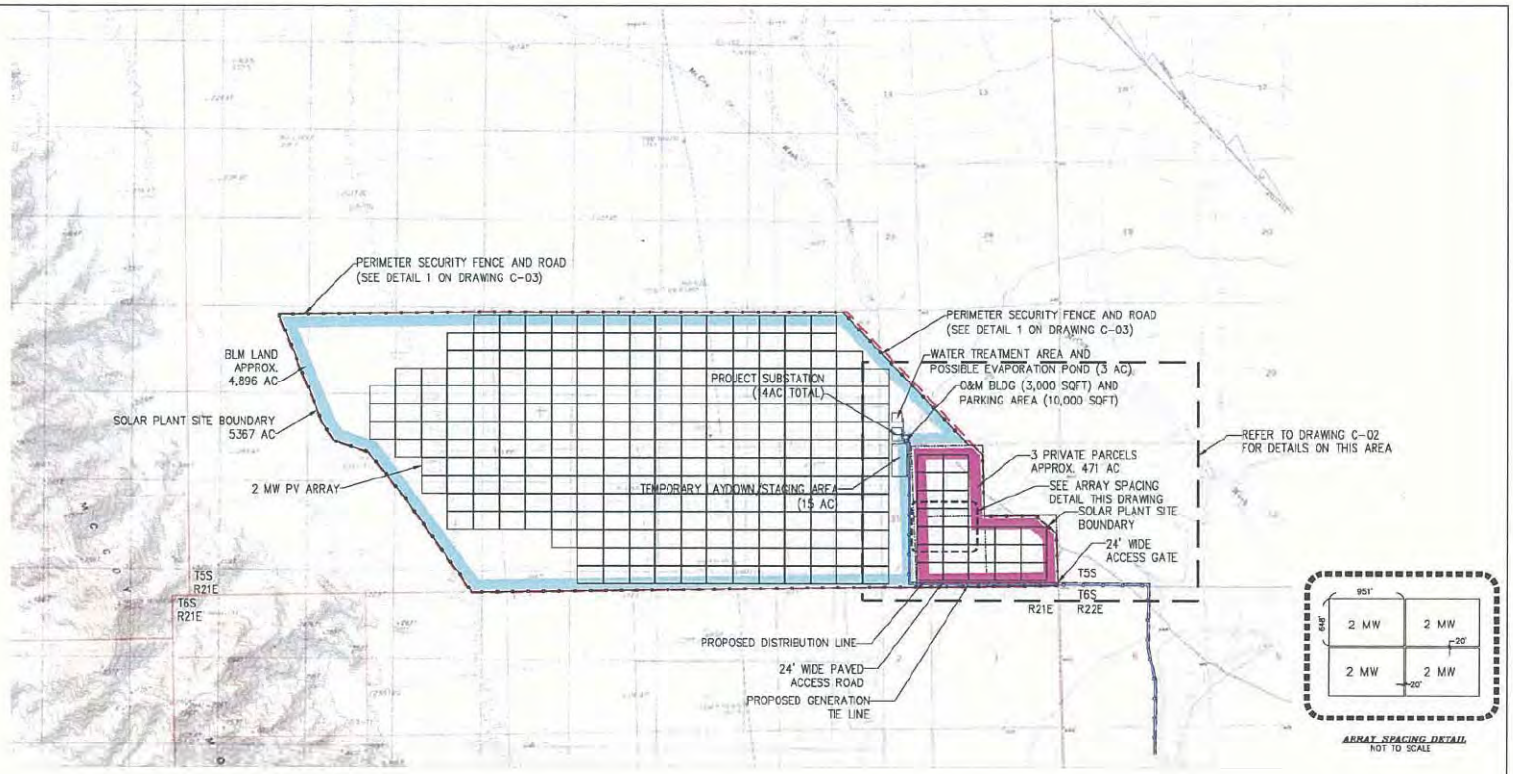
McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CALIFORNIA

TITLE SHEET

SHEET 1 OF 4 SHEETS



LEGEND:

AC	ACRES
MW	MEGAWATTS
SQFT	SQUARE FEET
TYP	TYPICAL
R21E T5S	RANGE 21 EAST, TOWNSHIP 5 SOUTH
	2 MW PV ARRAY
	EXTENT OF PROJECT ON BLM LAND
	EXTENT OF PROJECT ON PRIVATE LAND
	PERIMETER FENCE AND ROAD
	PROPOSED GENERATION TIE LINE
	PROPOSED DISTRIBUTION LINE
	SOLAR PLANT SITE BOUNDARY
	PAVED ACCESS ROAD

1"= 2000'
2000 0 2000 4000
SCALE IN FEET

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△	DATE	REVISION	SUBMT BY	APV'D BY

EXHIBIT PREPARER:
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TEL: 949.809.5000

APPLICANT:
McCOY SOLAR, LLC
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JUNO BEACH, FLORIDA 33408
TEL: 561.694.4000

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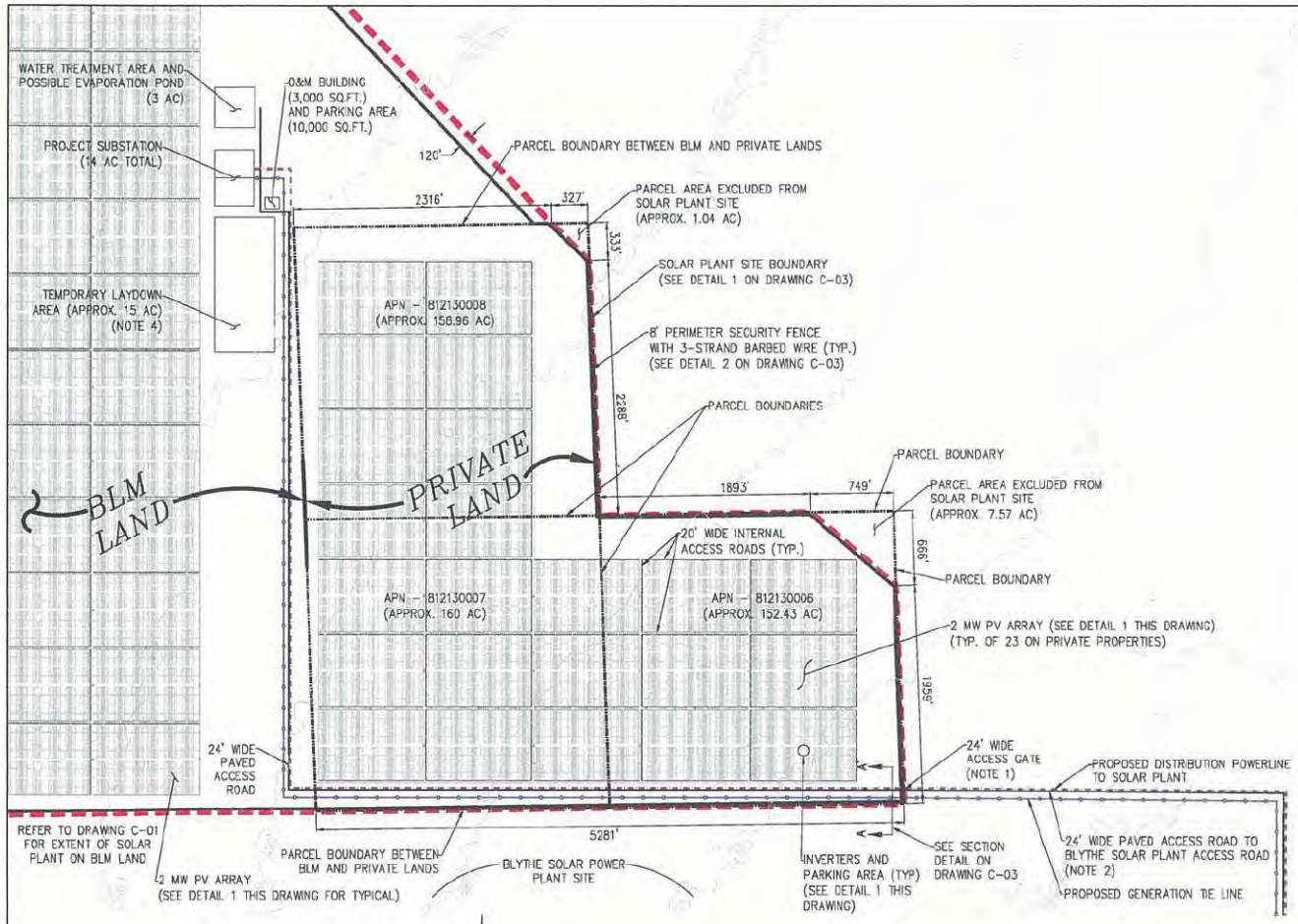
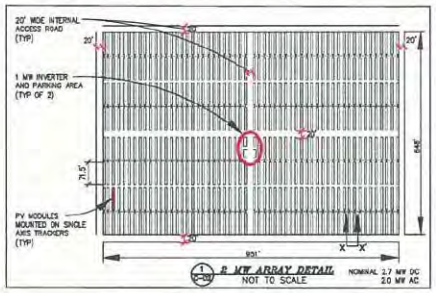
McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CALIFORNIA

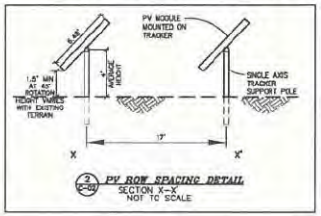
SOLAR PLANT SITE DELINEATION PLAN

C-01
SHEET 2 OF 4 SHEETS





1 C-02 **2 MW ARRAY DETAIL** NOT TO SCALE — NOMINAL 2.7 MW DC 2.0 MW AC



2 C-02 **PV ROW SPACING DETAIL** SECTION X–X NOT TO SCALE

LEGEND:

AC	ACRES
APN	ASSESSOR'S PARCEL NUMBER
MW	MEGAWATTS
PV	PHOTOVOLTAIC
SQFT	SQUARE FEET
	2 MW PV ARRAY
	PERIMETER FENCE AND ROAD
	PROPOSED GENERATION TIE LINE
	PROPOSED DISTRIBUTION LINE
	SOLAR PLANT SITE BOUNDARY
	PAVED ACCESS ROAD
	PARCEL BOUNDARY
	SURFACE ELEVATION CONTOUR

NOTES:

1. CONTROLLED ACCESS GATE WILL PROVIDE FULL WIDTH ACCESS. FIRE DEPARTMENT LOCK BOX WILL BE PROVIDED AT THE GATE TO ALLOW EMERGENCY ACCESS.
2. SITE ACCESS IS FROM MESA DRIVE/AIRPORT EXIT FROM I-10, WEST ON BLACK ROCK ROAD TO BLYTHE SOLAR POWER PLANT PROJECT ACCESS ROAD. NEW 24' WIDE ACCESS ROAD TO BE CONSTRUCTED ON BLM LAND FROM BLYTHE SOLAR POWER PROJECT ACCESS ROAD TO SOLAR PLANT SITE.
3. DRAINAGE ACROSS SITE IS CURRENTLY FROM THE NORTHWEST TOWARDS THE SOUTHEAST, AS SHOWN ON THE SURFACE CONTOURS. A HYDROLOGY EVALUATION IS UNDER WAY FOR THE PROJECT. CONTOURS ARE BASED ON DIGITAL TERRAIN MODEL DATA COLLECTED IN 2005 USING AIRBORNE INTERFEROMETRIC SYNTHETIC APERTURE RADAR (INTERMAP TECHNOLOGIES).
4. TEMPORARY LAYDOWN AREA PROVIDED ON BLM LAND WILL SERVE AS LOCATION FOR CONSTRUCTION TRAILERS, PARKING AND EQUIPMENT STAGING AREAS. THIS WILL PROVIDE AMPLE SPACE FOR VEHICLE TURN AROUND.

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	DATE	REVISION	SUBMT BY	APV'D BY
A	5/11/11	INITIAL ISSUE	WS	JAD

REGISTERED PROFESSIONAL ENGINEER — JEFF A. DAY — STATE OF CALIFORNIA

EXHIBIT PREPARER: TETRA TECH EC, INC.
17665 VON KARMAN AVENUE, SUITE 500
IRVINE, CALIFORNIA 92614-6213
TEL: 949.809.5500

APPLICANT:
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TEL: 561.694.4500

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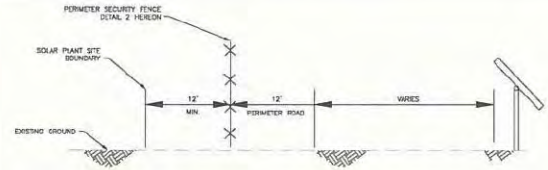
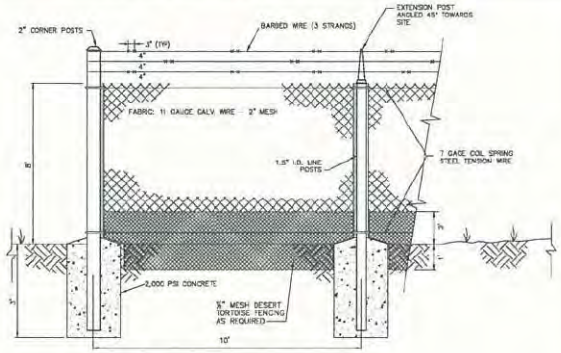
McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CALIFORNIA

DETAILED SITE PLAN

C-02
SHEET 3 OF 4 SHEETS

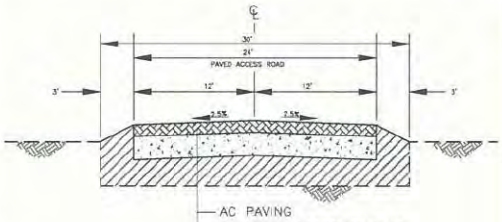


1 C-03 TYPICAL PERIMETER ROAD & SECURITY FENCE MAINTENANCE ROAD
N.T.S.



NOTE:
1. MAINTENANCE GATES AT 1000' INTERVALS ALONG FENCE.
2. FIRE DEPARTMENT ACCESS DEVICE AND EMERGENCY CONTACT PLACARD TO BE LOCATED AT MAIN ACCESS GATE.
3. SITE IDENTIFICATION PLACARD APPROX. 15"x15" WITH COMPANY IDENTIFICATION AND CONTACT INFORMATION TO BE LOCATED AT INTERVALS OF 300' ALONG FENCE.

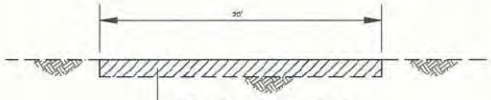
2 C-03 PERIMETER SECURITY FENCE
N.T.S.



AC PAVING
CLASS 2 AGGREGATE BASE
COMPACTED SUBGRADE

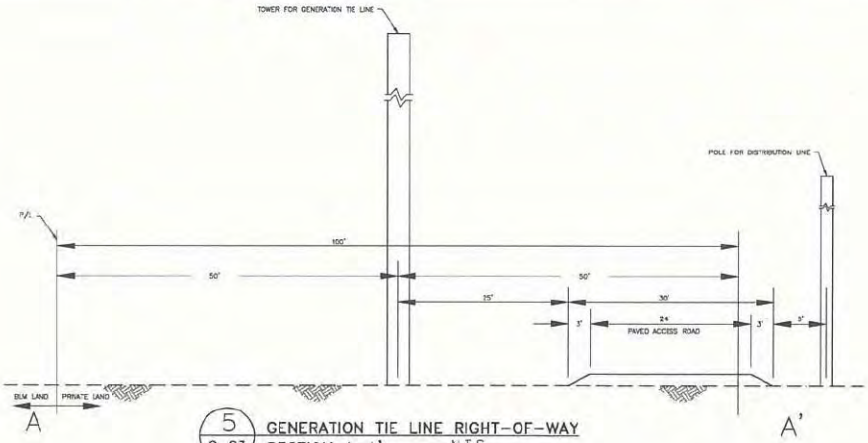
THICKNESS OF EACH LAYER TO BE DETERMINED BASED ON GEOTECHNICAL ANALYSIS AND LOADS (N.T.S.)

3 C-03 24' WIDE ACCESS ROAD SECTION
N.T.S.



20' WIDE INTERNAL ROAD: TO BE SCARIFIED, MOISTURE CONDITIONED AND COMPACTED. THICKNESS AND MAXIMUM DENSITY TO BE IDENTIFIED IN GEOTECHNICAL DESIGN/REPORT.

4 C-03 INTERNAL ACCESS ROAD SECTION
N.T.S.



5 C-03 GENERATION TIE LINE RIGHT-OF-WAY SECTION A-A'
N.T.S.

C-03

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REGISTERED PROFESSIONAL ENGINEER — JAMES A. DAVY — No. C34893 — CIVIL — STATE OF CALIFORNIA

EXHIBIT PREPARED:
TETRA TECH EC, INC.
17885 VON KARMAN AVENUE, SUITE 300
IRVINE, CALIFORNIA 92614-6213
TEL: 949.809.5300

APPLICANT:
McCOY SOLAR, LLC
702 UNIVERSE BOULEVARD
JUNO BEACH, FLORIDA 33408
TEL: 561.694.4000

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McCOY SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CALIFORNIA

DETAILS AND X-SECTIONS

SHEET 4 OF 4 SHEETS

NOTICE OF PREPARATION EXHIBIT 1

Project Location

The McCoy Solar Energy project site is located in the East County - Desert Area Plan. More specifically, it is located northerly of Intestate 10, southerly of McCoy Wash, easterly of McCoy Mountains, and westerly of the Blythe Airport. The proposed solar plant site is located approximately 13 miles northwest of the City of Blythe, California, and approximately 32 miles east of Desert Center. The privately-owned property subject to the Conditional Use Permit application includes APNs: 812-130-006, 812-130-007; 812-130-008. See Figure A, *Project Vicinity*.

The linear facilities that connect the Project's solar plant site to Southern California Edison's Colorado River Substation would be developed, in part, on property subject to the Public Use Permit (PUP) These parcels include APN: 818-210-014.

NOTICE OF PREPARATION EXHIBIT 2
Project Description

2.1 Project Overview

McCoy Solar LLC, a subsidiary of NextEra Energy Resources LLC (Applicant) proposes to construct, operate, maintain, and decommission an up-to 750 megawatt (MW) photovoltaic (PV) solar energy generating facility and related infrastructure in unincorporated Riverside County, California, to be known as the McCoy Solar Energy Project (MSEP or Project). The MSEP would be developed on a total of approximately 5,363 acres, consisting of a combination of public land administered by the Bureau of Land Management (BLM) and private land under the land use jurisdiction of Riverside County (County). The Project would generate and deliver solar-generated power to the California electrical grid through an interconnection at the Colorado River Substation (CRS) proposed by Southern California Edison (SCE).

The MSEP is subject to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). To initiate the environmental review process under NEPA, the Applicant submitted a Standard form (SF)-299 requesting a right-of-way (ROW) grant (Application CACA-048728) from the BLM for the approximately 7,700 acre portion of the Project that would be developed on BLM-administered land. If a ROW grant is approved for the MSEP, then a land use plan amendment also would be required to identify the site in the California Desert Conservation Area Plan of 1980, as amended (CDCA Plan) as an appropriate site for the proposed use. The CDCA Plan Amendment also would require analysis of proposed impacts under NEPA. BLM is the NEPA lead agency. To initiate review under CEQA, the Applicant filed an Application for Land Use and Development with the County seeking a Conditional Use Permit (CUP) and Public Use Permit (PUP) for the portion of the MSEP that would be developed on private and/or County land. The County is the CEQA lead agency.

Key components of the proposed Project are:

- The solar plant site, including:
  - The solar field (consisting of two solar power plants: Unit 1 and Unit 2);
  - Two on-site substations (one each for Unit 1 and Unit 2);
  - One operations and maintenance (O&M) facility; and
  - Other improvements, such as a temporary laydown area, perimeter and access roads, fencing, site security, drainage improvements, water treatment and lighting.
- An approximately 11-mile, double-circuit, 230 kilovolt (kV) generation-tie (gen-tie) line;
- A 230 kV switchyard located near the CRS to connect the MSEP with the CRS;
- Two telecommunications lines (primary and redundant); and
- An SCE-owned and operated distribution line.

The MSEP would operate year-round, have the capacity to produce up to 750 MW of solar power, and provide for the annual electricity needs of approximately 180,000 residences. Unit 1 would generate approximately 250 MWs and Unit 2 would generate between 250 and 500 MWs.

2.2 Project Location and Existing Land Use

The proposed solar plant site is located in a rural area of the Sonoran Desert approximately 13 miles northwest of the town of Blythe, approximately 32 miles east of the town of Desert Center and approximately 6 miles north of Interstate-10 (I-10). It is south of McCoy Wash, east of the McCoy Mountains, and north of the Blythe Airport. The site is located adjacent to (and immediately north of) the approved ROW for the Blythe Solar Power Project (BSPP), [1] and adjacent to (and immediately south of) the BLM ROW application filed under the name enXco McCoy. Uses east of the site are primarily agricultural and vacant and, to the west, are vacant with mountains. See NOP Figure A, *Project Vicinity*, and NOP Figure B, *Project Description Map*.

Solar plant site access would be via the Mesa Drive/Airport exit from I-10 by heading west onto Black Rock Road. Approximately 1.5 miles west of Mesa Drive along Black Rock Road, the BSPP would install an improved access road from Black Rock Road to a point just south of the southern edge of the MSEP solar plant site boundary. The Applicant proposes to use this access road, extending it north into the MSEP solar plant site (see NOP Figure B).

The MSEP site is located in Section 36, Township 5S, Range 21E. It is within the BLM's California Desert District, the planning boundaries of the CDCA Plan (which is the applicable Resource Management Plan for the site and the surrounding areas), and the Northern and Eastern Colorado Desert Coordinated Management (NECO) Plan. There are no Wilderness Areas, Areas of Critical Environmental Concern (ACECs), Desert Wildlife Management Areas (DWMAs), or Wildlife Habitat Management Areas (WHMAs) within or adjacent to the solar plant site. The vacant, privately-owned parcels under the County's land use jurisdiction are identified in NOP Figure D, *Project Site Location and Land Ownership*. They are zoned W-2-10, *Controlled Development with a 10 acre minimum*. Privately-owned property to the east of this land also is zoned W-2-10. Property to the north, west, and south of the privately-owned Project parcels is zoned N-A, *Natural Assets*.

The MSEP gen-tie would extend south from the proposed solar plant site, through the BSPP site and on to the proposed SCE CRS south of I-10. The MSEP gen-tie, estimated to be approximately 13.7 miles long (including approximately 2 miles within the solar plant site boundary), would be parallel to the BSPP gen-tie for nearly half of the length, with the two lines being between 50 and 100 feet apart. The proposed gen-tie is expected to permanently occupy an approximate 133 acre legal ROW corridor outside of the solar plant site boundary.

[1] The BLM approved the ROW for the BSPP was in 2010. The project is now under construction.

2.3 Applicant's Project Objectives

Applicant's objectives for the Project are to:

- Construct, operate, and maintain an efficient, cost-competitive, reliable, safe and environmentally-sound solar powered generating facility using proven PV technology capable of generating a minimum of 500 MW and up to 750 MW that would help achieve: (i) the State of California objectives mandated by Senate Bill (SB) 1078 (California Renewable Portfolio Standard Program), (ii) AB 32 (California Global Warming Solutions Act of 2006), and (iii) other local mandates adopted by the state's municipal electric utilities to meet the requirements for the long term wholesale purchase of renewable electric energy for distribution to their customers,
- Develop a site on contiguous lands with an excellent solar resource.
- Develop a site within close proximity to transmission infrastructure and access roads in order to minimize environmental impacts.
- Receive authorization for constructing and operating a range of panel types and tracking options so that the Project can take advantage of the rapid improvements in PV technology/efficiency that are anticipated to take place between early permitting and commencing construction.

2.4 Project Facilities

MSEP would be constructed in two units. Unit 1 would have a 250 megawatt per acre (MWac) capacity comprised of an estimated 125 complete or equivalent partial 2 MW blocks. Unit 2 would have an up-to-500 MWac capacity comprised of an up to 250 complete or equivalent partial 2 MW blocks. The construction of Unit 1 would include the access road, water treatment system, the support towers and first circuit of the gen-tie, O&M building, parking area, and the first 125 complete or equivalent partial 2 MW blocks. Proposed facilities on private land would be limited to solar arrays and inverters, and portions of the access road, gen-tie line, distribution line, and telecommunication line. Of the total Project, approximately 50 MW would be developed on private land (see NOP Figure C, *Site Plan*).

Linear facilities extending out of the solar plant site would include the main access road, gen-tie line, switchyard, telecommunication lines, and distribution line. The approximate acreage that would be disturbed by each proposed component is provided in Table 2-1, *Estimated Land Disturbance Acreage for the McCoy Solar Energy Project*. The acreages in Table 2-1 are based on a thin film (CdTe) PV panel using a single-axis tracker.

The design and operation of proposed facilities are described in detail below. The proposed overall site layout is shown in NOP Figure C.

2.4.1 Solar Panel Arrays and Support Structures

The MSEP would convert sunlight directly into direct current (DC) electrical energy within PV modules (also referred to as "panels"). PV modules can be mounted together in different configurations (also referred to "arrays") depending on the equipment selected. MSEP arrays primarily would be organized into 2 MW blocks, with some additional arrays configured in 1 MW or half-megawatt blocks to efficiently utilize land space. The acreage of each block is dependent on the technology, spacing, mounting equipment, and other design criteria subject to change in detailed engineering, but each block

TABLE 2-1
ESTIMATED LAND DISTURBANCE ACREAGE FOR THE MCCOY SOLAR ENERGY PROJECT

Solar Plant Site	Unit 1 Permanent (Ac) Note 1	Unit 2 Permanent (Ac) Note 1
Solar Field (includes all acreage within the solar plant site covered by the solar panels and trackers, the inverter pad areas, maintenance roads between the solar arrays, any engineered drainage features, and the gen-tie area within the solar plant site).	2,142	2,006
Perimeter / Fence Maintenance Road (assumes 24 feet wide, approximately 22 miles)	17.6	43.4
On-site Substations	2.8	2.8
Shared Water Treatment Area	3	0
Shared O&M Building (approximately 3,000 square feet) and Parking Area (approximately 10,000 square feet)	0.3	0
Area in and around natural drainages that would remain ungraded	24	541
Main Access Road within solar plant site boundary (assumes improved, 24 feet wide with 3-foot shoulders, approximately 2.6 miles)	4.6	4.8
Temporary Laydown Area, Unit 1/Unit 2 (converted to permanent solar field area at end of construction) Note 2	15 Note 2	13 Note 2
Subtotal for Solar Plant Site Acreage	2,194	2,598
Subtotal for Solar Plant Site Permanent Disturbed Acreage	2,170	2,057
Total Onsite Permanent Disturbed Acreage	4,227	

Linear Facilities Outside Solar Plant Site Boundary	Offsite Permanent (Ac)	Offsite Temporary (Ac)
Main Access Road outside of solar plant site boundary (assumes improved, 24-feet wide with 3-foot shoulders, approximately 5.5 miles) Note 3	20.0	0
Gen-tie Support Towers (assumes 125 towers to be spaced 800 feet apart, each requiring 400 square feet of temporary disturbance and 4 square feet of permanent disturbance)	0.01	1.1
Gen-tie Maintenance Road (24 feet wide, 8.4 miles (2.6 miles access is provided by the Main Access Road), assumes the BSPP gen-tie access road would be shared along the length of the MSEP gen-tie that parallels the BSPP gen-tie) Note 3	24.4	0
Gen-tie Spur Roads (125 spur roads 12-feet wide and approximately 50-feet long)	1.7	0
String Pulling Sites (assumes 25 pulling sites 50-feet by 145-feet)	0	4.2
Switchyard adjacent to CRS	2	0
Telecommunications Lines	0	0
Distribution Line (assumptions: i) 140 towers to be spaced 150-feet apart, each requiring 225 square feet of temporary disturbance and 4 square feet of permanent disturbance; ii) 24-foot wide, 3.7 miles maintenance road; iii) 140 spur roads 12-feet wide and approximately 50-feet long; and iv) string pulling sites 50-feet by 145 feet at each pole	12.7	4.9
Subtotal for Linear Facilities Outside of Solar Plant Site Disturbed Acreage	61	10
Total Offsite and Onsite Permanent Disturbed Acreage	4,286	

N1: These acreages are based on the thin film tracking configuration as shown in NOP Figure C.
N2: These acreages are not included in totals because area is within land that would be affected by other solar plant site facilities
N3: Disturbance may be accounted for in disturbance road acreage of other projects and may be removed at a later date

SOURCE: WorleyParsons

would be up to 15 acres. Each block would consist of PV modules and a power conversion station (PCS) that includes inverters and transformers to convert the DC electricity to alternating current (AC) electricity for transmission across the grid.

The arrays and PCS would be accessible by two access corridors, one in a north to south direction every third block (approximately 3,000 feet) of nominal 24-foot width and the other in an east to west direction passing every PCS unit of nominal 16-foot width. These access corridors would remain unpaved compacted road base and would be used only as necessary during operations and maintenance activities.

The blocks of solar arrays proposed by the MSEP would be configured in two solar fields referred to as Unit 1 and Unit 2. Unit 1 would produce 250 MWac, and Unit 2 would produce between 250 and 500 MWac, with the Project as a whole producing up to 750 MWac. Solar energy technologies are continuing to advance at a rapid rate, and the Applicant is continuing to evaluate the evolving benefits of various options at this time. Each option is described below, and the associated impacts are evaluated in this PA/EIS/EIR. In this way, the best information available during final design can inform decisions about the exact technology, arrangement and nature of the PV system to be used for the MSEP.

Different materials display different energy generation efficiencies; higher efficiency panels produce more electricity per given area, but generally cost more per panel area. Materials commonly used for PV solar cells include monocrystalline silicon, polycrystalline silicon, amorphous silicon, cadmium telluride, and copper indium selenide/sulfide (Jacobson, 2008). Several of the PV cells currently available are manufactured from bulk materials that are cut into very thin wafers, i.e., between 180 to 240 micrometers thick. Others are constructed from thin-film layers. The Applicant is considering the installation of both polycrystalline and cadmium telluride solar cells. Both technologies are proven and viable for utility-scale PV plants. Characteristics of typical panels are given in Table 2-2, *Typical PV Panel Characteristics*.

Solar Panels

The system would incorporate high-efficiency commercially-available Underwriters Laboratory (UL)-listed solar PV panels. By design, the solar PV panels would absorb sunlight to maximize electrical output and use anti-reflective glass. The panels would be protected from impact by tempered glass, and would have factory applied ultraviolet (UV) and weather-resistant "quick connect" wire connectors. A decision has not yet been made as to the materials to be used in the MSEP PV panels. The Applicant is considering polycrystalline silicon PV modules, as well as a "thin film" cadmium telluride solar panel.

Support and Mounting Structures

The Applicant proposes to use either a single-axis tracking system or a fixed-tilt ground mount for the structures that support the PV modules. There are two types of single-axis tracker systems that could be selected for the MSEP. Tracker Option 1 is a "ganged system" that would use one motor to control multiple rows of PV modules through a series of mechanical linkages and gearboxes. By comparison, Tracker Option 2, a stand-alone tracker system, would use a single motor and gearbox for each row of PV modules. A single-axis tracking system optimizes production by rotating the panels to follow the path of the sun throughout the day. The central axis of the tracking structure is oriented north to south and is constructed to rotate the panels east to west while limiting self shading between rows. Each tracker holds

TABLE 2-2
TYPICAL PV PANEL CHARACTERISTICS

Typical Panel Physical and Electrical Characteristics	Thin Film (CdTe) (First Solar FS Series 3)	Polycrystalline (Yingli Solar YGE 280 Series)
Length	1.2 m	1.9 m
Width	0.6 m	0.99 m
Weight	12 kg	26.8 kg
Cell Type	CdS/CdTe semiconductor, 154 active cells	72 multicrystalline
Frame Material	None	Anodized aluminum alloy, silver, clear
Cover Type	3.2 mm heat strengthened front glass laminated to 3.2mm tempered black glass	Low-iron tempered glass
Nominal Power	85 W	290 W
Efficiency	~12%	~15%
Voltage at Pmax	48.5 V	35.8 V
Current at Pmax	1.76 A	8.10 A
Open Circuit Voltage	61.0 V	45.3 V
Short Circuit Current	1.98 A	8.62 A
Maximum System Voltage	1000 V DC	1000 V DC
Temperature Coefficient of Pmpp	-0.25%/°C	-0.45%/°C

30-50 PV modules mounted on a metal framework structure. The steel structure would be able to withstand high-wind conditions (up to 90 miles per hour (mph)), site-specific wind gust and aerodynamic pressure effects, and seismic events. The drive unit typically consists of a bi-directional AC motor or a hydraulic system utilizing biodegradable fluid. The drive unit would be connected to an industrial-grade variable-frequency drive (VFD) that translates commands from the control computer. The tracker controller is a self-contained industrial-grade control computer that would incorporate all of the software needed to operate the system. The controller would include a liquid crystal display (LCD) monitor that displays a combination of calibration parameters and status values, providing field personnel with a user-friendly configuration and diagnostic interface. The LCD would enable field adjustment, calibration, and testing.

A fixed-tilt ground mount system, also being considered by the Applicant, orients the panels in a permanent "fixed" position towards the south at approximately 30 degrees to optimize production throughout the year without any mechanical movement. These racks are simple, open "table" constructions manufactured into a metal framework.

Both trackers and fixed-tilt mounting systems are supported by steel posts spaced at no less than 10 feet apart and installed in a variety of ways. The most prevalent foundation design uses pile driven posts inserted into the ground to a typical depth of 4 to 7 feet below grade. Other foundation options include, but are not limited to, screw piles, grouted steel piles, and concrete foundations as described in more detail in Section 2.5.2. The choice of foundation design is dependent on geotechnical information about the soil and the mounting structural design. Once mounted on a foundation, the bottom of each solar module array would be approximately 1.5 to 2 feet above ground at a minimum, while the top would be at approximately 6 to 10 feet above grade. As the solar modules move throughout the day for the tracking

option, these heights would vary slightly during the course of a typical day. The spacing between the rows of tracking units or fixed mounts is dependent on site-specific features and would be identified in the final design. A typical configuration would include approximately 34 feet between rows (post to post) to allow at least 20-feet of clearance for maintenance vehicles and panel access.

2.4.2 Solar Field DC Distribution and Power Conversion

Unit 1 at MSEP would cover approximately 2,194 acres and Unit 2 would cover the remainder of the approximately 4,792 acres. The acreage of each 2 MW block is dependent on the technology, spacing, and other design criteria subject to change in detailed engineering, but each block would cover a maximum of 15 acres.

DC Distribution

The PV modules would be electrically connected in series by wire harnesses that conduct DC electricity to combiner boxes. Each combiner box would collect power from several rows of modules and feed a PCS via cables placed in covered underground trenches (or within above ground cable trays or conduits in limited circumstances where underground trenching may not be practical). The DC trenches would be approximately 3-feet deep and from 1.5 to 2.5-feet wide. The bottom of each trench would be filled with clean fill surrounding the DC cables and the remainder of the trench would be back-filled with native soil and compacted to 90 percent (95 percent when crossing under roadways). Power screeners may be used on site for a period of less than 1 year to extract the required clean fill from native soils for use as bedding material in the trenches. A power screener is a motorized piece of equipment that uses moving screens to filter soils to a particular granularity.

Each PCS comprises an inverter package consisting of multiple inverters connected to adjacent transformers. An overhead shade would cover the inverters. The inverter package would be approximately 7-feet tall. The transformer exterior to the enclosure would be approximately 6.5-feet tall. The overhead shade would be between 10 and 12-feet tall. In the PCS, inverters would change the DC output from the combiner boxes to AC electricity. Integrated with the inverter, a data acquisition system (DAS) would utilize a data logger and sensors to record AC power output. Other integrated components would include equipment to record weather conditions. The DAS would enable system data transfer and performance monitoring via the O&M facility.

The resulting AC current from each individual inverter then would be routed through underground AC cables (or within above ground conduits in limited circumstances where underground trenching may not be practical) to an oil-filled, medium voltage, step-up transformer positioned within secondary containment. Based on preliminary design, the 265 volt output from an inverter would be stepped up (increased) to the desired substation feed voltage of 34.5 kV by the transformer. While the transformer would be placed on a pre-cast concrete pad delivered by flatbed truck during construction, the medium voltage collection circuits would be installed underground beneath the proposed substations in trenches that would be approximately 3-feet deep. The medium voltage cabling would create one to two collection circuits that would carry the electricity from the solar field to one of the MSEP's substations.

AC Transmission

Multiple lateral PCS blocks would transmit the AC power at 34.5 kV via underground lines in covered trenches or in above ground conduits if underground trenching is impractical. Approximately three laterals would be combined into an underground feeder line that would transmit AC power to the Power Distribution Center (PDC) at each substation. AC trenches would be approximately 3-feet deep and from 8-inches to 6.5-feet wide and also would house fiber optic cables for communication.

Unit 1 and Unit 2 each would have a substation that combines all the AC power from the feeders within the respective Unit. Each substation would be enclosed in an approximately 7-acre fenced area. Access to the substations would be via the main access road. Each substation would consist of parallel sets of internal power distribution systems, including 34.5 kV buses and circuit breakers, disconnect switches, and main step-up transformers. Shield wires and lightning arrestors would be included to protect the substation equipment and personnel against lightning strikes.

2.4.3 Generation Transmission Line

In each substation, the voltage would be stepped up to 230 kV to match the voltage of the gen-tie line that would interconnect Project generation output with the CRS. The gen-tie line would use a single set of support towers and a separate circuit for each Unit, resulting in a total of two transmission circuits from the MSEP to the CRS. The gen-tie monopole structures would be designed for double circuit use, with the first circuit (from Unit 1) being strung during the gen-tie construction. The Unit 1 circuit would connect to the electrical grid via a 230 kV switchyard located near SCE's CRS where the power for that circuit would be merged (as required by the Project's Interconnection Agreement with SCE) with the power from the Genesis Solar Energy Project (GSEP) before being connected to SCE's proposed CRS. As part of the construction for Unit 2, the second circuit would be added to the existing MSEP gen-tie structures and follow the same gen-tie corridor from the substation to the SCE CRS. The circuit from Unit 2 would be routed directly to the proposed CRS rather than through the MSEP/GSEP switchyard.

The MSEP gen-tie would extend south from the solar plant site, through the BSPP site and on to the SCE CRS south of I-10. The MSEP gen-tie, estimated to be approximately 13.7 miles long including 2-miles within the solar plant site boundary, would be parallel to the proposed BSPP gen-tie for nearly half of the length, with the two pole lines approximately 50-100 feet apart. An alternate gen-tie route around the east side of the BSPP also is being considered. The proposed gen-tie is expected to permanently occupy an approximate 133 acre legal ROW corridor outside of the solar site boundary. This acreage is based on a total width of 100-feet (50-feet on either side of the line).

The Applicant would use concrete or non-reflective steel self-weathering monopoles for the gen-tie line. Gen-tie support towers would be approximately 80- to 120-feet tall, depending on the location and local terrain, with final heights determined during detailed design. Typical double-circuit 230 kV poles would be configured vertically. The final transmission tower design including tangent, angle, dead end, and pull-off structures and associated hardware would be determined during the final engineering of the proposed interconnection. The towers would be reinforced as necessary to withstand design loads.

Monopole structures typically would be placed between 800- and 1,000-feet apart. Approximately 125 towers would be required for the MSEP's preferred gen-tie routing. Tower concrete pads

(approximately 50-feet by 50-feet) also would be required. Concrete or self-weathering steel would be used for the monopoles. Self-weathering steel is composed of a special alloy that forms an oxide, which forms a protective coating and prevents further corrosion. The finish appears as a matte patina and is commonly used in environmentally sensitive areas where a shiny appearance would be undesirable. All towers and poles would be designed to be avian-safe in accordance with the Suggested Practices for Avian Protection on Power Lines: the State of the Art in 2006 (APLIC, 2006). The lines would be insulated from the poles using porcelain insulators engineered for safe and reliable operation. Shield wires would be included along the length of the lines to protect against lightning strikes.

Based on the Project requirements, access, terrain, and available geotechnical information, direct embedded foundations would be used for tangent structures and anchor bolted drilled shaft foundations for angle and dead-end structures. Vibrated casing foundations also could be used, depending on the results of planned further geotechnical investigation. A geotechnical investigation for the gen-tie line would be completed before final design and construction of the Project.

2.4.4 Plant Communications and Proposed Telecommunication Lines (Fiber Optic Cable)

A Supervisory Control and Data Acquisition (SCADA) system would be included for remote control and monitoring of inverters, trackers, and other equipment within the MSEP. New telecommunications lines would connect the Project substations with the electrical grid through SCE's proposed CRS. As required for connection and interaction with the electrical grid, two independent telecommunication lines would be provided. The primary telecommunication line would be hung at the top of the gen-tie support structures (i.e., towers) and the secondary telecommunication line would be located within the disturbance area of the access or maintenance roads. As an alternate, the Applicant could elect for supervisory control by SCE at the switchyard at the CRS for Unit 1, which would avoid the need to run this telecommunication line back to the solar plant site. These lines would be installed as part of the gen-tie construction for Unit 1. The routes of the proposed telecommunications lines are shown on NOP Figure B.

2.4.5 Switchyard

Unit 1's transmission line circuit would tie into SCE's 500/230 kV CRS via a switchyard located adjacent to SCE's substation. The switchyard would consist of three 230kV, 1200A circuit breakers in a low profile rigid bus configuration. The switchyard would allow for Unit 1's gen-tie to be merged with the GSEP gen-tie so that the power from both could enter the CRS as a single circuit in accordance with the Project's interconnection agreement with SCE. The switchyard would occupy an approximately 2-acre fenced area located approximately 25-feet from the CRS. It would contain parallel sets of internal power distribution systems, including buses and circuit breakers that would act as protective relays, disconnect switches, and main step-up transformers. The line from the switchyard to connect to SCE's CRS would be less than 100-feet long. Access to the switchyard would be restricted.

2.4.6 SCE's CRS Substation

The CRS is not part of the Project because it would be constructed and operated by SCE to serve numerous power generation facilities. The CRS would be a full 2240 MVA 500/230 kV substation and

would cover approximately 90 acres of land. SCE received a Permit to Construct the CRS from the California Public Utilities Commission (CPUC) on July 14, 2011, and the BLM issued a Record of Decision (ROD) authorizing the CRS on July 13, 2011. SCE is expected to commence construction of the CRS in Q3 2011. The CRS is expected to be complete and in service in 2013.

2.4.7 Operation and Maintenance (O&M) Building

The Project includes an approximately 3,000-square foot O&M building, which would be located on BLM-administered land on the eastern side of the solar plant site, adjacent to the MSEP's 24-foot wide access road and main gate, and shared for services to Units 1 and 2. The building would provide an administration area, a work area for performing minor repairs and a storage area for spare parts, transformer oil, and other incidental chemicals. The administration area would be air conditioned and include offices, conference rooms, a break room, rest rooms, and locker rooms with showers.

The building would be supported on reinforced concrete mat foundations or individual spread footings as determined during detailed design. Excavation for the footings would be approximately 2-feet deep. Excavation within the perimeter of the building would be approximately 1-foot deep. An aggregate or stone base would be laid after excavation. The floor would consist of a 6-inch reinforced concrete slab. Concrete for this slab would come from Blythe.

The O&M building would be a pre-engineered metal building approximately 17-feet high at its peak with a neutral-colored metal siding and roof to minimize visual impact. The maintenance area of the building would include roll-up doors to provide equipment access to the maintenance portion of the building as well as personal access doors. The O&M building would have electric utility service provided by a new SCE distribution line to the site. Telecommunications would be provided by a new fiber optics line constructed at the same time as the distribution line. Sanitary waste would be disposed through a septic system. An approximately 10,000-square foot parking area would be provided at the O&M building.

2.4.8 Other Site Improvements

Weather Station

One or more permanent meteorological stations would be installed at the MSEP order to track weather patterns. The meteorological station(s) would be attached to the DAS to collect data for analysis and system monitoring.

Temporary Laydown Area

An approximately 15-acre temporary laydown area (approximately 970-feet by 685-feet) would be located within the footprint of Unit 1 to support the construction of Unit 1. This area would accommodate 15-20 office trailers connected to power through a temporary onsite generator or a newly-installed SCE distribution line for contractor accommodations during construction. The laydown area would be used for the storage of construction tools and equipment, materials such as concrete, gravel, wire, cable and solar field equipment, and would contain a staging area for pre-assembly of the solar field components. The laydown area also would contain construction worker parking and ample space for vehicle turn-around.

The Unit 2 temporary laydown area would be located east of Unit 1 most likely near the Unit 2 substation location. Access would be through the Unit 2 substation area from the 50-foot wide corridor with 24-foot wide paved road that connects the two site substations. This laydown area would occupy approximately 13-acres (1,000-feet by 650-feet) and would contain the same types of trailers, equipment storage, parking, and staging areas as the Unit 1 laydown area. It is anticipated that the Unit 2 laydown area would require less space than the Unit 1 laydown area because there would be no need to construct an additional operations area. A temporary portable generator would provide construction power for the Unit 2 laydown area.

Temporary bollards would be required to control access to a 50-foot by 100 foot area. These would consist of vertical poles embedded in the ground around the area and back-filled with native soil. The estimated depth of ground disturbance for bollard embedment is up to 15-feet deep by up to a 42-inch diameter.

Gen-tie Temporary Laydown Area

One additional approximately 10-acre laydown area also would be required for construction of the gen-tie line. An already disturbed area (e.g., gen-tie maintenance or spur road) would be used for this purpose, the location of which would be determined at the onset of gen-tie construction. Construction materials such as concrete, wire and cable, fuels, and small tools, and consumables would be delivered to the gen-tie laydown area by truck. The laydown area would also contain construction worker parking, a staging area, and mobile trailers or similar suitable facilities (such as modular structures) for construction contractor offices.

Access Roads

Access roads would be developed for ingress and egress, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Locations of the proposed access roads are shown in the site plan on NOP Figure C. During decommissioning of the facility, it is anticipated that the same access roads would be used for removal of the facility components.

Main Access Road

Primary solar plant site access would be provided via Mesa Drive. From the Airport exit off I-10, construction workers, other personnel, and visitors would proceed west on Black Rock Road to the BSPP access road. A new 30-foot wide access road (a 24-foot wide, two-lane, paved area with an unpaved 3-foot wide shoulder on each side) would be constructed, operated, maintained, and ultimately decommissioned on BLM land from the BSPP access road to the solar plant site. The asphalt concrete surface would overlie Class 2 aggregate base and compacted subgrade, and would be designed to meet the Riverside County Fire Department requirements.

A controlled access gate would be located at the entrances to the facility. The main site gate either would be a motor-operated swing or rolling-type security access gate, and would be monitored through a security camera, swipe card, or other mechanism that would control and monitor access. Access through the main gate would be controlled during construction and operations to prevent unauthorized access to the solar plant site. All facility personnel, contractors, and visitors would be logged in and out of the

facility through the main gate. A secondary access gate, similar in construction to the main gate, would be used for emergency purposes only. A Fire Department Lock Box would be provided at the main and secondary gates to provide emergency access.

Internal Access Roads

Within the solar plant site, a 24-foot wide paved road would lead from the main gate to the temporary lay-down area, O&M building, Unit 1 substation, and water treatment area. Another 24-foot wide paved road would occupy a 50-foot wide corridor between the Unit 1 and Unit 2 substation areas.

An approximately 24-foot wide gravel perimeter road would be constructed within the perimeter fence line. This road would be primarily for security inspections and fence maintenance.

In addition, 24-foot and 16-foot wide internal roads would provide access to and among the solar panel arrays. This road surface would be scarified, moisture-conditioned, bedded with crushed aggregate and compacted. Parking would be available at points along these internal roads and at the PCS locations.

To access the gen-tie support tower pad construction and maintenance areas, it is assumed that the BSPP gen-tie access road along the length of the MSEP gen-tie that parallels the BSPP gen-tie would be shared. Therefore, no new access road is proposed for that portion of the route; only spur roads would be required. Up to 125 spur roads, approximately 14-feet wide and averaging 25- to 50-feet long, would be constructed.

Fencing and Site Security

For public safety and site security, the Applicant would fence the site and control access. A controlled, 24-foot wide, swinging or rolling type access gate would provide solar plant site access from the BSPP access road. Access through the main gate would require an electronic swipe card or other tracking mechanism to prevent unaccompanied or unauthorized access to the facility. All MSEP personnel, contractors, and visitors would be logged into and out of the facility during normal business hours. Visitors and contractors would be allowed entry only with approval from a staff member at the facility. A fire department lock-box or other access device and emergency contact placard would be provided at the main gate and secondary access gate.

Perimeter security fencing would be installed around the solar plant site, substations, and the evaporation pond. This fencing would be chain link, 8-feet tall, with 3-strand barbed wire. It would be constructed at least 12-feet inside the solar plant site boundary to allow room for pedestrian access on the outside of the fence for fence maintenance purposes. Two-inch corner posts and 1.5 inch line posts would be buried 3-feet deep and anchored in concrete. Poles would be spaced approximately 10-feet apart. Tortoise fencing (0.5-inch mesh) would be installed 1-foot below the ground surface and 2-feet above ground surface.

Drainage Improvements

The topography of the solar plant site is relatively flat (the natural slope within the solar plant site is approximately 1 percent or less). The majority of the site has an elevation between approximately 480- and 800-feet above mean sea level (amsl). Based on the existing hydrology, the preliminary storm water drainage for the solar plant site has been designed to maintain predevelopment hydraulic conditions in the

natural watercourses and to minimize the generation of non-point source pollutants. The concept employed for the design and layout of the solar arrays is to minimize the placement of the arrays in large, established channels (to the extent practical) and to utilize equipment and protective measures that would allow existing drainage patterns to be maintained where possible.

On-site run-on to the proposed solar field follows natural grade to the southeast. Minimal grading is proposed within the solar field, thereby maintaining anticipated on-site runoff and infiltration close to the existing conditions. Inverters and other electrical components within the solar arrays would be placed out of main drainage channels and weather/water proofed to the extent required.

Lighting

At the O&M building, substations, site entrance, and switchyard, exterior security lighting would be installed to provide for safe access to Project facilities as well as visual surveillance. During operations, some portable lighting also could be required for maintenance activities that must be performed at night. All lighting would be kept to the minimum required for safety and security; sensors, motion detectors, and switches would be used to keep lighting turned off when not required, and all lights would be hooded and directed to minimize backscatter and off-site light.

2.4.9 Distribution Power Line

During construction, electricity demand would be derived from the construction trailers for lighting, air conditioning or space heating, water heating, powering small appliances, temporary site lighting, and machinery operation. Power during the construction period, estimated at a peak demand of 10,000 kilowatt-hours (kWh) per year, would be supplied by via extending an SCE distribution line that would be constructed, operated, maintained, and decommissioned by SCE. The distribution line also would provide power to the solar plant site. It would be directed from the east as shown in NOP Figure B. The approximate 20,000-foot long 2000 kVA distribution line would be strung on wooden poles approximately 50-feet high and approximately 150-feet apart, ending at a 12 kV metering pole at the site boundary. There would be a total of 130 to 140 poles along the route of the distribution line. During operation and maintenance of the Project, this distribution power circuit also could provide a backup power supply for the low voltage tracker motors, various monitoring instruments, computer, access gates, and other low voltage equipment.

2.4.10 Water Supply and Usage

Water Supply and Use

No water service is available at the MSEP site. Groundwater in the area is contained within the Palo Verde Mesa Groundwater Basin of the Colorado River Hydrologic Region.

Municipal water or sewer service would not be extended to the Project site. Water demands would be met by the construction and operation of up to three on-site wells to provide groundwater supply on the solar plant site. Well permits would be obtained from the Riverside County Department of Public Health, Environmental Health Services, Safe Drinking Water Permit Section. A minimum of two on-site groundwater supply wells would be installed at the eastern end of Unit 1. The precise location and

construction of these wells will be defined during the detailed design. The MSEP well field also would include a sufficient number of standby wells to provide the MSEP with water in the event the primary wells are shut down for maintenance. As currently planned, the wells would pump groundwater from the Basin, with a water elevation of approximately 254-feet relative to mean sea level.

Well construction would occur in accordance with the requirements of Riverside Ordinance Code 682: *Construction, Reconstruction, Abandonment and Destruction of Wells*. Wells would be spaced to minimize water level drawdown and groundwater level monitoring would be conducted to ensure compliance and provide data to identify long term groundwater trends. Water from all new, repaired, and reconstructed community water supply wells, would be tested for and meet the standards for constituents required in the California Code of Regulations, Title 22, *Domestic Water Quality and Monitoring.*

Title 22, Article 3, Water Wells, Sections 64400.80 through 64445 of the California Code of Regulations require monitoring for potable water wells. Regulated wells must be sampled for bacteriological quality once a month and the results submitted to the California Department of Health Services (DHS). The wells must also be monitored for inorganic chemicals once and organic chemicals quarterly during the year designated by the DHS. DHS would designate the year based on historical monitoring frequency and laboratory capacity. The Project owner would sample and conduct groundwater quality monitoring consistent with the Waste Discharge Requirements issued from the Colorado River Regional Water Quality Control Board (RWQCB).

Construction-related Water Needs

Construction-related water use would support site preparation (including operation of a portable batch plant, if needed) and grading activities, including for compaction and dust control. Smaller quantities would be required to prepare the concrete required for foundations and other minor uses. Following earthwork activities, the primary water use would be to suppress dust. The average water usage rate during construction would be approximately 180 to 200 gallons per minute. The total water usage during construction of Unit 1 would be approximately 450 acre-feet (AF). The water demand associated with the construction of Unit 2 would be reduced relative to Unit 1, because elements common to the units would have been installed as part of Unit 1. Overall construction-related water use would be 650 to 750 AF.

Drinking water would be supplied for construction workers on-site, and is estimated to be approximately 10,000 gallons per month (approximately 0.5 AF per year [AF/yr]), varying seasonally and by work activities. The potable water may be brought to the solar plant site by tanker truck, or groundwater may be used with a package water treatment system to treat the water to meet potable standards.

Operation and Maintenance-related Water Needs

Water quality is expected to be unsuitable for potable use without treatment, with between 730 and 3,100 milligrams per liter of total dissolved solids, based on investigations performed for the BSPP. Consequently, the groundwater would be treated or potable water would be imported by truck to the site to meet the Project's potable water requirements for operations. If groundwater is used, the water would be treated with a conventional package water treatment system to assure that any drinking water meets potable standards. Either a reverse osmosis (RO) treatment unit or deep bed demineralizer system would be used for other (non-drinking water) purposes. The water treatment system design has not been

developed, but could include either a trailer mounted water treatment system or a free-standing facility. The water treatment system would supply water for the MSEP for the purposes and in the amounts indicated in Table 2-3, *Proposed MSEP Water Usage*.

TABLE 2-3
PROPOSED MSEP WATER USAGE

Water Use		PV Module Cleaning, Dust Control[1]		Potable water[2]	
	Solar Field Unit	Unit 1	Unit 2	Unit 1	Unit 2
Annualized Average	Rate (gpd)	13,300	13,300	275	0
Estimated Peak	Rate (gpd)	63,000	63,000	460	0
Estimated Annual	Use (AF)	15	15	1	0

NOTES:
1 Water consumption based on the volume required to wash the PV panels approximately twice per year.
2 Annual potable consumption based on 7 day work week.

If any onsite well is determined to not be needed for groundwater production or monitoring purposes, or upon Project closure, the well would be decommissioned and filled under permit from and in accordance with County of Riverside Health Department requirements. The well concrete pads and stickups would be removed to a depth of approximately 5-feet below grade and the ground surface would be restored to its previous contours.

A trailer-mounted water treatment system is a totally enclosed, self-contained, containerized water treatment system. Such systems typically are leased with a service contract, contain all the necessary supplies for operations, and usually are taken offsite for the periodic maintenance that is required. Minimal wastewater discharge (less than 1 gpm) is expected, and would be produced primarily from the RO reject. This wastewater is non-hazardous and can be disposed of through the onsite, netted evaporation pond.

A free-standing water treatment facility would contain the same equipment as the trailer-mounted system but be constructed on site in an enclosure for permanent use. The enclosure would be a pre-fabricated steel building on a concrete foundation with a maximum height of 17 feet. Water treatment equipment would include pumps, filters, biocide or ozone injection, and a reverse osmosis system. Wastewater discharge would be non-hazardous, have a maximum quantity of less than 1 gpm, and be produced primarily from the RO reject. The water treatment facility would house the filter replacements and tools needed for periodic maintenance of the system.

Three on-site tanks would store raw fire water, potable water, and demineralized water for the MSEP. The raw water tank storage capacity also would provide the fire supply. This tank would measure approximately 9.25-feet in diameter and 20-feet high, and would hold up to 15,000 gallons. It would be constructed of bolted steel and painted with a non-reflective coating to blend with the surrounding environment. The potable water tank would be of similar construction with a maximum volume of 5,000 gallons, diameter of 9-feet, and height of 10-feet. The 60,000 gallon demineralized water tank would store water to be used for panel washing. It would be of stainless steel construction approximately 26-feet in diameter and 16-feet high.

The water treatment area would be constructed on BLM-administered land on the eastern side of the solar plant site, just northwest of the privately-owned parcels. It would be a roughly-square area up to a maximum of 3 acres. The water treatment area would contain the water treatment system and water storage area. If required, a 1-acre, netted wastewater evaporation pond also would be constructed, operated and maintained, and ultimately removed from the water treatment area within the solar plant site boundary. The location of the proposed water treatment area is shown on NOP Figure C.

Based on the anticipated uses (including drinking water, showers, restroom facilities, panel washing dust suppression, and 3,000-gallon dedicated fire supply, among other uses), the estimated quantity of water needed for operation and maintenance of the MSEP would be approximately 15 AF/yr per Unit. The primary use of water during operation and maintenance-related activities would be for panel washing and dust control (the proposed PV technology requires no water for the generation of electricity).

Panel washing would occur in the fall and spring and take approximately 70 days to complete per wash. Panel washing could take a total of approximately 140 to 145 days per year to complete. Approximately 63,000 gallons per day (gpd) per Unit, which equates to approximately 8.8 million gallons per year or approximately 30 AF/yr for the entire Project, would be required to wash the panels.

A BLM-approved dust suppressant would be applied to control dust. Water could be used to supplement the dust suppressant in some areas on a limited basis; the amount of water to be used would depend on the type of suppressant used and the manufacturer's recommendations. The concentrate from a RO treatment unit (if required for on-site water treatment) might be used for dust control by blending it with water from the on-site water wells.

An additional approximately 6,000 to 10,000 gallons per month (up to about 0.5 AF/yr) of potable water would be required to serve the demand of approximately 20 on-site personnel, varying seasonally and by work activities. Potable water could be brought to the solar plant site by tanker truck, or could be provided by treated on-site groundwater. The solar plant site's internal access roads would not be heavily traveled during normal operations.

Decommissioning and Site Reclamation-related Water and Wastewater Needs

Because conditions could change during the course of a 30-year project life, a final Decommissioning and Closure Plan would be submitted for BLM and County review and approval based on conditions as found at the time of facility closure. If applicable, the Project would comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) through preparation and implementation of a stormwater pollution prevention plant (SWPPP) and filing of a Notice of Intent (NOI) to comply with the General Construction Stormwater NPDES Permit. The plan would include procedures to be followed during construction to prevent erosion and sedimentation, non-stormwater discharges, and contact between stormwater and potentially polluting substances. Per the requirements of the Mojave Desert Air Quality Management District, standard dust control mitigation measures would be implemented to reduce dust particulate emissions during demolition and grading activities. It is anticipated that the decommissioning and site reclamation would be staged in phases, allowing for a minimal amount of

disturbance and requiring minimal dust control and water usage. It is anticipated that water usage during decommissioning and site reclamation would not exceed operational water usage.

2.4.11 Waste Management

Waste and Hazardous Materials Management

Wastewater

Two separate wastewater collection systems would be provided as part of the Project: one for sanitary wastes, and another to address the process wastewater.

The sanitary wastewater system would collect sanitary wastewater at the O&M building. Portable chemical toilets would be provided for workers in the solar fields. The sanitary wastewater from sinks, toilets, showers, other sanitary facilities in the O&M building would be discharged to a sanitary septic system and on-site leach field. The septic system would be designed and permitted in accordance with state and Riverside County regulations.

Onsite water treatment would discharge minimal wastewater (less than 1 gpm). Depending on the water quality and the need for on-site regeneration of the water treatment system, a netted evaporation pond sized at approximately 1-acre could be required. If required, the evaporation pond would be located near the water treatment system within the water treatment area. The environmental analysis in this document assumes that the evaporation pond would be constructed, operated, maintained, and ultimately decommissioned as part of the Project.

The average pond depth design would be 8-feet and residual precipitated solids would be removed approximately every 8 to 10 years, as needed, to maintain a solids depth no greater than 3-feet for operational and safety purposes. The precipitated solids would be sampled and analyzed to meet the characterization requirements of the receiving disposal facility. The characteristics of the precipitated solids would determine the transportation and disposal methodology. It is anticipated the pond solids and other non-hazardous wastes would be classified as Class II non-hazardous industrial waste. The pond solids would be tested using appropriate test methods in advance of removal from the evaporation ponds to confirm this determination however preliminary estimates show the material would be non-hazardous.

If an evaporation pond is needed, a Water Discharge Requirement (WDR) permit would be obtained from the RWQCB, which is expected to require the preparation of a Water Quality Monitoring and Response Plan that includes monitoring of the Project pond liner to detect leaks, as well as groundwater monitoring. Groundwater monitoring would be done using existing wells where possible and may include additional monitoring wells as needed to provide adequate monitoring of groundwater quality.

A Final Closure and Post-Closure Maintenance Plan would be submitted to the RWQCB as an amendment to the original evaporation pond permit before undergoing complete final closure of any portion of the evaporation ponds. In the Final Closure and Post-Closure Maintenance Plan, the regulatory requirements applicable at that time would be addressed. After the evaporation pond has been closed, a Certification of Closure would be submitted for RWQCB approval to verify that the impoundments have been closed in accordance with the approved Final Closure Maintenance Plan.

Confirmation sampling would be conducted on the clay layer of the evaporation pond liner system after the removal of the 40 mil HDPE geomembrane secondary liner. If a geosynthetic clay liner (GCL) is used in the final design, the native materials below the GCL would be sampled after the removal of the overlying liner systems. Samples would be collected from each of the former pond footprints on 100-foot by 100-foot grid spacing. Laboratory analysis would include Title 22 metals, biphenyl, diphenyl oxide, and chloride. The evaporation pond would be backfilled with native soil to match the existing surrounding grade and restore drainage function. The berm surrounding each evaporation pond would be the primary backfill material. These materials would be placed at depths exceeding 3-feet below final grade. The upper 6-inches of soil would be decompacted as necessary to prepare the soil for revegetation.

Solid (Non-Hazardous) Waste

Facility construction and operation would generate wastes that require proper management and, in some cases, off-site disposal. Solar plant-related wastes generated during all phases of the Project would include: oily rags, worn or broken metal and machine parts, defective or broken electrical materials, other scrap metal and plastic, insulation material, empty containers, paper, glass, and other miscellaneous solid wastes including the typical refuse generated by workers. These materials would be disposed by means of contracted refuse collection and recycling services. Waste collection and disposal would be in accordance with applicable regulatory requirements to minimize health and safety effects. Universal wastes and unusable materials would be handled, stored, and managed per California Universal Waste requirements. Operation of the Project is expected to generate sanitary wastewater, non-hazardous wastes, and small quantities of hazardous wastes. Operation of the proposed transmission line and other linear facilities would generate minimal quantities of waste. See Table 2-4, *Summary of Operation Waste Streams and Management Methods*.

Hazardous Materials Management

During construction, all hazardous materials would be stored on-site in storage tanks, vessels, or other appropriate containers specifically designed for the characteristics of the materials to be stored. The storage facilities would include secondary containment in case of tank or vessel failure. Construction- and decommissioning-related hazardous materials used for development of the Project would include: gasoline, diesel fuel, oil, lubricants, and small quantities of solvents and paints. Material Safety Data Sheets for all applicable materials present on-site would be made readily available to on-site personnel.

Fueling of some construction vehicles would occur in the construction area. Other mobile equipment would return to the laydown area for refueling. Special procedures would be identified to minimize the potential for fuel spills, and spill control kits would be carried on all refueling vehicles for activities such as refueling, vehicle or equipment maintenance procedures, waste removal, and tank clean-out. Fuel for construction equipment could be provided by a fuel truck or could be stored on-site in aboveground double-walled storage tanks with built-in containment. The volume of each individual tank would not exceed the 1,320 gallons, which is the threshold above which a Spill Prevention, Countermeasure, and Control (SPCC) Plan may be required (40 CFR 112). However, because there could be multiple fuel tanks for different fuels (i.e., gasoline and diesel) in addition to the volume of oil contained in the main electrical transformers, the reasonable maximum volume of the on-site inventory anticipated at 32,000 gallons, the total volume of regulated materials would likely exceed the threshold. Consequently, an

TABLE 2-4
SUMMARY OF OPERATION WASTE STREAMS AND MANAGEMENT METHODS

Waste Stream and Classification[1]	Origin and Composition	Estimated Amount	Estimated Frequency of Generation	Waste Management Method	
				On site	Off site
Used Hydraulic Fluid, Oils and Grease – Non-RCRA Hazardous	Tracker drives, hydraulic equipment	1000 gallons/year	Intermittent	Accumulated for <90 days	Recycle
Oily rags, oil absorbent, and oil filters – Non RCRA Hazardous	Various	One 55-gallon drum per month	Intermittent	Accumulated for <90 days	Sent off site for recovery or disposed at Class I landfill
Spent batteries – Universal Waste	Rechargeable and household	<10/month	Continuous	Accumulate for <1 year	Recycle
Spent batteries –Hazardous	Lead acid	20 every 2 years	Intermittent	Accumulated for <90 days	Recycle
Spent fluorescent bulbs – Universal Waste	Facility lighting	< 50 per year	Intermittent	Accumulate for <1 year	Recycle
MMF residue – nonhazardous	Water Treatment System – Pre-Treatment	34 gallons per minute[2]	Backwash of the MMF	Evaporation Ponds	None
Sanitary wastewater - Nonhazardous	Toilets, washrooms	250 gallons/day	Continuous	Septic leach field	None

NOTES:
1 Classification under Title 22, CCR § 66261.20 et seq.
2 Flow rate for MMF residue is based on the annual average, however this rate may increase or decrease depending on the timeframe from the backwash.
3 Flow rate for RO Residue is based on the annual average therefore would be higher during summer peak months and lower during winter months

SPCC Plan would be prepared if required. An SPCC Plan would include procedures, methods, and equipment supplied during construction to prevent discharges from reaching navigable waters.

During operations, a variety of chemicals and hazardous materials would be stored and used at the facility. Chemicals would be stored inside the O&M building as appropriate to prevent exposure to the elements and to reduce the potential for accidental releases, and in appropriate chemical storage containers. Bulk chemicals would be stored in storage tanks; other chemicals would be stored in returnable delivery containers. Chemical storage and chemical feed areas would be designed to contain leaks and spills. Containment berm and drain piping design would accommodate a full-tank capacity spill without overflowing the containment berms. For multiple tanks located within the same bermed area, the capacity of the largest single tank would determine the volume of the bermed area and drain piping. The transport, storage, handling, and use of all chemicals would be conducted in accordance with applicable laws, ordinances, regulations, and standards.

The quantities of hazardous materials stored on-site would be evaluated to identify the required usage and to maintain sufficient inventories to meet use rates without stockpiling excess chemicals.

If a portable, trailer-mounted water treatment system can meet the MSEP flow and water quality demands described above, no additional chemicals would be required for maintenance and regeneration of the

system. However, if a site-specific water treatment system is used, the regeneration process could require chemicals to maintain its performance, including one or more of the following:

- Sodium Hydroxide solution
- Sodium Hypochlorite solution
- Sulfuric Acid solution

The Applicant would develop and implement a variety of plans and programs to ensure safe handling, storage, and use of hazardous materials (e.g., a Hazardous Material Business Plan). Solar plant personnel would be supplied with appropriate personal protective equipment (PPE) and would be properly trained in the use of PPE as well as the handling, use, and cleanup of hazardous materials used at the facility and the procedures to be followed in the event of a leak or spill. Adequate supplies of appropriate cleanup materials would be stored on-site.

In addition to the chemicals listed above, small quantities (less than 55 gallons, 500 pounds or 200 cubic feet) of janitorial supplies, office supplies, laboratory supplies, paint, degreasers, herbicides, pesticides, air conditioning fluids (chlorofluorocarbons [CFC]), gasoline, hydraulic fluid, propane, and welding rods typical of those purchased from retail outlets also could be stored and used at the facility. These materials would be stored in the maintenance warehouse or office building. Flammable materials (e.g., paints, solvents) would be stored in flammable material storage cabinet(s) with built-in containment sumps. The remainder of the materials would be stored on shelves, as appropriate. Small quantities would involved, the environment would be controlled, and the warehouse would have a concrete floor.

Hazardous Waste

Small quantities of hazardous wastes would be generated during MSEP construction, operation, maintenance, and decommissioning. Hazardous wastes generated during the construction phase would include substances such as paint and primer, thinners, and solvents. Hazardous solid and liquid waste streams that would be generated during operation of the Project include substances such as used hydraulic fluids, used oils, greases, filters, etc., as well as spent cleaning solutions and spent batteries. Hazardous wastes generated during decommissioning would include substances such as carbon dioxide, diesel fuel, hydraulic fuel and lube oil. To the extent possible, all hazardous wastes would be recycled.

2.4.12 Vegetation Management and Fire Protection Systems

Prior to commencement of construction activities, the Applicant would identify areas that require protection to sensitive resources within and/or adjacent to the site, which would be identified by a variety of methods including flagging, marking paint, signs, rope, or staking. Where not otherwise specified, a suitable method for mitigation and/or removal and relocation of the biologically sensitive resource would be selected by the biologist assigned to the Project.

Vegetation Management

Weed management areas would be identified including the solar plant site (fence line and solar fields), linear facilities, and a buffer area 100-feet out from the boundary of these features. The Applicant would develop a plan for the control of noxious weeds and invasive species that could occur as a result of

Project-related activities at the solar plant site. The plan would address monitoring as well as education of solar plant operation and maintenance personnel about weed identification, the manner in which weeds spread, use of any pesticides, and methods for treating infestations. Pesticide use would be limited to non-persistent, immobile pesticides applied only in accordance with label and application permit directions and stipulations for terrestrial and aquatic applications. Any herbicide applications, if used, would be conducted within the framework of BLM and Department of Interior (DOI) policies, and would entail only the use of U.S. Environmental Protection Agency (USEPA) registered pesticides.

Fire Protection

Fires are most likely to be introduced from human activity, but also could occur as a result of lightning strikes or equipment malfunctions. Project-related fire-protection activities would be taken to limit personnel injury, property loss, and project downtime resulting from a fire. During construction, a water truck or other portable trailer-mounted water tank would be kept on-site and available to workers for use in extinguishing small man-made fires. Fire watches would be required during hot work on-site. An Emergency Action Plan (EAP) would designate responsibilities and actions to be taken in the event of a fire or other emergency during construction. The EAP, including fire prevention and suppression, and a worker safety plan would be provided to BLM and local fire departments for approval before the Applicant receives a Notice to Proceed (NTP). During operation and maintenance of the Project, fire protection systems for the solar plant site would include a fire protection water system for protection of the O&M building, including a maximum of 4 hydrants connected into a 1,500 gpm fire line, and portable fire extinguishers. The fire protection water system would be supplied from a 15,000-gallon raw and fire water storage tank located on the solar plant site near the O&M area.

To decrease the risk of fire during operation and maintenance of the Project, all vegetation underneath the trackers would be managed via either mechanical mowing/trimming or with a BLM-approved herbicide in accordance with guidance provided in the BLM Programmatic Environmental Impact Statement; Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States (BLM 2007) and the Final Vegetation Treatments Programmatic Environmental Report (PER). A pre-emergent herbicide would be applied in the spring, and spot foliar applications would be used throughout the year to manage vegetation.

2.4.13 Health and Safety

The Applicant would document worker safety practices and training in a Safety and Health Program to ensure worker safety and minimize worker hazards during construction and operation. The program would include a Personal Protective Equipment (PPE) Program, an Emergency Action Plan (EAP) that designates responsibilities and actions to be taken in the event of an emergency, and an Injury and Illness Prevention Program (IIPP) to address health and safety issues associated with normal and unusual (emergency) conditions associated with the high voltage systems, mechanical systems, and other solar plant operations. Construction-related safety programs and procedures would include a hearing conservation program, respiratory protection program, fall protection procedures, hot work procedures, cranes and rigging/lifting requirements, heavy equipment procedures, and others. An operational emergency response plan would be developed for use by solar plant operators. Safety showers and eyewashes would be provided adjacent to or in the area of all chemical storage and use areas.

2.5 Construction

Unit 1 and associated linear facilities would be constructed first, followed by the construction of Unit 2. The construction of Unit 1 would include the access road, water treatment system, initial gen-tie (consisting of the support towers and first circuit), O&M building, parking area, and the first 125 arrays of 2 MW blocks. Construction activities would include site preparation; construction of the solar array, O&M building, and substations; construction of the gen-tie line, telecommunications line, switchyard, and distribution line. The construction schedule and workforce are described in Section 2.5.10.

2.5.1 Site Preparation

All employees and contractors working in the field would be required to complete an environmental training session before beginning work. The program would include discussions on the biology, distribution, and ecology of any special-status species within the general area of construction as well as the protection of historic and Native American-related resources. Thereafter, site preparation activities would include surveying and staking; vegetation removal, grading and site clearance; fencing; and the installation of temporary area lighting for safety and security purposes.

2.5.2 Solar Array Assembly and Construction

Construction of the tracker or fixed-tilt assemblies may be conducted in a temporary building on-site at the construction laydown area, transported via truck to the proper location, and placed on the pre-installed supports. Support descriptions are given in Section 2.4.1. Alternately, the array assembly could occur adjacent to the installation point. Final assembly typically involves tractors, welding machines, and forklifts to place the trackers onto the support structures. During this work, multiple crews and vehicles would be working on the solar plant site, including flat bed trucks for transporting the arrays. Array construction vehicles would include small all-terrain vehicles (ATVs) or pick-up trucks to transport materials and workers on access roads and array aisles.

Depending on the final PV technology and vendor selected, the design of the tracker support structures could vary. Typical installations of this type are constructed using steel piles or concrete foundations. A typical driven steel pile foundation is galvanized and used where high load bearing capacities are required. The pile is driven using a hydraulic ram where 2 personnel are required. Soil disturbance is restricted to the pile insertion location with temporary disturbance from the hydraulic ram machinery which is about the size of a small tractor. Screw piles are another option for PV foundations which are driven into the ground with a truck-mounted auger requiring two to three personnel. Screw piles create a similar soil disturbance footprint as driven piles. Another steel pile installation option is grouted steel piles. These piles require pre-drilling with auger equipment so that the pile can be inserted into the cleaned hole. The pile then would be grouted into place from bottom to top until grout is flowing out of the top of the hole. Soil disturbance would be the same as the previous steel pile descriptions with additional disturbance from the soil removal and insertion of grout at the pile location. Concrete foundations avoid ground penetration by withstanding the design loads from the weight of the concrete itself. Concrete requires time to cure and could be pre-cast and transported to the site or poured in place for installation. Concrete foundations would reduce ground penetration, but increase the permanent disturbance. The design method and installation time of the support structures depends on the support

structure and block design with driven piles being the fastest installation method. Final construction and installation details would be determined in the detailed design of the Project.

Solar PV panels would be manufactured off-site and shipped to the site ready for installation. Concrete pads for the drive motors would be pre-cast and brought to the site via flatbed truck. Once the majority of the components have been placed on their respective foundations, the electricians and instrumentation installers would run the electrical cabling throughout the solar field.

After the equipment is connected, electrical service would be verified, motors checked, and control logic verified. The various hydraulic systems would be charged with their appropriate fluids and go through individual startup testing. As the solar arrays are installed the balance of the plant would continue to be constructed and installed and the electrical power and instrumentation would be placed. Once all of the individual systems have been tested, integrated testing of the MSEP would occur.

2.5.3 O&M Building and Substation Construction

The two substations would take approximately 4 months each to construct. Each substation would consist of three 230 kV, 1200A SF6 circuit breakers, along with six-1200A vertical break disconnect switches and rigid bus on post insulators and fittings. Construction work within the substation sites would include site preparation and installation of substructures and electrical equipment. Substation materials and equipment would be delivered to and stored at the substation sites, as required, during construction. Galvanized steel would support most of the equipment. Concrete foundations and embedments for equipment would be installed, requiring trenching machines, concrete trucks and pumpers, vibrators, forklifts, boom trucks, and large cranes. Above-ground and below-ground conduits from this equipment would run to a control enclosure that would house the protection, control, and automation relay panels. A station service transformer would be installed for auxiliary AC power requirements. Battery banks would be installed inside the enclosure for DC power requirements of the switchyard. Battery chargers would be included. For personnel safety and equipment protection during faulted conditions, a ground grid would be installed in the substations. Crushed rock would cover the expanded area of the substation. Adequate perimeter lighting would be provided.

The O&M building would be a pre-engineered metal building with metal siding and roof. It would be supported on reinforced concrete mat foundations or individual spread footings as determined during detailed design. The floor would consist of a reinforced 3,000 square foot concrete slab corresponding to the dimensions of the building. Exterior finishes would be constructed as the mechanical and electrical systems are being built inside. Interior finishing work would follow, and final fixtures and equipment would be installed.

2.5.4 Gen-tie Line Installation

The gen-tie line would be installed on a single set of monopole structures, designed for double circuit use. Monopoles would be 80- to 120-feet tall, spaced approximately 800- to 1,000-feet apart between the MSEP substations on the solar plant site to the switchyard and/or CRS. Approximately 125 poles would be required for the gen-tie. A tower pad (approximately 50-feet by 50-feet) would be required for each pole. Porcelain insulators and shield wires would be installed to protect personnel and equipment from lightning strikes and other hazards. A description of the poles is provided in Section 2.4.3.

The gen-tie line would be constructed for operation at 230 kV, the nominal operating voltage of the regional transmission system. The use of 230 kV as the targeted design voltage would be consistent with the industry use of the 230 kV term to describe the nominal voltage for this class of system. The tower designs would be engineered to provide design limits for purposes of the electric and magnetic field studies and in accordance with the current standards. Crossings of the BSPP gen-tie and I-10 would occur in accordance with the most current revision of the Institute of Electrical and Electronics Engineers National Electric Safety Code and the California Public Utilities Commission's Rules for Overhead Line Construction, General Order No. 95. The gen-tie line would be constructed with crews working continuously along the route, with construction of the monopoles and first circuit (i.e., Unit 1 conductors) requiring a peak workforce of approximately 34 workers. Gen-tie construction would involve the following activities:

- Preparation of laydown areas
- Access road and spur road construction
- Pole site preparation and installation
- Circuit installation
- Cleanup and site reclamation

Circuit stringing and cleanup and site restoration activities are described below. Several construction crews would operate simultaneously at different locations along the gen-tie line. Construction would last approximately four days at each pole location. The following subsections describe in more detail the construction activities related to the proposed gen-tie.

Laydown Areas

Preparation of the laydown areas would involve a pre-construction reconnaissance of the area, staking of the boundaries, clearing and grubbing of the laydown area light grading, construction of parking area, installation and construction of temporary construction buildings or trailers and construction and installation of storage areas and facilities.

Road Work

The construction, operation, maintenance, and decommissioning of the proposed gen-tie line would require heavy vehicles to be able to access the tower sites along the road. Existing roads would be used to the extent possible, although new spur roads (described in Section 2.4.3) would be required.

Pole Site Work and Installation

At each site, a work area would be required for the tower footing location, structure assembly, and crane maneuvers. Each such work area (one per pole) would be approximately 400 square feet (20-feet by 20-feet). Each area would be cleared of vegetation only to the extent necessary, and graded only to the extent necessary to facilitate the safe operation of heavy equipment, such as construction cranes.

Installation of new steel or concrete tower structures to support the 230 kV circuit would begin with the excavation of foundations approximately 6-feet in diameter and 20-feet in depth. A vehicle-mounted power auger or backhoe would be used to excavate for the structure foundation. If an auger is used, approximately 2500 square feet temporarily would be disturbed for each tower structure. Although not expected, the use of

a backhoe or blasting could be necessary in some instances because of specific geologic conditions. In the unlikely event blasting is necessary, conventional or plastic explosives would be used. Industry standard safeguards, such as blasting mats, would be employed when adjacent areas require protection. If blasting is used, the temporary disturbance area would be isolated and minimized to disturb only the area required to construct. Once foundation holes have been cleaned, the towers with preassembled insulators, hardware, and stringing sheaves would be lifted into position and inserted into the foundation holes. Gravel or concrete would be poured in to backfill the hole and create a foundation. Any native soil not used to backfill around each pole would be spread around the pole. The gen-tie would result in total permanent disturbance of approximately 500 square feet. Erecting each tower structure would take approximately 6 to 8 hours.

2.5.5 Conductor Stringing

Transmission conductor stringing consists of the installation of the circuits and ground wires needed to connect the electricity generated at the MSEP to the grid. It begins at the onsite MSEP substations, where circuits are strung aboveground from the step-up transformer, through circuit breakers and offsite to the switchyard (for Unit 1) or directly into the CRS (for Unit 2). Pilot lines would be pulled from structure to structure and threaded through the stringing sheaves at each structure. This phase of work would be assisted with the use of a helicopter to position linemen on each structure for hanging stringing wheels and guide rope. The conductors are then pulled back through the stringing wheels using a machine located on the ground. This process would be repeated until all of the conductors are pulled through all sheaves. During the Unit 2 construction, the second circuit would be strung in a similar manner on the same towers that were installed for the Unit 1 gen-tie.

Approximately 25 pulling sites would be required to install the conductors along the route for gen-tie. These sites would be accessed from the access or spur roads described above. The shield wire and conductors would be strung using powered pulling equipment at one end and powered braking or tensioning equipment at the other end, approximately 1 mile apart. Tensioners and/or pullers, line trucks, wire trailers, and tractors needed for stringing and anchoring ground wire or conductor would be necessary at each pulling site. The tensioner, in concert with the puller, would maintain tension on the shield wires or conductors while they are pulled through the structures. For public and existing line protection during wire installation, crossing structures would be erected adjacent to structures requiring protection during conductor installation. Crossing structures would consist of H-frame wood poles placed on either side of an obstacle. These structures would prevent ground wire, conductors, or equipment from falling on an obstacle and would be removed following the completion of conductor installation. Equipment for erecting the crossing structures would be the same as the equipment discussed above for gen-tie tower installation. Crossing structures may not be required for small roads or other areas where suitable safety measures such as barriers, flagmen, or other traffic controls could be used.

2.5.6 New Telecommunications Line

Two independent telecommunication lines would be installed. The primary line would be strung at the top of the gen-tie support towers and would run to each unit's substation. The primary line would be installed as part of the gen-tie construction for Unit 1. The secondary line would be installed underground within the disturbance area of the access or maintenance roads. It could be installed with either unit. Approximately 3 months would be required to install these lines.

2.5.7 CRS Switchyard Construction

The Applicant's contractors would perform the construction work within the switchyard site, including site preparation and installation of substructures and electrical equipment. Switchyard construction would be staged from the gen-tie laydown area and the switchyard site. Following pre-construction activities, the switchyard site would be fenced for security. Underground Service Alert would be contacted to mark the locations of existing buried utilities in the vicinity. Switchyard materials and equipment would be delivered to and stored at the switchyard site, as required, during construction. The switchyard would be constructed with conventional grading and construction equipment. Minor excavation would provide concrete footings for the switchyard equipment. The switchyard site would be graveled with crushed rock for grounding and employee safety purposes.

2.5.8 Distribution Line Installation

Power during the construction period would be supplied via a distribution line to be built by SCE from either the south or east direction of the proposed solar plant site. This distribution line could be used to provide the low voltage supply for operating the various monitoring instruments, computer, access gates, and other low voltage equipment. The exact routing of the distribution line to the proposed solar plant site would be finalized in consultation with SCE, but a proposed potential route is shown on NOP Figure B.

2.5.9 Clean Up and Site Reclamation

Construction sites, material storage yards, and access roads would be kept in an orderly condition during the construction period. Enclosed refuse containers would be used throughout work areas. Trash would be removed from construction sites once per month by a commercial waste facility for disposal at a licensed facility within 20 miles of the Project site. Open burning of construction trash would be prohibited.

2.5.10 Construction Schedule, Equipment and Workforce

Project-related construction activities would occur over 46 consecutive months, with issuance of the Notice to Proceed (NTP) expected in December 2012 and the initiation of preconstruction activities in March 2013. Construction would occur in two stages. Construction of Unit 1 and the linear facilities would occur first and is scheduled to begin following the receipt of the NTP (December 2012). Construction of Unit 2 would begin in spring 2015 to meet the desert tortoise clearance windows. Commercial operation of Unit 2 is anticipated in December 2016. The number of construction workers would range between 43 and 600. Special circumstances could arise that temporarily warrant an increased number of on-site workers. The analysis in this document assumes that up to 750 workers could be on site for a few weeks at a time. Otherwise, the average on-site construction workforce would consist of approximately 341 personnel.

Construction Equipment

The variety of construction equipment and vehicles would be operating at the solar plant site and along the linear facilities would include backhoes, cranes, vibratory post drivers, forklifts, dozers, excavator, grader, rubber-tired loaders, rollers, scrapers, trenchers, dump trucks, water trucks, portable generators, concrete trucks, flatbed trucks, heavy duty delivery trucks, and light duty trucks.

Construction Hours

Construction generally would occur between 7 a.m. and 7 p.m., Monday through Friday, although additional hours could be necessary from time to time to make up schedule deficiencies or to complete critical construction activities. During the startup phase of the MSEP, equipment and system testing and similar activities could continue 24 hours per day, 7 days per week.

Construction Traffic

As the site work progresses, equipment and materials would arrive and be staged in the order of installation. I-10 would provide the main access route to the solar plant site, regardless of whether vehicles come from the east or west. Construction workers as well as equipment, supplies, and other deliveries would travel/be transported to the solar plant site by the same access described in Section 2.2. Construction materials such as fencing, gates, concrete, pipe, wire and cable, fuels, reinforcing steel, building components, and small tools and consumables would be delivered to the site by truck. Other equipment and materials, including the PV modules, tracker assemblies, electrical cables and wires, and other systems, also would be delivered by truck. Only the main transformers are expected to require heavy haul (oversize) transport and transportation permits.

Approximately 10 to 20 deliveries per day (50 mile round-trip each) with a peak of approximately 25 to 30 deliveries per day would be required for the duration of the 46-month construction period. Peak truck travel would occur during the delivery of the modules, trackers, and cabling, and the placement of concrete during plant foundation construction. Truck deliveries would not interfere with the peak on-site worker commute time frame. Gravel, aggregate, and concrete needs would be supplied either from Ehrenburg, Arizona (20 miles from the solar plant site) or from Indio, California (100 miles from the solar plant site), Approximately 5,900 deliveries (50 mile round trip each) would be required to deliver these materials to the site.

Construction worker traffic would vary according to the needed workforce, averaging approximately 341 workers per day. Parking by the workers would occur in designated areas on the solar plant site and not allowed along the shoulders of adjacent streets. Carpooling would be encouraged by the Applicant to reduce construction worker-related vehicle trips to the site.

Construction Power

During construction, temporary utilities would be provided for the construction offices, laydown area, and the solar plant site. This temporary power would be supplied by the distribution line described in Section 2.5.8 or by a temporary onsite generator. Portable generators would provide temporary construction power in the solar field.

2.6 Operation and Maintenance

2.6.1 Operation and Maintenance Workforce

Approximately 20 permanent, full-time personnel would be employed at the solar plant site during daytime working hours. Some operations personnel would be present 7 days per week to provide monitoring and support. Temporary personnel would be employed seasonally for panel washing. Monthly

visual inspections and annual (minimum) preventive maintenance would be performed. In addition, an offsite 24-hour Remote Operations Center would remotely monitor all security devices and automated alarms. Washing crews would conduct panel washing an estimated two times per year.

2.6.2 Automated Facility Control and Monitoring System

The proposed facility control and monitoring system would have two primary components: an on-site supervisory control and data acquisition (SCADA) system and the accompanying sensor network. The on-site SCADA system would offer near real-time readings of the monitored devices, as well as control capabilities for the devices where applicable. Off-site monitoring/data trending systems would collect historical data for remote monitoring and analysis.

2.6.3 Panel Washing

Seasonal maintenance crews would wash the PV panels in the fall and spring, taking approximately 35 days to complete per Unit (for a total of approximately 70 to 75 days per year per Unit). About 60,000 gallons per day (gpd) would be required. Most of the available types of panel wash systems spray filtered water onto the panels from a portable tank mounted in the bed of a pickup truck; some use brushes, rods, or circular cleaning heads to remove debris. Surfactants are not used in these procedures. Process water would be allowed to run off the modules and evaporate or percolate into the ground.

2.6.4 Road Maintenance

The Project would include paved and unpaved roads. Paved roads would be maintained as required to preserve the asphalt surface from degradation. Maintenance would include sealcoating the asphalt surface every two to five years to prevent decay and oxidization. Potholes or damage to paved roads would be repaired as soon as practical. Unpaved roads would be maintained regularly in order to control the flow of water on and around the road, remove obstacles, and maintain a solid surface. Maintenance would be completed by conducting regular surveys to inspect the conditions of the road surfaces; blading, grading or compacting the road surfaces to preserve a minimally sloped and smooth planed surface; and applying dust palliatives or aggregate base as needed to reduce dust and further erosion.

2.7 Decommissioning and Site Reclamation

2.7.1 Decommissioning of Applicant Facilities

Solar Plant Site Facilities

The Applicant has applied for a BLM ROW grant and County permits with 30-year terms. At the end of the 30 year term, or after the expiration of any permit extensions, MSEP would cease operation. At that time, Project facilities would be decommissioned and dismantled and the site restored. Decommissioning activities would require approximately 6,000 truck trips, a workforce of approximately 300 workers, and approximately 24 months to complete. Activities would include:

- Dismantling and removing of all aboveground equipment
- Excavation and removal of all below-ground cabling

- Removal of posts
- Removal of roads (both graveled and paved, including the aggregate base)
- Break-up and removal of concrete pads and foundations
- Removal of septic system and leach field
- Scarification of compacted areas

PV panels are expected to be capable of producing electricity for 25 years or more. The panels are warranted for 25 years of 80 percent output and 5 years of material and workmanship. Because it is expected that the proposed PV panels would continue to produce electricity post-MSEP, the Applicant proposes to reuse the panels when the Project is decommissioned and then to recycle them at the end of their useful life. Decommissioning and reuse would involve removal of the panels for sale into a secondary PV panel market.[2] The majority of the remaining MSEP components would be recycled. Equipment, such as drive controllers, inverters, transformers, and switchgear, can be either re-used or their components recycled. Poured concrete pads would be removed and recycled or reused as clean fill. Appropriate hazardous materials control and erosion control measures would be used throughout the decommissioning process. It is anticipated that such controls would be substantially similar to those implemented during construction.

Gen-tie Line, Telecommunications Lines, and Switchyard

Decommissioning would be competed using traditional heavy construction equipment including but not limited to front end loaders, cranes, track mounted and rubber tired excavators, and motor graders. Although various types of decommissioning and demolition equipment would be utilized to dismantle each type of structure or equipment, dismantling would proceed according to the following general staging process. The first stage consists of dismantling and demolition of above-ground structures to be removed. The second stage consists of concrete removal as needed to ensure that no concrete structure remains within 3-feet of final grade (i.e., pole foundations) as appropriate. The third stage is excavation and removal of soils and broken concrete, and final stage is site contouring to return the originally disturbed area of the site to near original conditions while disturbing as little of the other site areas as is practical. Activities associated with the decommissioning of this line, if it occurs, are expected to require a workforce of approximately four workers with a backhoe, dump truck, and flatbed truck, and would take approximately three weeks to complete.

2.7.2 Decommissioning of SCE Facilities

SCE would own and operate the proposed distribution line. If SCE has no additional obligations or legal rights to maintain and operate the line on the Project site, SCE could decommission and dismantle its own facilities and restore the site. Activities associated with the decommissioning of this line, if it occurs, are expected to require a workforce of approximately four workers with a backhoe, dump truck, and flatbed truck, and would take approximately three weeks to complete. Activities would consist of removing the distribution lines from the interconnection point to the MSEP substations and removing the poles between the interconnection point and the MSEP substations, and backfilling the holes with on-site native soil. The CRS would remain in place.

[2] The Applicant expects a robust global market for used PV panels based on the rise in global electricity demand, increase in electricity prices, and anticipated acceleration of demand for solar energy for decades to come. Third world off-grid applications also are expected to boom as used PV panels become available at a fraction of the current cost.

U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE
California Desert District

Release Date: 08/29/11
Contacts: David Briery, 951-697-5220
Steve Razo , 951-697-5217

News Release No. CA-CDD-11-71

BLM Initiates an Environmental Review of the Proposed McCoy Solar Energy Project in Riverside County

The Bureau of Land Management (BLM) today published a notice of intent (NOI) to conduct an environmental review of the impacts of a proposed solar photovoltaic generating facility near Blythe in Riverside County.

McCoy Solar, LLC has requested a right-of-way authorization to construct a facility that would generate up to 750 megawatts of power. The project would be on about 7,700 acres of public land and 470 acres of private land under the land-use authority of Riverside County. A proposed 16-mile generation-tie line would require approximately 200 acres of public and private lands. The proposed 20-acre switch yard would connect into the adjacent Southern California Edison Colorado River Substation.

The BLM and Riverside County will prepare a joint Environmental Impact Statement (EIS) and Environmental Impact Report (EIR) to analyze the site-specific impacts of the proposed project, which would also require an amendment to the California Desert Conservation Area Plan. The EIS/EIR will analyze the site-specific impacts on air quality, biological resources, cultural resources, water resources, geological resources and hazards, hazardous materials handling, land use, noise, wilderness characteristics, visual resources and transmission system engineering, and transmission-line safety.

Publication of the NOI initiates a public scoping period of 30 days, ending Sept. 28, 2011. During the scoping period, the BLM and the county will solicit public comments on planning issues, concerns, potential impacts, alternatives, and mitigation measures that should be considered in the analysis of the proposed action.

A joint public scoping meeting will be held with the BLM and Riverside County at a location and date to be determined. The BLM and the county will use the public scoping comments received to prepare the draft plan amendment and EIS/EIR to be available for public review in early 2012.

Further details on the proposed McCoy Solar Energy Project can be found at: http://www.blm.gov/ca/st/en/fo/cdd.html. For information, contact Jeffery Childers at (951) 697-5308, or e-mail jchilders@blm.gov.

--BLM--

California Desert District 22835 Calle San Juan de Los Lagos Moreno Valley, CA 92553

Last updated: 08-29-2011

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U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT NEWS RELEASE
California Desert District

Release Date: 09/02/11
Contacts: David Briery , (951) 697-5220 or
Stephen Razo, (951) 697-5217

BLM Schedules Public Scoping Meeting for Proposed McCoy Solar Energy Project in Riverside County

The Bureau of Land Management (BLM) has scheduled a public scoping meeting on September 20, 2011 for the proposed McCoy Solar Energy Project in Riverside County. The meeting will be held from 6:00 p.m. to 9:00 p.m. at the UCR Palm Desert Graduate Center, 75-080 Frank Sinatra Drive, University Building B, Auditorium 1, Palm Desert, Calif.

The BLM published a notice of intent (NOI) to conduct an environmental review for the McCoy Solar Project on August 29, 2011 which initiated a public scoping period of 30 days, ending Sept. 28, 2011. The scheduled scoping meeting will allow the BLM and the county to solicit public comments on planning issues, concerns, potential impacts, alternatives, and mitigation measures that should be considered in the analysis of the proposed action.

McCoy Solar, LLC has requested a right-of-way authorization to construct a facility that would generate up to 750 megawatts of power. The project would be on about 7,700 acres of public land and 470 acres of private land under the land-use authority of Riverside County. A proposed 16-mile generation-tie line would require approximately 200 acres of public and private lands. The proposed 20-acre switch yard would connect into the adjacent Southern California Edison Colorado River Substation.

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Further details on the proposed McCoy Solar Energy Project can be found at: http://www.blm.gov/ca/st/en/fo/cdd.html. For information, contact Jeffery Childers at (951) 697-5308, or e-mail jchilders@blm.gov.

--BLM--

California Desert District 22835 Calle San Juan de Los Lagos, Moreno Valley, CA 92553

Last updated: 09-02-2011

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Crossword

ACROSS

1 Engrossed
5 Old man
8 Rabbit's tail
12 Wrinkly fruit
13 Japanese sash
14 "My bad"
15 Let fall
16 Joker
17 — -tat-tat
18 Ohio city
20 Tailor, humorously
22 Frequently
23 Speck
24 Freeway access
27 Adverse
32 Hearty brew
33 Author Santha Rama —
34 Sundial numeral
35 Hat seller
38 Automaker Ransom Eli —
39 Pitch
40 Sine qua —
42 It had a big part in the Bible
45 Masticated
49 Famous cookie man
50 Egg-yung link
52 Made on a loom
53 New Zealand symbol
54 Coach, Parseghian
55 Mat melody
56 Coastal flyer
57 Deterioration
58 Holler

DOWN

1 "Our Idiot Brother" star Paul
2 Taj Mahal city
3 Tactic
4 Excellent
5 Business decline
6 Lawyers' org.
7 Uses a shovel
8 "Parting is such sweet —"
9 Man's jacket feature
10 Doing
11 Dispot
19 "Three Little Pigs"
21 Fuss
24 Arles
25 Clay, today
26 Loss of self-control
28 Dundee denial
29 Traitor
30 Disencumber
31 Insult (Sl.)
36 Legendary TV pooch
37 Anger
38 Unilateral
41 "I see"
42 Croupier's tool
43 Eastern potentate
44 Somewhere out there
46 Had on
47 Maleficent
48 Transaction
51 Acapulco gold

Solution time: 25 mins.

B	O	N	D		E	G	O		A	V	O	W
O	B	O	E		M	O	O		M	E	N	U
B	I	G	M	O	U	T	H		A	R	C	S
S	T	O	O	D			S	L	I	M	E	S
				T	E	A	S		O	N	O	
W	I	P	E		B	U	R	N		U	S	A
A	L	L		A	L	G	A	E		T	E	D
S	L	Y		C	Y	A	N		C	H	E	Z
			M	U	M		R	I	N	D		
S	O	O	N	E	R			A	R	D	O	R
O	P	U	S		Y	A	R	M	O	U	T	H
F	E	T	A		E	W	E		M	E	T	E
A	C	H	Y		S	E	X		S	T	O	A

Yesterday's answer 10-6

Public Notice

No 3257
NOTICE OF SCOPING SESSION

A SCOPING SESSION has been scheduled before the RIVERSIDE COUNTY PLANNING DIRECTOR in order to bring together and hear the concerns of affected federal, state and local agencies, the proponent of the proposed project, and other interested persons; as well as inform the public of the nature and extent of the proposed project described below, and to provide an opportunity to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the Environmental Impact Report and help eliminate from detailed study issues found not to be important.

The Scoping Session is not a public hearing on the merit of the proposed project and NO DECISION on the project will be made. Public testimony is limited to identifying issues regarding the project and potential environmental impacts. The project proponent will not be required to provide an immediate response to any concerns raised. The project proponent will be requested to address any concerns expressed at the Scoping Session, through revisions to the proposed project and/or completion of a Final Environmental Impact Report, prior to the formal public hearing on the proposed project. Mailed notice of the public hearing will be provided to anyone requesting such notification.

ENVIRONMENTAL IMPACT REPORT NO.: 528

PROJECT CASE NO(S). / TITLE: CONDITIONAL USE PERMIT NO. 3671 / PUBLIC USE PERMIT NO. 911 / ENVIRONMENTAL IMPACT REPORT NO. 528

PROJECT LOCATION: Northerly of Interstate 10, southerly of McCoy Wash, easterly of McCoy Mountains, westerly of Blythe Airport, approximately 13 miles northwest of the City of Blythe, California.

PROJECT DESCRIPTION: McCoy Solar, LLC, a subsidiary of NextEra Energy Resources LLC, has requested a Conditional Use Permit and a Public Use Permit to construct, operate, maintain, and decommission a 46 Megawatt (MW) solar photovoltaic (PV) solar power plant on approximately 477 privately owned acres as part of an overall 750 MW PV solar power plant project located on a total of approximately 5,363 acres (private land and public land administered by the Bureau of Land Management (BLM)). The overall 750 MW solar power plant project would be developed in two phases, to be called Unit 1 and Unit 2. Unit 1, which includes the 477 acre portion of the solar power plant site subject to the Conditional Use Permit, is expected to have an overall 250 MW capacity. Necessary facilities on the private lands subject to County jurisdiction include solar arrays and inverters, portions of the access road, portions of the double-circuit 230 kV generation tie line, electrical power distribution line, and telecommunications line. A single-axis tracking system or a fixed tilt ground mount will be used for the structures that support the PV panels. The proposed 13.7 mile generation tie line, with a BLM-administered right-of-way width of 100 feet, would require about 200 acres of public and private lands. A portion of the project's generation tie line crosses County owned land approximately nine (9) miles to the south of the solar power plant site which will be subject to a Public Use Permit. The proposed 2 acre switch yard would be located adjacent to and connect into Southern California Edison's proposed Colorado River Substation. Security lighting is proposed at key areas such as entrance and substations to be hooded along with perimeter security fencing. The proposed project would operate year-round. APN's 818-241-020, 818-200-009, 879-080-022, 812-120-001, 812-130-011, 879-080-031, 812-130-013, 812-130-009, 812-130-010, 812-120-008, 812-130-012, 812-120-004, 879-080-021, 812-120-006, 879-090-032, 818-160-018, 818-160-010, 818-160-010, 818-160-003, 812-120-002, 812-120-003, 818-180-017, 818-241-019, 818-180-011, 818-160-011, 879-080-025, 879-080-020, 812-130-006, 812-130-008, 812-130-007, 812-120-007, 818-242-025, 818-210-003, 879-090-001, 818-210-004, and 818-241-021.

TIME OF SCOPING SESSION:
6:00 p.m. or as soon as possible thereafter.
DATE OF SCOPING SESSION:
October 19, 2011
PLACE OF SCOPING SESSION:
Blythe City Council Chambers
235 N. Broadway
Blythe, CA 92225

Please send all written correspondence to: RIVERSIDE COUNTY PLANNING DEPARTMENT Attn: Jay Olivas P.O. Box 1409, Riverside, CA 92502-1409

For further information regarding this project, please contact Project Planner, Jay Olivas at 951-955-1195, or e-mail jolivas@rctlma.org.

Published: 10/6/11

Public Notice

No. 3213
Riverside County Superior Court
Notice of Sheriff's Sale of Real Property
(CCP 701.540)
Levying Officer File No: 2011021629
Case No: INC 067340
Date: 09/01/2011

Under a Writ of Execution issued out of the above court on 1/6/2011, on a judgment rendered on 12/10/2007 for the sum of $47,842.33; I have levied upon all the rights, title, claim and interest of the judgment debtor(s), Kenneth Eugene Ealy, Jr in the real property, in the County of Riverside, described as follows: Lot #68; Vacant Land; North Shore, CA 92254

LEGAL DESCRIPTION
Lot 68 of North Shore Beach Estates, as per Map Recorded in Book 36, Pages 23, and 24 of Maps, in the office of the County Recorder of Riverside County
APN: 723-222-005-5

Minimum Bid Amount (if applicable): $0.00 (Estimated)

PROSPECTIVE BIDDERS SHOULD REFER TO SECTIONS 701.510 to 701.680, INCLUSIVE, OF THE CODE OF CIVIL PROCEDURE FOR PROVISIONS GOVERNING THE TERMS, CONDITIONS, AND EFFECT OF THE SALE AND THE LIABILITY OF DEFAULTING BIDDERS.

PUBLIC NOTICE IS HEREBY GIVEN that I will proceed to sell at public auction to the highest bidder, for cash in lawful money of the United States, all the rights, title and interest of said judgment debtor(s) in the above described property, or so much thereof as may be necessary to satisfy said Writ or Warrant, with accrued interest and costs on:
Date and Time of Sale: 10/27/2011 10:00 AM, Location: Riverside County Sheriff, Court Services East 46-200 Oasis St. Rm. B-15, Indio Ca 92201.
Directions to the property location can be obtained from the levying officer upon oral or written request.
Stanley Sniff, Sheriff-Coroner
By/s/ Ana Garcia, Sheriff's Authorized Agent.
LIENS MAY BE PRESENT WHICH MAY OR MAY NOT SURVIVE THIS LEVY

Published: 9/29, 10/6, 10/13/2011

Public Notice

No. 3079
Fictitious Business Name Statement
File No. f2011-02307
The following person is doing business as:
Advanced Medical Aesthetics 73-660 El Paseo #4 Palm Desert CA 92260
Riverside County
Full name of Registrant
Carmela Zamora McMaster 121 Brisa Dr Palm Desert CA 92211
Full name of Registrant
Sharon Annette Turner 74-590 Arroyo Dr Indian Wells CA 92210
This Business is conducted by: Co-partners
Registrant has not yet begun to transact business under the fictitious business name or names listed above
I declare that all the information in this statement is true and correct. (A registrant who declares as true, information which he or she knows to be false is guilty of a crime.)
/s/ Sharon Annette Turner
NOTE: This statement expires 5 years from the filing date. The filing of this statement does not of itself authorize the use in this state of a Fictitious business name in violation of the rights of another under Federal, State, or Common Law (sec. 14411 et. sec. B&P) This statement was filed 8/22/11
LARRY W. WARD, Riverside County Clerk
By: T. Jenson, Deputy
Pub9/15,22,29, 10/6/11

Public Notice

No 3226
NOTICE OF TRUSTEE'S
0022514 Title Order No. 1
806-170-065-3 YOU ARE I
DEED OF TRUST, DATE
UESS YOU TAKE ACTION
PROPERTY, IT MAY BE
SALE. IF YOU NEED A
THE NATURE OF THE PR
YOU, YOU SHOULD CO
Notice is hereby given that
PANY, N.A., as duly appoi
the Deed of Trust executed
RAZZANI, A SINGLE MAN
recorded 5/9/2008, as I
0250353, in Book , Page
the office of the County
County, State of California
at 10:00AM, In front of th
649 W. Sixth Street, Corn
CA at public auction, to
cash or check as describe
at time of sale, all right,
veyed to and now held b
Trust, in the property situ
State and as more fully
referenced Deed of Trust,
other common designatio
property described abov
80582 PHILADELPHIA
92201. The undersigned
ability for any incorrectne
and other common desi
herein. The total amoun
with interest thereon of th
the property to be sold pl
costs, expenses and adv
Initial publication of th
$297,806.37. It is possib
the opening bid may be le
edness due. In addition
accept cashier's checks
tional bank, a check dra
credit union, or a check d
al savings and loan asso
tion, or savings bank spe
ifrs Financial Code and a
in this state. Said sale wi
condition, but without co
press or implied, regardin
cumbrances, to satisfy th
by said Deed of Trust, a
interest as provided, an
the Note secured by said
est thereon as provided
charges and expenses o
trustee created by said D
by the provisions of sect
nia Civil Code, the
mortgagee, beneficiary
tached to the Notice of T
ed with the appropriate C
DATED: 06/17/2010
NY, N.A. 1600 Tapo Ca
SIMI VALLEY, CA 930
tion: (800) 281 8219 By
ger RECONTRUST C

Public Notice

No 3160
NOTICE OF TRUSTEE'S SALE T.S. No: K514337 CA Unit Code: K Loan No. 4001165101/PINEDA Investor No: 0094532512 AP #1: 680-421-008-7 POWER DEFAULT SERVICES, INC., as duly appointed Trustee under the following described Deed of Trust WILL SELL AT PUBLIC AUCTION

Public Notice

No 3146
NOTICE OF TRUSTEE'S SALE T.S No. 1299185-10 APN: 008-600-826-4 TRA: 011003 LOAN NO: Xxxxxx4981 REF: Harold Ebers, Richar IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED August 04, 2006. UNLESS YOU TAKE

Public Notice

No 3215
NOTICE OF TRUSTEE'S SALE
TS Lawyers Title Insurance Corporation
Order Number 20900801 apn #688-142-010-0
YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED April 18,2005. Unless You Take Action To Protect Your Property, It May Be Sold

NOTICE OF SCOPING SESSION

A SCOPING SESSION has been scheduled before the **RIVERSIDE COUNTY PLANNING DIRECTOR** in order to bring together and hear the concerns of affected federal, state and local agencies, the proponent of the proposed project, and other interested persons; as well as inform the public of the nature and extent of the proposed project described below, and to provide an opportunity to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the Environmental Impact Report and help eliminate from detailed study issues found not to be important.

The Scoping Session is **not** a public hearing on the merit of the proposed project and **NO DECISION** on the project will be made. **Public testimony is limited to identifying issues regarding the project and potential environmental impacts.** The project proponent will not be required to provide an immediate response to any concerns raised. The project proponent will be requested to address any concerns expressed at the Scoping Session, through revisions to the proposed project and/or completion of a Final Environmental Impact Report, prior to the formal public hearing on the proposed project. Mailed notice of the public hearing will be provided to anyone requesting such notification.

ENVIRONMENTAL IMPACT REPORT NO.: **528**

PROJECT CASE NO(S). / TITLE: **CONDITIONAL USE PERMIT NO. 3671 / PUBLIC USE PERMIT NO. 911 / ENVIRONMENTAL IMPACT REPORT NO. 528**

PROJECT LOCATION: Northerly of Interstate 10, southerly of McCoy Wash, easterly of McCoy Mountains, westerly of Blythe Airport, approximately 13 miles northwest of the City of Blythe, California.

PROJECT DESCRIPTION: McCoy Solar, LLC, a subsidiary of NextEra Energy Resources LLC, has requested a Conditional Use Permit and a Public Use Permit to construct, operate, maintain, and decommission a 46 Megawatt (MW) solar photovoltaic (PV) solar power plant on approximately 477 privately owned acres as part of an overall 750 MW PV solar power plant project located on a total of approximately 5,363 acres (private land and public land adminstered by the Bureau of Land Management (BLM)). The overall 750 MW solar power plant project would be developed in two phases, to be called Unit 1 and Unit 2. Unit 1, which includes the 477 acre portion of the solar power plant site subject to the Conditional Use Permit, is expected to have an overall 250 MW capacity. Necessary facilities on the private lands subject to County jurisdiction include solar arrays and inverters, portions of the access road, portions of the double-circuit 230 kV generation tie line, electrical power distribution line, and telecommunications line. A single-axis tracking system or a fixed tilt ground mount will be used for the structures that support the PV panels. The proposed 13.7 mile generation tie line, with a BLM-administered right-of-way width of 100 feet, would require about 200 acres of public and private lands. A portion of the project's generation tie line crosses County owned land approximately nine (9) miles to the south of the solar power plant site which will be subject to a Public Use Permit. The proposed 2 acre switch yard would be located adjacent to and connect into Southern California Edison's proposed Colorado River Substation. Security lighting is proposed at key areas such as entrance and substations to be hooded along with perimeter security fencing. The proposed project would operate year-round. APN's 818-241-020, 818-200-009, 879-080-022, 812-120-001, 812-130-011, 879-090-031, 812-130-013, 812-130-009, 812-130-010, 812-120-008, 812-130-012, 812-120-004, 879-080-021, 812-120-006, 879-090-032, 818-180-018, 818-180-010, 818-160-010, 818-160-003, 812-120-002, 812-120-003, 818-180-017, 818-241-019, 818-180-011, 818-160-011, 879-080-025, 879-080-020, 812-130-006, 812-130-008, 812-130-007, 812-120-007, 818-242-025, 818-210-003, 879-090-001, 818-210-004, and 818-241-021.

TIME OF SCOPING SESSION:	**6:00 p.m.** or as soon as possible thereafter.
DATE OF SCOPING SESSION:	**October 19, 2011**
PLACE OF SCOPING SESSION:	**Blythe City Council Chambers** **235 N. Broadway** **Blythe, CA 92225**

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Jay Olivas
P.O. Box 1409, Riverside, CA 92502-1409

For further information regarding this project, please contact Project Planner, Jay Olivas at 951-955-1195, or e-mail jolivas@rctlma.org.

Pub: October 7, 2011

NEXTera® ENERGY RESOURCES

Fact Sheet

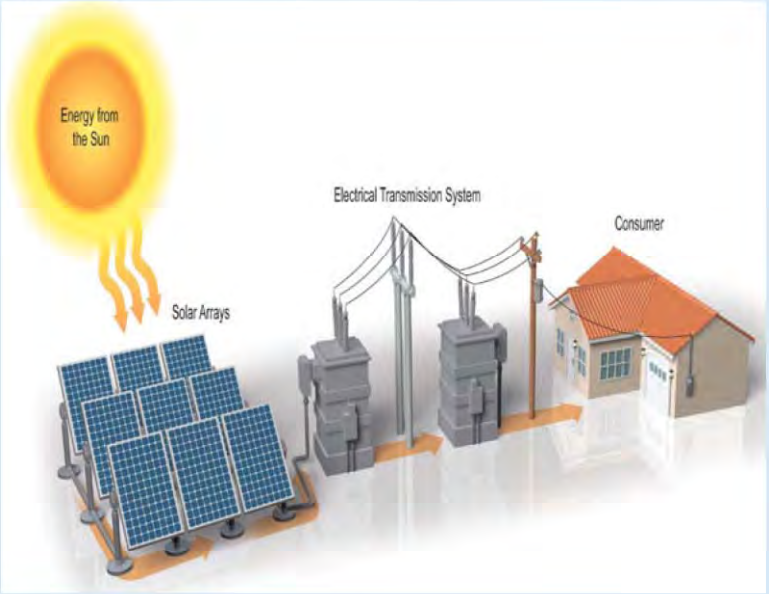
McCoy Solar Energy Project

Overview

- Located in Riverside County, 13 miles northwest of Blythe, California
- A proposed up-to 750-megawatt photovoltaic solar energy generating facility, capable of generating enough electricity to power approximately 264,000 homes
- Would be built, owned and operated by McCoy Solar, LLC, a subsidiary of NextEra Energy Resources, LLC
- The majority of the project would be developed on public land administered by the Bureau of Land Management (BLM) in two phases (approximately 4,165 acres of BLM land; approximately 469 acres of private land)
- Would avoid approximately one million tons of carbon dioxide that would have been produced if the electricity had been generated using fossil fuels
- Proposed interconnection with the Colorado River Substation

How McCoy Solar Energy Project Would Work

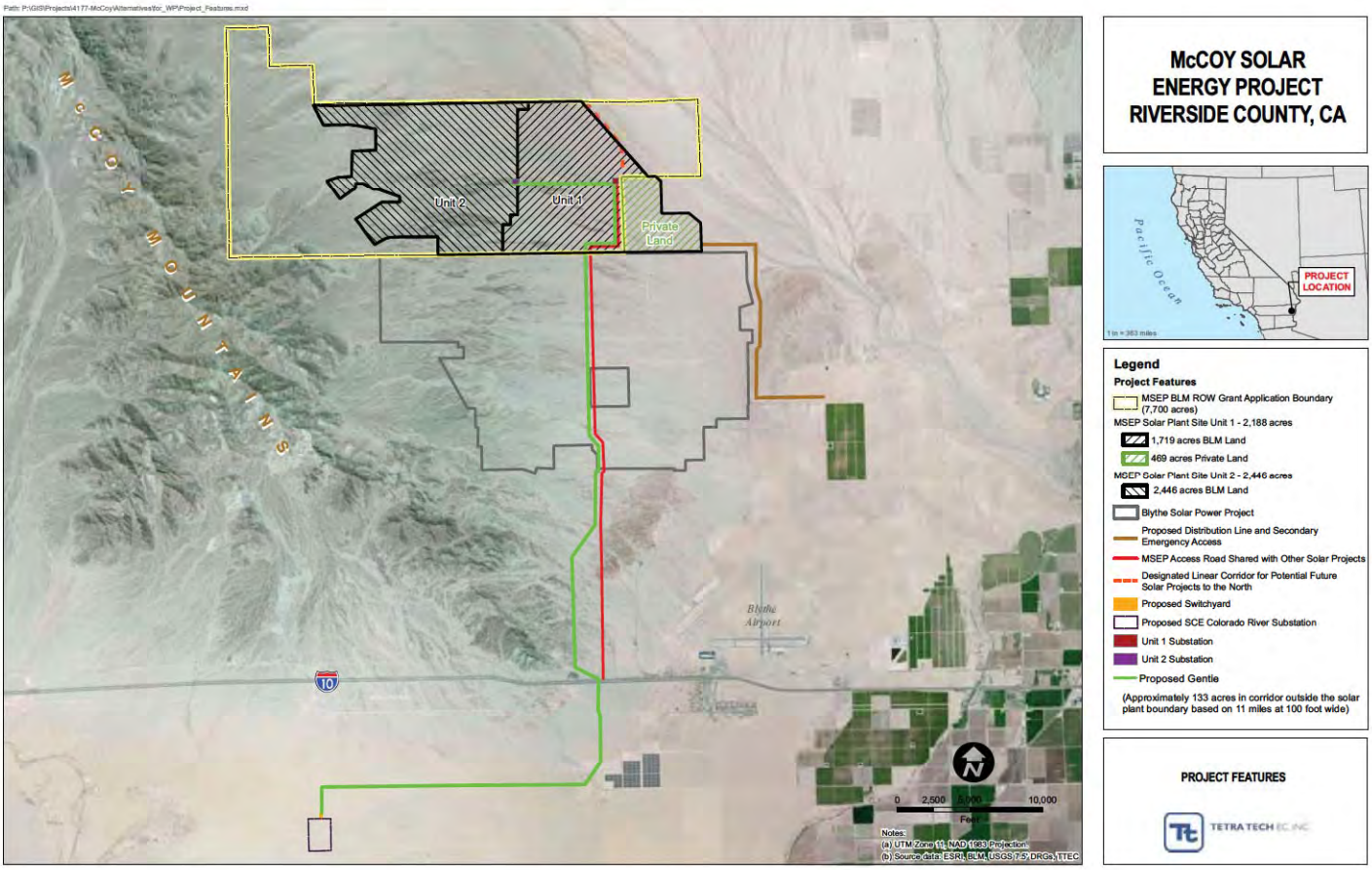
As sunlight hits the solar panels, the solar radiation is converted into direct current (DC) electricity. The direct current flows into power inverters, where it is converted into alternating current (AC), which can be used by local electric utilities. Finally, the electricity travels through transformers, and the voltage is boosted for delivery onto the transmission grid for local electric utilities to distribute the electricity to homes and businesses.



About NextEra Energy Resources

- A leading clean energy provider operating wind, natural gas, solar, hydroelectric and nuclear power plants
- Approximately 18,900 megawatts of generating capacity in 26 states and Canada
- The largest wind generator in North America with facilities in 17 states and Canada
- A subsidiary of NextEra Energy, Inc., with headquarters in Juno Beach, Florida
- Approximately 95 percent of our electricity comes from clean or renewable sources
- Visit us at www.NextEraEnergyResources.com

-As of Jan. 2011



Benefits

- » Safe, clean and reliable power for California
- » Local employment opportunities
  - -- peak construction, close to 600 workers; two-year average, about 341 construction workers
  - -- once operational, approximately 20 full-time employees
- » Economic stimulus
  - -- facility payroll
  - -- increased purchases of local goods and services during construction and long-term operation
  - -- increased sales tax revenue
  - -- additional demand for local housing

Environmental Permitting

Preparations are underway to submit applications for all required permits for this project. The BLM, Riverside County, California Department of Fish & Game and other state and federal agencies are participating in the project permitting process. All permits and reviews are expected to be complete in 2012.

The proposed location for the McCoy Solar Energy Project near Blythe, California

Public Comment Card

McCoy Solar Energy Project

Commentor Name: _____ Date: _____

Address: _____

Comment: _____

By submitting a scoping comment you will receive a copy of the EIS. Please indicate the format you would prefer:

☐ Compact Disk (CD) or ☐ Hardcopy

How to Comment:

Hardcopy: Use the form on the other side of this sheet. Please fold and staple this form and mail to the address below

Email: camccoysep@blm.gov Make sure subject line reads "McCoy Solar Energy Project"

☐ Public comments, including names and street addresses of respondents, will be available for public review at Bureau of Land Management, 22835 Calle San Juan de Los Lagos, Moreno Valley, CA 92553, during regular business hours (8:00 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Individual respondents may request confidentiality. **If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you MUST check this box.** Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Place stamp here

Bureau of Land Management
c/o Jeffery Childers, Project Manager
22835 Calle San Juan de Los Lagos
Moreno Valley, CA 92553

McCoy Solar Energy Project

Public Comment Card

McCoy Solar Energy Project

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Commentor Name: _____ Date: _____

Address: _____

Comment: _____

By submitting a scoping comment you will receive a copy of the EIS/EIR. Please indicate the format you would prefer:

☐ Compact Disk (CD) or ☐ Hardcopy

How to Comment:

Hardcopy: Use the form on the other side of this sheet. Please fold and staple this form and mail to the address below

Place stamp here

Riverside County Planning Department
c/o Jay Olivas, Project Planner
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409

McCoy Solar Energy Project

September 20, 2011

UCR Palm Desert
75-080 Frank Sinatra Dr.
Palm Desert, CA 92211

McCoy Solar Energy Project

Bureau of Land Management

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

_____

Name (Print)

_____

Agency (if applicable)

_____

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

_____ _____

Phone Number **Email**

September 20, 2011

UCR Palm Desert
75-080 Frank Sinatra Dr.
Palm Desert, CA 92211

McCoy Solar Energy Project

Bureau of Land Management

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

_____

Name (Print)

_____

Agency (if applicable)

_____

Address City Zip Code

_____ _____

Phone Number Email

October 19, 2011

McCoy Solar Energy Project

Riverside County Planning Department

City Council Chambers
235 N. Broadway
Blythe, CA 92225

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

_____

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

_____ _____

Phone Number **Email**

October 19, 2011

McCoy Solar Energy Project

Riverside County Planning Department

City Council Chambers
235 N. Broadway
Blythe, CA 92225

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

_____

Name (Print)

_____

Agency (if applicable)

_____

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

_____ _____

Phone Number **Email**

BUREAU OF LAND MANAGEMENT
and
COUNTY OF RIVERSIDE

McCoy Solar Energy Project

SCOPING MEETING

September 20, 2011

Meeting Format

- Opening and Introductions
- BLM Presentation – Jeff Childers
- County Presentation – Jay Olivas
- NextEra Presentation – Kenneth Stein
- Instructions for the Open House – Jeff Childers
- Public Open House
- Meeting Closes at 9:00 p.m.

National Environmental Policy Act

NEPA

- Purpose of this Meeting
- Establishes a public, interdisciplinary framework for Federal decision-making
- Ensures that agencies take environmental factors into account when considering Federal actions
- Required environmental analysis documents include environmental impact statements (EISs) and environmental assessments (EAs)

BLM's Role

- **BLM Authority**
  - Administration of public lands under Federal Land Policy and Management Act of 1976 (FLPMA)
  - Review of the Land Use Plan and processing of an EIS-Level Land Use Plan Amendment (PA/EIS)
  - California Desert Conservation Plan (1980, as Amended)
  - Issuance of right-of-way grants for use of federal land
  - Lead federal agency for National Environmental Policy Act (NEPA), National Historic Preservation Act, and other federal law compliance
  - Lead agency for consultation with the Fish and Wildlife Service under Section 7 of the Endangered Species Act

Summary of BLM ROW Processing and Administration

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

BLM Authorized Officer's Role

- Initial Response to Proposal
- Pre-application Screening
- Accept Application or Reject Proposal
- Process Application / Land Use Plan Amendment (PA)
  - Conduct Formal Scoping
  - Prepare BLM Planning / NEPA Document (PA/EIS)
- Approve LUP Amendment / Decision on Application
- Authorize the Use and Establish Monitoring
- Administer through Termination

BLM LUP Amendment / NEPA Process (PA / EIS)

Notice of Intent

Public Scoping Period

Alternative Formulation

Notice of Availability (NOA) for Draft PA / Draft EIS

NOA Initiates a 90-day Public Review & Comment Period

NOA for Proposed PA / Final EIS

NOA Initiates a 30-day Protest Period on Proposed PA

Approved PA and Record of Decision

Notice to Proceed / Monitor Project

Riverside County's Role

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

California Environmental Quality Act

- Requires environmental review of projects that need discretionary approvals by local and state agencies
- Focused on analysis of "significant" impacts
- Preparation of an environmental impact report (EIR) is required for projects that would have a significant impact on the environment

The EIR Process

- Distribute Notice of Preparation (NOP)
- Prepare Draft EIR
  - Identify and analyze significant impacts
  - Recommend measures to avoid/reduce impacts
  - Evaluate a reasonable range of alternatives
- Circulate the Draft EIR for public review
- Respond to comments and prepare the Final EIR
- After completion of the EIR process, decision makers can render a decision on the project

NEPA and CEQA Environmental Issue Areas

- Air Resources
- Cultural Resources
- Environmental Justice, Social Economics / Population and Housing
- Noise
- Public Services, Utilities
- Global Climate Change
- Paleontological Resources
- Public Health and Safety / Hazards and Hazardous Materials
- Recreation
- Transportation and Public Access - OHV
- Soils Resources / Geology
- Lands and Realty, Multiple Use Classes, Special Designations / Land Use and Planning
- Vegetation and Wildlife Resources / Biology
- Visual Resources
- Livestock and Grazing, Wild Horse and Burros / Agriculture and Forestry
- Wildland and Fire Ecology
- Water Resources / Hydrology

Public Participation Opportunities

- Submit written comments or statements
- Become a Formal Cooperating Agency with BLM
- Provide comments at public meetings
- Participate in workshops
- Provide written comments on Scoping, the DEIR/DEIS and FEIR/FEIS

BLM Contacts and Comment Web Site

- **Jeffery Childers, NEPA Coordinator**
  - Phone: (951) 697-5308
  - e-mail: jchilders@blm.gov

- **BLM Web Page:**
  http://www.blm.gov/ca/st/en/prog/energy/fasttrack/mccoy/fedstatus.html

- **Scoping comments to:**

  McCoy Solar Energy Project Scoping Comments
  c/o Jeffrey Childers, Project Manager
  Bureau of Land Management
  California Desert District Office
  22835 Calle San Juan de Los Lagos
  Moreno Valley, CA 9255

Or email comments to: camccoysep@blm.gov

Riverside County Contacts

- **Jay Olivas, Planner IV**
  - Phone: (951) 955-1195
  - Email: jolivas@rctlma.org
- **County Web Page**: http://www.tlma.co.riverside.ca.us/planning/
- **Comments to:**

  McCoy Solar Energy Project Scoping Comments
  c/o Jay Olivas, Planner IV
  Riverside County Planning Department
  4080 Lemon Street, 12th Floor
  Riverside, CA 92501

Comment Information

Please send comments to the BLM or County

- **BLM Address:**
  McCoy Solar Energy Project Scoping Comments
  c/o Jeffery Childers, NEPA Coordinator
  Bureau of Land Management
  California Desert District Office
  22835 Calle San Juan de Los Lagos
  Moreno Valley, CA 92553

  BLM Email: camccoysep@blm.gov

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  c/o Jay Olivas, Planner IV
  Riverside County Planning Department
  4080 Lemon Street, 12th Floor
  Riverside, CA 92501

  County Email: jolivas@rctlma.org

Riverside County Planning Department

McCoy Solar Energy Project

SCOPING MEETING

October 19, 2011

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Meeting Format

- Opening and Introductions
- County Presentation – Ken Baez
- BLM Presentation – Jeff Childers
- NextEra Presentation – Meg Russell
- Public Comments
- Public Open House
- Meeting Closes at 9:00 p.m.

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Riverside County's Role

- Conditional Use Permit approval
- Public Use Permit approval
- Lead Agency for the California Environmental Quality Act (CEQA)

RIVERSIDE COUNTY
PLANNING DEPARTMENT

California Environmental Quality Act

- Requires environmental review of projects that need discretionary approvals by local and state agencies
- Focused on analysis of "significant" impacts
- Preparation of an environmental impact report (EIR) is required for projects that would have a significant impact on the environment

RIVERSIDE COUNTY
PLANNING DEPARTMENT

The EIR Process

- Distribute Notice of Preparation (NOP)
- Prepare Draft EIR
  - Identify and analyze significant impacts
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  - Evaluate a reasonable range of alternatives
- Circulate the Draft EIR for public review
- Respond to comments and prepare the Final EIR
- After completion of the EIR process, decision makers can render a decision on the project

RIVERSIDE COUNTY
PLANNING DEPARTMENT

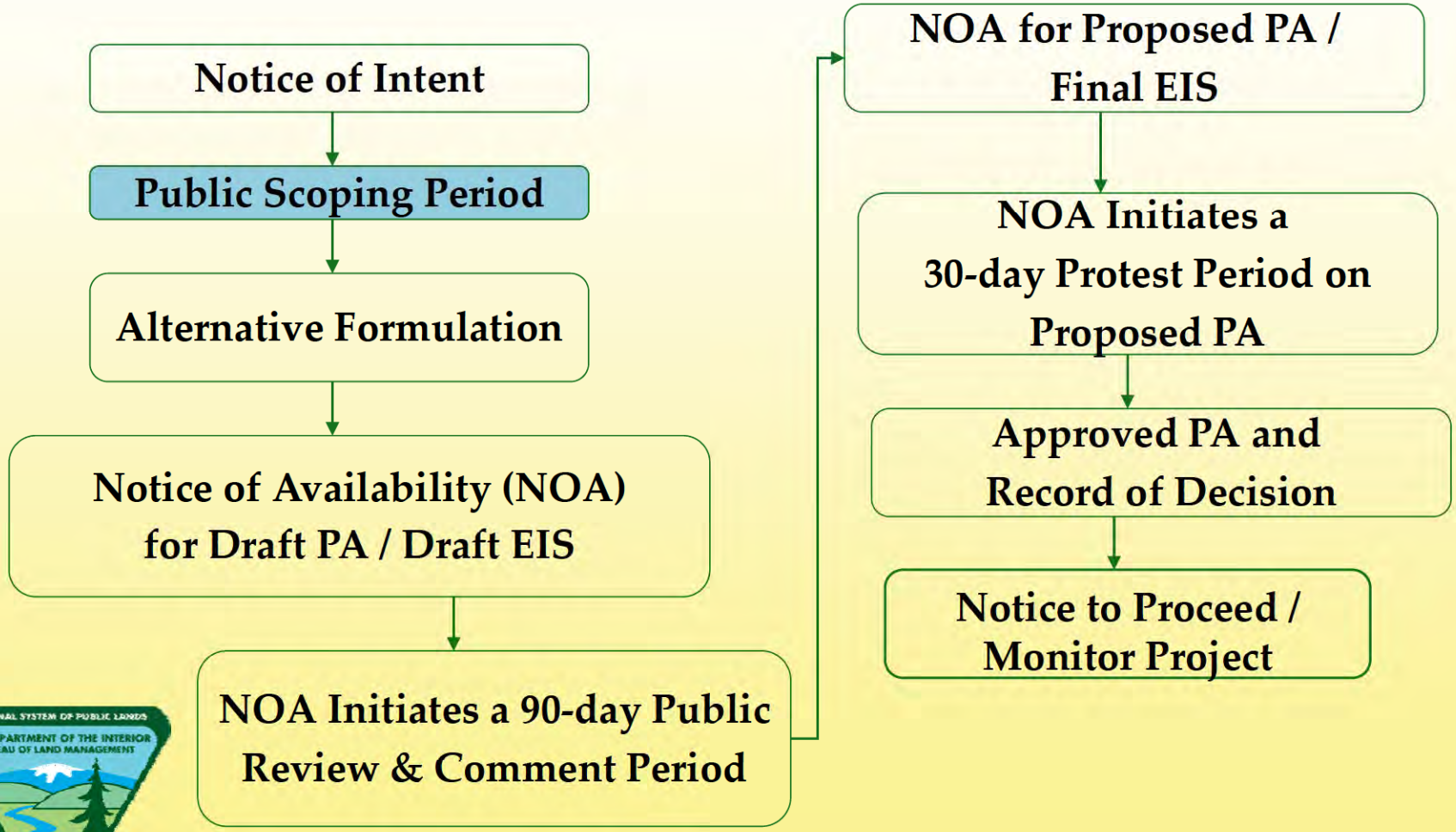
Bureau of Land Management's Role

- Right of Way Grant approval
- Land Use Plan Amendment
- Lead Agency for the National Environmental Policy Act (NEPA)

National Environmental Policy Act

- **Ensures that agencies take environmental factors into account when considering Federal actions, such as the requested approval of a right-of-way grant**
- **Required environmental analysis documents include environmental impact statements (EISs) and environmental assessments (EAs)**
- **The BLM's final decision on the environmental analysis and ROW grant will be described in a Record of Decision**

BLM LUP Amendment / NEPA Process (PA / EIS)



CEQA and NEPA Environmental Issue Areas

- Air Resources
- Cultural Resources
- Environmental Justice, Social Economics / Population and Housing
- Noise
- Public Services, Utilities
- Global Climate Change
- Paleontological Resources
- Public Health and Safety / Hazards and Hazardous Materials
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- Soils Resources / Geology
- Lands and Realty, Multiple Use Classes, Special Designations / Land Use and Planning
- Vegetation and Wildlife Resources / Biology
- Visual Resources
- Livestock and Grazing, Wild Horse and Burros / Agriculture and Forestry
- Wildland and Fire Ecology
- Water Resources / Hydrology

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Public Participation Opportunities

- Submit written scoping comments or statements on or before November 3, 2011
- Provide oral comments during this scoping meeting
- Provide comments on the Draft EIS/EIR when it is published
- Participate in meetings and workshops

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Riverside County Contacts

- **Ken Baez, Planner IV**
  - Phone: (951) 955-2009
  - Email: kbaez@rctlma.org
- **County Web Page**: http://www.tlma.co.riverside.ca.us/planning/
- **Comments to:**

  McCoy Solar Energy Project Scoping Comments
  c/o Jay Olivas, Planner IV
  Riverside County Planning Department
  4080 Lemon Street, 12th Floor
  Riverside, CA 92501

RIVERSIDE COUNTY
PLANNING DEPARTMENT

BLM Contacts and Comment Web Site

- **Jeffery Childers, NEPA Coordinator**
  - Phone: (951) 697-5308
  - e-mail: jchilders@blm.gov

- **BLM Web Page:**
  http://www.blm.gov/ca/st/en/prog/energy/fasttrack/mccoy/fedstatus.html

- **Scoping comments to:**

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  c/o Jeffrey Childers, Project Manager
  Bureau of Land Management
  California Desert District Office
  22835 Calle San Juan de Los Lagos
  Moreno Valley, CA 9255

Or email comments to: camccoysep@blm.gov

Comment Information

Please send comments to the BLM or County

- **County Address:**
  McCoy Solar Energy Project Scoping Comments
  c/o Ken Baez, Principal Planner
  Riverside County Planning Department
  4080 Lemon Street, 12th Floor
  Riverside, CA 92501

  County Email: kbaez@rctlma.org

- **BLM Address:**
  McCoy Solar Energy Project Scoping Comments
  c/o Jeffery Childers, NEPA Coordinator
  Bureau of Land Management
  California Desert District Office
  22835 Calle San Juan de Los Lagos
  Moreno Valley, CA 92553

  BLM Email: **camccoysep@blm.gov**

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Oral Scoping Comments

- Speaker Cards
- Guidelines:
  - State (and spell) your name clearly
  - One person to speak at a time
  - Support everyone's participation
  - Respect others' opinions

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Public Meeting Sign-in Sheet

McCoy Solar Energy Project

September 20, 2011 6:00 pm to 9:00 pm
UCR Palm Desert, 75-080 Frank Sinatra Drive, Palm Desert, CA 92211

Information Open to FOIA

Name	Organization (if applicable)	Address	Phone Number
1. Alfredo A. Figueroa	La Cuna Azteca	424 N. Carlton Ave Blythe	760-922-6422 92225
2. JASON NEUMAN	RIV. CO. FD	210 W. SAN JACINTO AVE PERRIS, CA 92570	(951) 940-6349
3. K KAUFMANN	DESERT SUN	750 N. GENE AUTRY TR, PS 92262	760-778 4622
4. STEVE GRIPPI	CLENERGY	75181 Mediterranean, P.D	760-832 4700
5. Ken Baez	Riverside Co Planning	4080 Lemon St., Riverside CA 92501	951-955 2009
6. JOHN HUSSAR	PRN/CUSWORTS	43-471 VIRGINIA AVE. PD 92211	760-567-8073
7. Doug Bonamici	Colorado River Indian Tribes	26600 Mohave Rd, Parker AZ 85344	
8. Patricia Pinon	La Cuna de	Azt 424 N. Carlton Blythe CA 92225	922-6422 760
9.			
10.			

Public Meeting Sign-in Sheet

McCoy Solar Energy Project

September 20, 2011 6:00 pm to 9:00 pm
UCR Palm Desert, 75-080 Frank Sinatra Drive, Palm Desert, CA 92211

Information Open to FOIA

Name	Organization (if applicable)	Address	Phone Number
21. ERIC SHEPARD	Colorado River Indian Tribes	26600 Mohave Rd Parker, AZ 85344	928 669-1276
22. KEN WAXLAX	PMA RE	on file	
23. Chuck McDaniel	IBEW 440	1405 Spruce St. Suite G Riverside, CA 92507	951-453 0250
24. MERV SCOTT	COLORADO RIVER INDIAN TRIBES	26600 MOHAVE RD. PARKER, AZ 85344	928 669-1223
25.			
26.			
27.			
28.			
29.			
30.			

Public Meeting Sign-in Sheet

McCoy Solar Energy Project

September 20, 2011 6:00 pm to 9:00 pm
UCR Palm Desert, 75-080 Frank Sinatra Drive, Palm Desert, CA 92211

Information Open to FOIA

Name	Organization (if applicable)	Address	Phone Number
11. RUTH NOLAN	College of the Desert	home 76530 California Dr. Palm Desert CA 92211	760 964 9767
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

Public Meeting Sign-in Sheet

McCoy Solar Energy Project

October 19, 2011 6:00 pm to 9:00 pm
Blythe City Council Chambers, 235 N. Broadway, Blythe, CA 92225

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Information Open to FOIA

Name	Organization (if applicable)	Address	Phone Number
1. Joe Swain	Trees + Greens R.V. Park	jswain001@gmail.com	(760) 333-9876
2. Frank Swain	RV Development	FJS6258@yahoo.com	530 417-4142
3. Rob Holt	The Holt Group	201 E Hobson Way, Blythe, CA 92225 rob@theholtgroup.net	760.922 4658
4. Barbara Martin	" "	201 E Hobson Way Blythe, CA 92225 bmartin@theholtgroup.net	760 922 4658
5. Roger Murphy	Desert Distributing	2714 Colorado River Rd Blythe roggermurphy@yahoo.com	623 826-1710
6. Elizabeth Ingram	STA	1111 Broadway, 5th Flor Oakland, CA 94607 elizabeth.ingram@solartrustofamerica.com	(510) 463 6523
7. Lindsay Holt Byte	The Holt Group	lholt@theholtgroup.net	(760) 922-4658
8.			
9.			
10.			

September 20, 2011

McCoy Solar Energy Project

Bureau of Land Management

UCR Palm Desert
75-080 Frank Sinatra Dr.
Palm Desert, CA 92211

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

Chuck McDaniel
Name (Print)

IBEW 400
Agency (if applicable)

Riverside 92507
Address **City** **Zip Code**

951-453-0250
Phone Number

Chuck@ibew440.org
Email

September 20, 2011

McCoy Solar Energy Project

Bureau of Land Management

UCR Palm Desert
75-080 Frank Sinatra Dr.
Palm Desert, CA 92211

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

Marv Scott
Name (Print)

CRIT (Colorado River Indian Tribe)
Agency (if applicable)

26600 Mohave Rd Parker Az
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(928) 669 1223
Phone Number

Email

September 20, 2011

McCoy Solar Energy Project

Bureau of Land Management

UCR Palm Desert
75-080 Frank Sinatra Dr.
Palm Desert, CA 92211

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

Patricia Piñón
Name (Print)

La Cuna de Aztlan Sacred Sites
Agency (if applicable)

Blythe CA
Address **City** **Zip Code**

Phone Number

September 20, 2011

McCoy Solar Energy Project

Bureau of Land Management

UCR Palm Desert
75-080 Frank Sinatra Dr.
Palm Desert, CA 92211

Public Scoping Meeting

Speaker Registration Card

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* please I need to go first

RUTH NOLAN
Name (Print)

College of the Desert
Agency (if applicable)

Palm Desert CA 92211
Address **City** **Zip Code**

760 964 9767

Rnolan@

September 20, 2011

McCoy Solar Energy Project

Bureau of Land Management

UCR Palm Desert
75-080 Frank Sinatra Dr.
Palm Desert, CA 92211

Public Scoping Meeting

Speaker Registration Card

Please complete and return to staff

Alfredo A. Figueroa
Name (Print)

La Cuna de Aztlan
Agency (if applicable)

424 N. Carlton ave Blythe
Address City

92225
Zip Code

760-922-6422
Phone Number

Email

McCoy Solar Energy Project Scoping Meeting Notes

Date: Sept 20, 2011

Presentations by:

- BLM
- County
- NextEra – Meg

Public Comment Email: camccoysep@blm.gov

Public Comments

Speaker	Comments
Ruth Nolan	Nolan is a California Desert Literature Professor. She used to work for BLM as a firefighter. She opposes the project and the desert "land grab." She is concerned about visual, soils, cultural, and biological resources, cumulative effects and health issues such as valley fever. She claims that native American ceremonies are held on the project site. She is concerned that science isn't advanced enough to know the value of the cultural and biological resources.
Alfredo Figueroa	Figueroa is concerned about geoglyphs (the sun, true north and true south geoglyphs). Claims they were "destroyed" by Blythe Solar Power Plant project. He lives near Granite Peak. Concerned about cultural resources. Figueroa formed a protection circle/ group of thirteen native Americans. He referenced, "UN resolution 2007, article 13."
Patricia Pinon	Pinon is the Chair of the Native American protection circle. She is concerned about geoglyphs, petroglyphs, rock art…ect. She is concerned about the lack of information and knowledge about the significance, extent and value of the resources, and how they connect. She is upset about recent BLM projects and lack of communication/"betrayal."Claims significant events may occur in 2012, involving ancient aliens, etc. She is concerned about resource destruction and the fact PV isn't recyclable.
Chuck McDaniel	McDaniel has socioeconomic concerns and wants local hiring policies. He is concerned that NextEra will not hire local workers.
Merv Scott	Scott wants archeologists to coordinate with and consult with tribes. He says that bulldozers "destroyed" the trail from Barstow to San Diego.

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

RECEIVED
BUREAU OF LAND MGMT.
11 SEP -9 PM 4: 18
CALIF. DESERT DISTRICT
MORENO VALLEY, CA

September 1, 2011 **Via Electronic & U.S. Mail**

Jeffery Childers, Project Manager
BLM California Desert District Office,
22835 Calle San Juan de Los Lagos
Moreno Valley, California 92553-9046

To Whom it May Concern:

Notice of Intent to Prepare a Joint
Environmental Impact Statement and Environmental Impact Report for the Proposed
McCoy Solar Energy Project and Possible Land Use Plan Amendment, Riverside County, CA

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Notice of Intent to Prepare a Joint Environmental Impact Statement and Environmental Impact Report for the Proposed McCoy Solar Energy Project (Project). The U.S. Bureau of Land Management Palm Springs/South Coast Field Office, Palm Springs, California (BLM), together with the County of Riverside, California (County), intend to prepare a joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR), which may include an amendment to the California Desert Conservation Area (CDCA) Plan (1980 as amended), related to McCoy Solar, LLC's right-of-way (ROW) application for the McCoy Solar Energy Project (MSEP), a 750-megawatt (MW) photovoltaic (PV) solar electricity generation project.

Metropolitan is pleased to submit comments for consideration by BLM and the County during the scoping process to solicit public comments and identify issues related to the EIS/EIR. In sum, Metropolitan provides these comments to ensure that any potential impacts on its facilities in the vicinity of the Project and on the Colorado River water resources are adequately addressed.

Background

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

facilities, and residential housing sites. The CRA, which can deliver up to 1.2 million acre-feet of water annually, extends 242 miles from the Colorado River, through the Mojave Desert and into Lake Mathews. Metropolitan has five pumping plants located along the CRA, which consume approximately 2,400 gigawatt-hours of energy when the CRA is operating at full capacity.

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

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

Project Understanding

The applicant, McCoy Solar, LLC has requested a ROW authorization to construct, operate, maintain, and decommission an up to 750-MW PV solar facility and necessary ancillary facilities including a generation tie line, access road and switch yard with the ultimate generation capacity dependent on the technology selected and efficiencies available at the time of ROW authorization. The MSEP is proposed to be located on about 7,700 acres of public lands and 470 acres of private land under the land use authority of Riverside County. The facilities to be located on private land will be limited to solar arrays and inverters, as well as a portion of the access road, generation tie line, electric power distribution line, and a telecommunications line. The proposed 16-mile generation-tie line (gen-tie), with a right-of-way width of 100 feet, will require about 200 acres of public and private lands. The proposed 20-acre switch yard will be located adjacent to and connect into Southern California Edison's Colorado River Substation. The MSEP site is located approximately 13 miles northwest of the City of Blythe, California and approximately 32 miles east of Desert Center.

Land Use Issues: Potential Impacts on Metropolitan Facilities

Although Metropolitan has not yet identified any direct impacts, the Project is in the general vicinity of Metropolitan facilities, perhaps as close as 8 miles. As described above, Metropolitan currently has a significant number of facilities, real estate interests, and fee-owned rights-of-way, easements, and other properties (Facilities) located on or near BLM-managed land in southern California that are part of our water distribution system. Metropolitan is concerned with potential direct or indirect impacts that may result from the construction and operation of any proposed solar energy project on or near our Facilities. In order to avoid potential impacts,

Metropolitan requests that the Draft EIS/EIR include an assessment of potential impacts to Metropolitan's Facilities with proposed measures to avoid or mitigate significant adverse effects.

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

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

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

The extent of accounting surface area for the Colorado River was determined by the U.S. Geological Survey (USGS) and USBR as part of an on-going rule-making process. *See* Notice of Proposed Rule Regulating the Use of the Lower Colorado River Without an Entitlement, 73 Fed. Reg. 40916 (July 16, 2008); USGS Scientific Investigation Report No. 2008-5113. To the extent the Project uses Colorado River water, it must have a documented right to do so.

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

Additionally, the Draft EIS/EIR should assess the potential cumulative impacts of the use of the scarce Colorado River and local groundwater supplies in light of other pending renewable energy projects within the Colorado River Basin and the local groundwater regions. Metropolitan requests that the Draft EIS/EIR address the Proponent's water supply and any potential direct or cumulative impacts from this use.

We appreciate the opportunity to provide input to your planning process and we look forward to receiving future environmental and related documentation on this project. If we can be of further assistance, please contact Mr. Michael Melanson at (916) 650-2648.

Very truly yours,

Deirdre West
Manager, Environmental Planning Team

MM:rdl
(J:\Environmental Planning-Compliance\COMPLETED JOBS\August 2011\Job No. 2011083002)

RIVERSIDE COUNTY FIRE DEPARTMENT

IN COOPERATION WITH
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

John R. Hawkins ~ Fire Chief
210 West San Jacinto Avenue ~ Perris, CA 92570
(951) 940-6900 ~ www.rvcfire.org

PROUDLY SERVING THE UNINCORPORATED AREAS OF RIVERSIDE COUNTY AND THE CITIES OF:

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COACHELLA
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INDIAN WELLS
INDIO
JURUPA VALLEY
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LA QUINTA
MENIFEE
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DISTRICT 1

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JEFF STONE
DISTRICT 3

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DISTRICT 4

MARION ASHLEY
DISTRICT 5

September 24,2011

Bureau of Land Management
California Desert District
Jeffery Childers, Project Manager
22835 Calle San Juan de Los Lagos
Moreno Valley, CA 92553-9046

RE: Plan of Development CACA 048728 McCoy Solar Energy Project

Dear Mr. Childres,

Thank you for providing the Riverside County Fire Department the opportunity to comment on the Development Plan for the Mc Coy Solar Energy Project in Blythe, California.

With respect to the referenced project, the Riverside County Fire Department has the following comments:

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic, hazardous materials and service vehicles.

The proposed McCoy Solar Energy Project will create a **"cumulative"** increase in requests for service and will add to the Fire Department's ability to provide an acceptable level of service. These services include increased emergency incidents and public service calls.

Due to the remote location and climate conditions, a response by the fire department would require multiple units to respond. In the event of a fire, medical emergency, hazardous material or technical rescue incident, the fire department will be required to cover or *back fill* stations left uncovered in order to meet service demands and support the region. If an incident were to occur, fire units would be dispatched from Blythe, Indio and the lower Coachella Valley as part of the regional integrated fire protection response system.

The onsite conditions create a high risk potential for a technical rescue, and a hazardous materials incident which would require specialized equipment and trained staff to respond. Extended response times from specialized equipment can be anticipated to the project area.

The California Fire Code outlines fire protection standards for the safety, health, and welfare of the public. These standards will be enforced by the Fire Chief.

If I can be of further assistance, please feel free to contact me at (951) 940-6349 or e-mail at jason.neumann@fire.ca.gov

Sincerely,

Jason Neuman

Jason Neuman, Captain
Strategic Planning Bureau
Riverside County Fire Department

Michael J. Connor, Ph.D.
California Director
P.O. Box 2364, Reseda, CA 91337-2364
Tel: (818) 345-0425
Email: mjconnor@westernwatersheds.org
Web site: www.westernwatersheds.org

Working to protect and restore Western Watersheds

September 26, 2011

By Email

Jeffery Childers
BLM California Desert District Office
22835 Calle San Juan de Los Lagos,
Moreno Valley, CA 92553–9046.

< camccoysep@blm.gov >

Re: Notice of Intent To Prepare a Joint Environmental Impact Statement and Environmental Impact Report for the Proposed McCoy Solar Energy Project and Possible Land Use Plan Amendment, Riverside County, CA

Dear Mr. Childers:

On behalf of Western Watersheds Project and myself, please accept the following scoping comments as you embark on the preparation of a joint Environmental Impact Statement/ Environmental Impact Report ("EIS/EIR") for the proposed McCoy Solar Energy project on public lands in the California Desert Conservation Area.

Western Watersheds Project works to protect and conserve the public lands, wildlife and natural resources of the American West through education, scientific study, public policy initiatives, and litigation. Western Watersheds Project and its staff and members use and enjoy the public lands, including the lands at issue here, and its wildlife, cultural and natural resources for health, recreational, scientific, spiritual, educational, aesthetic, and other purposes.

Western Watersheds Project recognizes that global climate change poses new challenges to our already stressed public lands. However, while climate change threatens biodiversity and entire fragile ecosystems, our response to climate change also threatens our public lands and their wildlife. Accordingly, WWP supports responsible development of power plant projects. Responsible development requires the use of comprehensive, ecologically sound, science-based analysis in determining power plant locations. This is best achieved by focusing energy developments on private or severely altered lands that are located close to points of use to minimize new disturbance or further fragmentation of fragile, native ecosystems. The ecological impacts from renewable energy project development should be fully mitigated with significant and lasting actions.

Unfortunately, the proposed location of the Stateline Solar Farm project is on relatively undisturbed important desert lands and is a very poor choice of site for a power plant project.

According to the notice of intent, the applicant, McCoy Solar, LLC has requested a ROW authorization to construct, operate, maintain, and decommission an up to 750–MW PV solar facility and necessary ancillary facilities including a generation tie line, access road and switch yard with the ultimate generation capacity dependent on the technology selected and efficiencies available at the time of ROW authorization. The MSEP is proposed to be located on about 7,700 acres of public lands and 470 acres of private land under the land use authority of Riverside County. The facilities to be located on private land will be limited to solar arrays and inverters, as well as a portion of the access road, generation tie line, electric power distribution line, and a telecommunications line. The proposed 16-mile generation-tie line (gen-tie), with a right-of-way width of 100 feet, will require about 200 acres of public and private lands. The proposed 20-acre switch yard will be located adjacent to and connect into Southern California Edison's Colorado River Substation. The MSEP site is located next to the Blythe solar project approximately 13 miles northwest of the City of Blythe, California and approximately 32 miles east of Desert Center.

In the EIS/EIR process, the BLM will consider amending the CDCA.

This project will have direct, indirect and cumulative impacts on some of the desert's most sensitive resources including species listed under the Endangered Species Act such as desert tortoise and on important cultural resources. Specific issues of concern that should be addressed in the CEQA and NEPA documents to ensure compliance with these laws and to ensure that NEPA's requisite "hard look" is taken at the environmental impacts include:

(1) Range of Alternatives.

Both NEPA and CEQA require agencies to consider reasonable alternatives to the proposed action. The NEPA implementing regulations specify that NEPA documents must analyze a full range of alternatives including "reasonable alternatives not within the jurisdiction of the lead agency" (40 C.F.R. § 1502.14). Based on the information and analysis presented in the sections on the Affected Environment (40 C.F.R. § 1502.15) and the Environmental Consequences (40 C.F.R. § 1502.16), the NEPA document should present the environmental impacts of the proposed action and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public

In order to comply with the spirit and letter of NEPA, the EIS/EIR must consider alternatives that meet the project goals and not simply propose "straw man" alternatives that can then be dismissed from further consideration. We suggest that the agencies consider the following reasonable alternatives in addition to any proposed action:

(1) CDCA Plan Amendment Alternatives

(a) Determines the project area is unavailable for energy development.
(b) Conservation alternative. This would fully implement the USFWS conservation recommendations made in the biological opinion for the adjacent Blythe Solar project to protect

the surrounding area to conserve desert tortoises. In its Biological Opinion at 38-39 for the Blythe project, the USFWS recommends:

> 2. We recommend that the BLM amend the California Desert Conservation Area Plan to prohibit additional renewable energy development (e.g., solar energy facilities, wind development) within the unused portion of the 3,804-ha (9,400-ac) ROW granted for construction and O&M of the BSPP project, particularly within the proposed McCoy Mountains recipient site. We offer this recommendation because this area is likely to be used as a recipient site for translocated desert tortoises from the BSPP project. Additionally, we are aware of two other ROW applications filed with the BLM for development of large-scale solar facilities directly north of the BSPP project (NextEra's McCoy and EnXco's McCoy Soleil projects). Given these proposed projects, the potential exists that desert tortoise habitat adjacent to the McCoy Mountains may be disturbed and fragmented to the extent that desert tortoises and other wildlife populations in the area may be severely compromised.
>
> 3. We recommend that the BLM amend the California Desert Conservation Area Plan to prohibit additional renewable energy development (e.g., solar energy facilities, wind development) within the upper bajadas (mapped as "dissected fans" on the NECO Map 3-4, Landforms) in the mountains of northeastern Riverside County. We offer this recommendation because this action would protect the higher quality tortoise habitat in the CDCA plan area. At a minimum, we recommend that BLM prohibit or limit development in the upper bajadas of the McCoy Mountains (mapped as "dissected fans" on the NECO Map 3-4, Landforms) to protect the higher quality tortoise habitat in the region and prevent
> isolating the proposed McCoy Mountains recipient site in light of potential future large-scale solar development.
>
> 4. We recommend that the BLM ensure that the gen-tie transmission line associated with the BSPP project also is adequate to provide for transmission of electricity from the two other solar projects proposed for construction directly north of the BSPP project: NextEra's McCoy and EnXco's McCoy Soleil projects. Use of a shared gen-tie transmission line through the BSPP project footprint will reduce, and perhaps negate, the need for additional gen-tie transmission lines to the west or east of the BSPP site and thereby, reduce additional destruction/degradation of desert tortoise habitat in these adjacent areas, including the McCoy Mountains recipient site where tortoises translocated from the project footprint may be released.

Since these recommendations have been made by the BLM's sister agency about the specific proposed project area, an alternative that incorporates these recommendations *in toto* must by definition be a reasonable alternative.

(2) Project/ROW Issuance Alternatives

(a) No Action Alternative as is required by NEPA.
(b) Public lands that are not desert tortoise habitat.
(c) A private lands alternative under which the project is built on private lands only.
(d) A distributed energy alternative using "roof top" solar to avoid the need for construction of a power plant.
(e) A modified project that does not require a water treatment facility or settling ponds.

Full analysis of these alternatives will help clarify the need for the proposed project, provide a baseline for identifying and fully minimizing resource conflicts, facilitate compliance with the BLM's FLPMA requirement to prevent the unnecessary and undue degradation of

public lands and its resources, and will help provide a clear basis for making an informed decision.

(2) Desert Tortoise.

The project will directly, indirectly and cumulatively impact desert tortoises. These impacts include habitat loss; habitat disturbance; fragmentation of habitat; fragmentation of populations; decreased viability of fragmented populations; loss of connectivity; potential increases in predators such as ravens and coyotes; introduction, establishment and spread of invasive plants and weeds; increased fire risk; increased human presence; and increased use of roads.

The proposed project may result in the need for large-scale translocation of desert tortoises. BLM Handbook 1745 - Introduction, Transplant, Augmentation, and Reestablishment of Fish, Wildlife, and Plants - requires that "Decisions for making introductions, transplants, or reestablishments should be made as part of the land use planning process (see BLM Manual Section 1622). Releases must be in conformance with approved RMPs. A Land Use Plan Amendment must be prepared for proposed releases if management direction is not provided in the existing Land Use Plan (see BLM Manual Section 1617, emphasis added)." There is no consideration in the current CDCA Plan for large-scale desert tortoise translocations. Therefore, the BLM will need to amend the CDCA Plan or develop a desert tortoise translocation plan if this project moves forward. BLM Handbook 1745 requires that activity plans for translocations must be site-specific and include "Site-specific and measurable vegetation/habitat population objectives which are based on existing ecological site potential/condition, habitat capability, and other important factors." The agencies must include a detailed translocation plan for the project in the NEPA/CEQA documentation.

The NEPA/CEQA documents must describe, clearly characterize and identify the desert tortoise population that will be impacted by each alternative if the agencies are to take NEPA's requisite "hard look" at the environmental effects. `The documents should provide a detailed review and analysis of the direct, indirect and cumulative impacts of the proposed project and all associated infrastructure including roads and transmission lines on the desert tortoise population.

(3) Desert Bighorn Sheep.

The proposed project location is close to the McCoy Mountains which provides habitat for Nelson's bighorn sheep. The environmental analysis should consider all direct, indirect and cumulative impacts to this species including loss of foraging habitat, impacts to linkage habitat and connectivity, and increased human presence and activity.

(4) Golden Eagle and Other Avian Species.

There are a number of sensitive bird species known to occur on or near the proposed project the site. In their study of the Solar One project, McCrary *et al.*, found that the most

frequent form of avian mortality was collision with structures (McCrary *et al.*, 1986[1]). According to the Plan of Development, the proposed McCoy Solar project will include a water treatment area and settling pond. These water features will draw birds into the immediate vicinity of the Project. As McCrary *et al* point out, reflective surfaces are especially prone to collisions. Collisions accounted for 75% of the bird deaths. McCray et al found that at least 22 different bird species suffered collision fatalities. The proposed project will establish a field of thousands of PV panels with highly reflective surfaces in the PV array. While many of the birds that use the project site are active during the day, some forage at night. However, even strictly diurnal species will take to flight at night if they disturbed. Thus the risk of risk of bird collision with the PV panels is round-the-clock.

The EIR/EIS should include a full and frank analysis of risks to birds including to golden eagles and other birds, and determine the collision risks. It should characterize bird flight patterns, and should quantify anticipated avian deaths.

(5) Other Special Status Species.

There are a number of rare plants and other sensitive animal and plant species found in the area. The EIS/EIR should carefully consider and analyze potential impacts to all species that would be affected by the project. It should provide detailed vegetation and wildlife maps to facilitate public input into the process.

(6) Invasive Species.

Invasive weeds grow easily wherever the natural vegetation and biological soil crusts are disturbed. The disturbance to the soil and natural vegetation that will occur as a result of the construction and maintenance of the proposed transmission line must not be allowed to establish a "weed corridor" across the landscape. Once established, weeds are almost impossible to remove permanently.

Invasive plants and weeds are threats to native habitat, rare plants, and sensitive species. They pose an immense fire hazard. Using chemicals to kill weeds requires exposing the environment, species, and watershed area to a toxic substance which can be the source of further damage to environmental and human health. Manual weed control requires much human effort, machinery, and can cause even more disturbance, leading to erosion, disturbance, and, in some cases, more weeds. The EIS/EIR should carefully consider how invasive plants and weeds will be managed and controlled.

(7) Hazards and Hazardous Materials.

The EIS/EIR should disclose any potentially toxic or hazardous wastes that may be associated with these projects during project construction, operation, and maintenance including pesticides and herbicides.

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[1] McCrary, M. D., McKernan, R. L., Schreiber, R. W., Wagner ,W. D. and Sciarrotta, T. C. 1986. Avian Mortality at a Solar Energy Power Plant. Journal of Field Ornithology, 57(2): 135- 141.

(8) Fire Prevention and Suppression.

The EIS/EIR should address the effects that each alternative for each project may have on wildfire risks. Wildfires are becoming increasingly common in the Mojave Desert facilitated by the spread of invasive weeds and climate change. Wildfires can result in type conversion of large expanses of habitat. Wildfires could be caused by construction or operation of the transmission lines. Development of roads and transmission lines could encourage increased motorized vehicle access which increases fire risk especially when coupled with the spread of invasive weeds.

(9) Desert Washes, Ephemeral Streams and Soils.

Desert washes, drainage systems, and washlets are very important habitats for plants and animals in arid lands. Water concentrates in such places, creating greater cover and diversity of shrubs, bunch grasses, and annual grasses and forbs. The topography is often more varied, as are soil types and rock types and sizes, creating diverse sites for burrows, caves, and other shelters. The project area includes extensive Dry Desert Wash Woodland. These features tend to attract disproportionately more birds, mammals, reptiles, and invertebrates. For example, desert tortoises spend disproportionately more time in washes than they do on "flat" areas.[2] The wash habitat impacted by each alternative should be evaluated and appropriate mitigations made for stream bed alterations.

Soil erosion on low fill slopes and steeply graded areas could result in sedimentation of water bodies. Changes in hydrology and soil movements may impact rare plants and habitats for sensitive species, and may impact burrowing species such as the desert tortoise.

(10) Cultural & Paleontological Resources.

The Mojave Desert is rich in structures and artifacts of significant cultural value that are irreplaceable once lost. The EIS/EIR should discuss and analyze all impacts to paleontological and Native American cultural resources. Building new transmission lines could cause physical damage to artifacts and sites, expose cultural resources to looters, and could increase fires due to soil disturbance and subsequent weed invasion placing these cultural resources at risk of future damage.

(11) Global Climate Change.

Department of the Interior Order No. 3226 mandates that the BLM must consider the impacts of each proposed alternative with respect to global climate change in its NEPA reviews. The agencies should use the recently released USGS desert tortoise habitat model to determine likely changes in desert tortoise habitat quality in the area and the importance of the desert tortoise habitat. In addition to addressing climate change in the cumulative effects analysis, the

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[2] Jennings, B.J. 1997. Habitat Use and Food Preferences of the Desert Tortoise, *Gopherus agassizii*, in the Western Mojave Desert and Impacts of Off-Road Vehicles. Proceedings: Conservation, Restoration, and Management of Tortoises and turtles—An International Conference, pp. 42–45. New York Turtle and Tortoise Society.

EIS/EIR should address the carbon footprint of the project and any losses to carbon storage and sequestration it will engender.

(12) Visual Resources.

These public lands are close to designated Wilderness. The EIS/EIR should fully review the impacts of each alternative on visual resources including the effects on wilderness character and values.

(13) Special Status Areas.

The proposed project would be located on "Class L" or "Limited Use" lands. The project is close to a designated Wildlife Habitat Management Area and the proposed switchyard overlaps the Mule Mountains ACEC. The EIS/EIR should fully review the direct, indirect, and cumulative impacts of each alternative on these significant resources.

(14) Water Issues.

The EIS/EIR must provide information on the water needs of this power plant both in the construction and operation phases and the source of these waters. The EIS/EIR must fully analyze impacts to the local and regional water reserves.

(15) Cumulative Effects.

The EIS/EIR must considered the cumulative effects of this project in combination with all the other consumptive uses that are occurring on these public lands including grazing, off road vehicle activity, energy projects, and mining. New transmission line projects have the potential to open up more lands to energy (or other) development, placing wide swaths of habitat at risk, and greatly increase degradation and fragmentation of habitats and important wild land areas and have lasting and damaging impacts. The project will act cumulatively with the many other energy developments that are planned for the area.

(16) Monitoring Programs.

The EIS/EIR must explain the monitoring programs that will be in place to monitor the short and long term impacts of the project. This should include the timelines, and estimated costs and sources of funding for the monitoring programs.

(17) Mitigation.

BLM is obligated under FLPMA to "minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands involved." [43 U.S.C. §1732(d)(2)(a)] Other laws, including the Endangered Species Act and the California Endangered Species Act also entail the need for mitigations to fully minimize impacts. BLM is required to consider measures to mitigate

potential environmental consequences in its NEPA analysis. [40 C.F.R. § 1502.16] The NEPA implementing regulations define "Mitigation" to include:

> (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
> (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
> (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
> (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
> (e) Compensating for the impact by replacing or providing substitute resources or environments.
> [40 C.F.R. §1508.20]

The EIS/EIR should explain the mitigation measures that will meet all these requirements including "Avoiding the impact altogether by not taking a certain action or parts of an action". The primary mitigation for impacts to desert tortoise, rare plants and other special status species should be acquisition of compensation habitat since this is the only mitigation measure that will offset the habitat loss. Acquisition of habitat should be accompanied with enhancement measures to compensate for the net loss of habitat. These measures may include removal of livestock, fencing where appropriate, invasive species control, small scale restoration projects, acquisition of water rights and route closures.

The EIS/EIR should describe the restoration and rehabilitation activities that will be required for habitat disturbed during construction. For example, construction material yards will lose their native vegetation, have their soils compacted, and increase the amount of wind and water erosion while leaving these areas at an increased risk of weed invasion. Transporting materials, labor, and equipment in and out of construction areas will also have their own set of impacts that must be minimized. Construction may also require the use of "temporary" roads that will require extensive rehabilitation if they are not to become permanent intrusions on the landscape. Rehabilitation of desert habitat is a long, slow and uncertain process.

Western Watersheds Project thanks you for the opportunity to submit scoping comments on this proposed power plant project. If you require electronic copies of any of the references cited in this letter we will be happy to provide them. If we can be of any further assistance or provide more information please feel free to contact me by telephone at (818) 345-0425 or by e-mail at <mjconnor@westernwatersheds.org>.

Yours sincerely,

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Western Watersheds Project
P.O. Box 2364
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Defenders of Wildlife
Natural Resources Defense Council
Center for Biological Diversity
Sierra Club

September 27, 2011

Jeffrey Childers
Project Manager
California Desert District
Bureau of Land Management
22835 Calle San Juan de Los Lagos
Moreno Valley, CA 92553-9046
(Sent via email to: camccoysep@blm.gov and jchilders@blm.gov)

Re: **Notice of Intent To Prepare a Joint Environmental Impact Statement and Environmental Impact Report for the Proposed McCoy Solar Energy Project and Possible Land Use Plan Amendment, Riverside County, CA (CACA 048728)**

Dear Mr. Childers:

Thank you for the opportunity to provide scoping comments to help guide the preparation of a Draft Environmental Impact Statement/Environmental Impact Report ("DEIS/DEIR") and Proposed Amendment to the California Desert Conservation Area ("CDCA") Plan for the proposed McCoy Solar Energy Project. These comments are submitted on behalf of Defenders of Wildlife ("Defenders"), the Natural Resources Defense Council ("NRDC"), Center for Biological Diversity ("Center"), and the Sierra Club, all non-profit public interest conservation organizations with offices in California as well as elsewhere in this country.

Defenders has 1.1 million members and supporters nationally, including 67,000 in California. Defenders is dedicated to protecting all wild animals and plants in their natural communities. To this end, we employ science, public education and participation, media, legislative advocacy, litigation, and proactive on-the-ground solutions in order to impede the accelerating rate of extinction of species, associated loss of biological diversity, and habitat alteration and destruction.

NRDC has over 1.2 million members and online activists nationwide, more than 250,000 of whom live in California. NRDC uses law, science and the support of its members and activists to protect the planet's wildlife and wild places and to ensure a safe and healthy environment for all living things. NRDC has worked to protect wildlands and natural values on public lands and to promote pursuit of all cost effective energy efficiency measures and sustainable energy development for many years.

The Center has over 42,000 members, the majority of whom reside in California. The Center is dedicated to protecting imperiled species and their habitats by combining scientific research, public organizing, and administrative and legal advocacy. The Center believes that development of renewable energy is a critical component of efforts to reduce greenhouse gas emissions and avoid the worst consequences of global warming. The Center strongly supports the development of appropriately sited renewable energy projects that are thoughtfully planned to minimize impacts to the environment. Only by maintaining the highest environmental standards with regard to local impacts, and effects on species and habitat, can renewable energy production be truly sustainable.

The Sierra Club is a national nonprofit organization of approximately 1.3 million members and supporters (approximately 250,000 of whom live in California) dedicated to exploring, enjoying, and protecting the wild places of the earth; to practicing and promoting the responsible use of the earth's ecosystems and resources; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives. The Sierra Club's concerns encompass protecting our public lands, wildlife, air and water while at the same time rapidly increasing our use of renewable energy to reduce global warming.

As we transition toward a clean energy future, it is imperative for our future and the future of our wild places and wildlife that we strike a balance between addressing the near term impacts of large scale solar energy development with the long-term impacts of climate change on our biological diversity, fish and wildlife habitat and natural landscapes. To ensure that the proper balance is achieved, we need smart planning for renewable power that avoids and minimizes adverse impacts on wildlife and wild lands. These projects should be placed in the least harmful locations near existing transmission lines and on already disturbed lands.

We strongly support the emission reduction goals found in the Global Warming Solutions Act of 2006, AB 32, including the development of renewable energy in California. However, we urge that in seeking to meet our renewable energy portfolio standard in California, project proponents design their projects in the most sustainable manner possible. This is essential to ensure that project approval moves forward expeditiously and in a manner that does not sacrifice our fragile desert landscape and wildlife in the rush to meet our renewable energy goals.

Brief description of the proposed project

McCoy Solar, LLC, a subsidiary of NextEra Energy Resources, applied to the BLM for a 7,754 acre right of way on public lands to construct, operate, maintain, and decommission a solar energy generation facility including necessary ancillary facilities. The right of way application was filed on January 30, 2007 for an up to 750–MW PV solar facility and necessary ancillary facilities including a generation tie line, access road and switch yard. The ultimate generation capacity would depend on the technology selected and efficiencies available at the time of ROW authorization. The MSEP is proposed to be located on about 7,700 acres of public lands and 470 acres of private land under the land use authority of Riverside County. The proposed 16-mile generation-tie line (gen-tie), with a

right-of-way width of 100 feet, will require about 200 acres of public and private lands. The proposed 20-acre switch yard will be located adjacent to and connect into Southern California Edison's proposed Colorado River Substation.

Our specific comments are as follows:

1. Introduction. Our organizations recognize the need to develop our nation's renewable energy resources and to do so rapidly in order to respond effectively to the challenge of climate change. Unique natural resources here in California are already being affected by climate change, including, for example, Pikas in the High Sierra Nevada and Joshua Trees in the Mojave Desert.

We also recognize that renewable energy development can help create jobs in communities that are eager for them, because of the current economic situation. For these and other related reasons, our organizations are working with regulators and project proponents to move properly sited renewable energy projects forward. That said, renewable energy development is not appropriate everywhere on the public lands and must be balanced against the equally urgent need to protect unique and sensitive resources of the CDCA. California is fortunate in having sufficient renewable resources, and especially solar energy, in many areas of the State, which provide opportunities for development of renewable energy generation and transmission in an environmentally and economically sound manner.

We strongly support renewable energy production and utilization, but we do not consider the construction of large-scale projects, and especially the very large solar energy projects proposed on relatively undisturbed public lands in the CDCA, to be the only way, or even the best way, to achieve our renewable energy goals. We strongly advocate that such large scale solar projects should be located on degraded or disturbed land such as abandoned agricultural fields, industrial sites, and near existing structures rather than on public lands containing intact natural biological communities, particularly those that include threatened, endangered or other at-risk species.

As we and our colleagues at sister organizations have repeatedly stated, the best way to develop the renewable resources of the CDCA is through comprehensive, pro-active planning by both the federal government and the state to identify the most appropriate areas for such development -- *i.e.*, development zones -- and to guide development to those zones. *See, e.g.,* letter dated June 29, 2009 to Interior Secretary Salazar and California's Governor Schwarzenegger and signed by 11 organizations, including our own, attached to this letter.

Despite our fundamental belief in the critical importance of agency-guided siting of renewable energy development, rather than developer-initiated siting, we invested a great deal of time and effort into the "fast-track" projects last year, and will engage on individual projects, such as this one, in 2011.

2. BLM's process in authorizing proposed project is flawed. Unfortunately, BLM continues to rely on developer-initiated siting rather than agency-guided siting for development of renewable energy projects, as noted above. The Federal Register Notice for the proposed project states "Pursuant to the BLM's CDCA Plan, sites associated with power generation or transmission not identified in the CDCA Plan will be considered through the plan amendment process to determine the suitability of the site for renewable energy development. Since the proposed MSEP site was not previously identified as suitable, authorization of the MSEP would require amendment of the CDCA Plan." At the same time, the BLM continues to pursue the Solar Energy Development Programmatic Environmental Impact Statement that includes a renewable energy zone in this area as an option. Continuing piecemeal siting of projects in an area that is under consideration for a solar development zone could undermine the benefits of zone-based development, such as coordinated gen-tie lines and access roads, coordinated avoidance of key areas containing sensitive biological or cultural resources, and coordinated siting to minimize impacts to washes and other important landscape features that affect surface water flow, soils and water quality.[1]

BLM began actively processing NextEra's right of way application in February 2011 and received from them a construction and permitting schedule; held on-site meetings regarding biological resources; issued a cultural resources permit and field work authorization; and during April 2011, held interagency meetings involving the National Park Service, Fish and Wildlife Service (FWS), Department of Defense and California Department of Fish and Game to discuss biological, cultural, electrical transmission and gen-tie issues. On July 21, 2011, "NOI Kickoff & Cultural Meetings" were conducted at the BLM Palm Springs Field Office involving the applicant, County of Riverside officials and consultants hired to prepare the National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) documents. The BLM published the Notice of Intent to prepare a NEPA/CEQA document for the proposed project and possible amendment to the CDCA Plan on August 29, 2011. (BLM, LR 2000 case file log).

Significant time and effort on the part of both the BLM and the project applicant has already been invested in this right of way application. BLM has had NextEra's application for nearly four years and began actively processing it beginning in February 2011. The considerable time and expense on the part of NextEra that has already been invested is documented in the LR 2000 case file log, and includes submission of a plan of development, cost recovery funds amounting to approximately $111,000, and hiring consultants to conduct the necessary site inventories and analyses in support of the NEPA/CEQA process.

One important lesson that our organizations learned in the course of dealing with the "fast-track" projects in 2009-2010 is that the more time and money invested in an application by the BLM and

[1] The recent announcement that the Blythe Solar Power Plant (BSPP) project, adjacent to the proposed McCoy project, will be converting to solar PV technology provides BLM with an opportunity to redesign the BSPP to avoid major washes, Microphyll Woodlands and other sensitive landscape features, and coordinate the gen-tie lines and roads for these projects.

the project proponent, the harder it is to make changes to a proposed project, even when those changes would significantly reduce natural and cultural resource conflicts. This lesson is a major reason why our groups pressed BLM and the Interior Department to adopt criteria for use in identifying which projects should be moved forward in the pending application queue. It was approximately six months ago that BLM adopted such criteria, *see* Instruction Memorandum No. 2011-061, "To: All Field Offices, From: Director, Subject: Solar and Wind Energy Applications – Pre-Application and Screening," dated February 7, 2011, and the BLM should be using those criteria in selecting which project applications will be processed and analyzed, i.e., to identify the projects which would be located in areas with the fewest environmental concerns, thus increasing the likelihood they can ultimately be approved in a timely manner and with the least amount of controversy. Based on our reading of the BLM's criteria, this approach – which would benefit both the public and the project proponents – does not appear to have been taken in the case of this proposed project.

3. National Environmental Policy Act (NEPA). Based on our recent experience in analyzing and commenting on many NEPA documents for fast-track renewable energy projects in the California Desert and Nevada, which were published by the BLM, we strongly recommend that BLM pay particular attention to developing accurate and factual sections of the NEPA document for the proposed project for 1) purpose and need, 2) alternatives to the proposed action and 3) cumulative impacts.

A. Purpose and need. The purpose and need statement should not simply indicate that BLM is responding to an applicant's right of way application, as it has done for previous renewable energy projects. The framing of the purpose and need should be broad enough to support alternatives that are meaningful.

B. Alternatives to the proposed action. Alternatives are extremely important considering that public land-based renewable energy projects in the CDCA, individually and cumulatively, have resulted in the allocation of tens of thousands of acres of ecologically intact public lands to single-use, utility scale energy projects in just the past year. The range of alternatives must be carefully and methodically developed as a means to primarily avoid, and secondarily to minimize, adverse impacts to natural and cultural resources on our public lands, and especially in the CDCA because of statutory management requirements contained in the Federal Land Policy and Management Act. Alternatives to the proposed project, including alternative locations and reduced project sizes, need to be fully considered and analyzed. Furthermore, alternative locations must not be limited to public lands; previously disturbed private lands may provide opportunities for project development that do not entail significant adverse impacts to natural biological communities and sensitive biological resources that are often found on public lands. Consideration and analysis of alternative project locations is critical to ensuring that sites ultimately approved for the proposed

project is in the best possible location, and one that avoids destruction of natural biological communities.

NEPA requires that BLM consider a range of alternatives, which is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. NEPA requires BLM to "rigorously explore and objectively evaluate" a range of alternatives to proposed federal actions. See id. §§ 1502.14(a) and 1508.25(c). "An agency must look at every reasonable alternative, with the range dictated by the nature and scope of the proposed action."[2] An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action.[3] This evaluation extends to considering more environmentally protective alternatives and mitigation measures.[4] NEPA requires that an actual "range" of alternatives is considered, so that they will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)."[5] This requirement prevents the EIS from becoming "a foreordained formality."[6] A range of alternatives to the proposed project must also be evaluated under Section 15126.6 of CEQA.

Many project applicants have signed Power Purchase Agreements with public utility companies for a certain amount of electrical power prior to siting decisions being made. This practice appears to have made some applicants unwilling to consider alternatives to their projects, including possible re-configurations of project footprints and associated changes in energy production. This perceived lack of flexibility cannot be allowed to preclude the BLM's consideration of a reasonable range of alternatives. The BLM must consider more alternatives than merely the project as proposed or no project. More specifically, the BLM should consider at least two alternatives that are smaller than the proposed project and one that would address identified resource conflicts and concerns. In addition BLM should consider an alternative that coordinates this proposed project with the new redesign of the Blythe Solar Power Project (BSPP)to coordinate gen-tie lines, access roads, and key avoidance areas including washes and other sensitive biological and cultural resources.

Furthermore, since BLM intends to determine whether or not to amend the CDCA Plan to allow for the proposed project, we strongly recommend that the alternatives include

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[2] Northwest Envtl. Defense Center v. Bonneville Power Admin., 117 F.3d 1520, 1538 (9th Cir. 1997).
[3] City of Tenakee Springs v. Clough, 915 F.2d 1308, 1310 (9th Cir. 1990) (quoting 40 C.F.R. § 1502.14).
[4] *See, e.g.,* Kootenai Tribe of Idaho v. Veneman, 313 F.3d 1094,1122-1123 (9th Cir. 2002) (and cases cited therein).
[5] Colorado Environmental Coalition v. Dombeck, 185 F.3d 1162, 1174 (10th Cir. 1999), citing Simmons v. United States Army Corps of Engineers, 120 F.3d 664, 669 (7th Cir. 1997).
[6] City of New York v. Department of Transp., 715 F.2d 732, 743 (2nd Cir. 1983). *See also*, Davis v. Mineta, 302 F.3d 1104 (10th Cir. 2002).

provisions for conserving at-risk species, such as the Desert tortoise, which would allow BLM to address, in part, its obligation under Section 7(a)(1) of the Endangered Species Act. Such alternatives should include conservation actions recommended by the FWS in recent biological opinions for large-scale solar projects in this planning area. In the biological opinions for the Blythe, Palen, Desert Sunlight and Genesis solar projects, the FWS consistently included the following recommendation, "At a minimum, we recommend that BLM amend the California Desert Conservation Area Plan to prohibit additional renewable energy development …within the upper bajadas (mapped as "dissected fans" on the NECO Map 3-4, Landforms) in the mountains of northeastern Riverside County." For the BSPP (located immediately south of the proposed McCoy solar project), they specifically referenced the upper bajadas of the McCoy Mountains in their recommendation for areas which should precluded from further renewable energy project development by the BLM.

We strongly recommend that at least one of the alternatives considered and analyzed in the EIS/EIR for the proposed project be based on and reflect the above recommendations from the FWS. Based on our review of the Dissected Fans from Map 3-4 of the NECO Plan amendment, it roughly appears that the entire western one-half of the proposed project falls within this area. As such, we recommend that one of the alternatives exclude development in this area entirely, and that one alternative be coordinated with the redesigned BSPP project so that both projects avoid these important dissected fan areas.

C. Cumulative impacts. Cumulative impacts of the proposed project, and other existing and reasonably foreseeable land uses, on at-risk species and their habitats on a regional scale need to be carefully analyzed. Cumulative impacts need to be analyzed and considered in the context of various laws and regulations pertaining to management of public lands in the CDCA, including the Endangered Species Act, Federal Land Policy and Management Act, and BLM Manuals 6840 (Special Status Species Management), 6500 (Wildlife Habitat Management) and 4180 (Public Land Health). Lastly, the effects of the proposed project on management policies contained in the CDCA Plan must be carefully identified and analyzed.

Regarding cumulative impacts, we strongly urge BLM to consider the ecological condition and trend of lands and biological resources within the McCoy Wash region where the proposed project is located. It is essential such an analysis consider the adverse impacts from the 7,000 acre BSPP project which BLM authorized in 2010, and which is located immediately south of the proposed project, as well as the potential impacts from other pending applications in this region on both private and public lands. In a real sense, BLM needs to establish the carrying capacity for renewable energy in this area given all the pending applications.

Because the project is in an area being evaluated as a potential zone in the PEIS, the project must be considered in that context. Moreover, the recent announcement that the BSPP project will be changed to a PV project means that the project will need to be redesigned and

that redesign should be coordinated with this McCoy proposed project as a connected or similar action. NEPA's implementing regulations explain that agencies should consider connected, cumulative, and similar actions in the same impacts statement. "Connected actions" must "be considered together in a single EIS."[7] Likewise, cumulative actions "which when viewed with other proposed actions have cumulatively significant impacts should be discussed in the same impact statement." 40 C.F.R. § 1508.25(a)(2). Similar, reasonably foreseeable actions also should be considered together in the same environmental review document when the actions "have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography," and the "best way to assess adequately [their] combined impacts [...] or reasonable alternatives" is to consider them together. 40 C.F.R. § 1508.25(a)(3).

4. Biological resources of special concern.

A. Dry Desert Wash Woodlands. The proposed project is located in the McCoy Wash valley, a large, relatively undisturbed region that contains significant amounts of Dry Desert Wash Woodland, which is noted for its ecological significance in BLM's Northern and Eastern Colorado Desert Plan (NECO Plan). *See* NECO Plan, Map 3-3, Plant Communities. The NECO Plan contains conservation provisions for Dry Desert Wash Woodlands and other rare habitats:

"*The requirements for compensation at 3:1 replacement acres would discourage project placement in Desert Dry Wash Woodland and Desert Chenopod Scrub communities. Both of these are present in small amounts, but add greatly to overall plant diversity in the planning area. Similar compensation rates for disturbance of closed dunes and playas communities would likewise discourage projects on these very rare communities.*" (NECO Plan, Chapter 4, p. 83)

Clearly, the NECO Plan anticipated that projects that would entail destruction of Dry Desert Wash Woodlands would be discouraged due to the 3:1 habitat loss compensation requirement, but such was not the case with the BSPP project. Avoidance of sensitive Desert Dry Wash Woodland habitat is critical to its long term conservation on public lands in this planning area. Due to the extremely large size of the proposed project and its overlap with Dry Desert Wash Woodland Habitat, it is essential that alternatives to the proposed project that completely avoid this habitat type are identified and analyzed in the NEPA/CEQA analysis.

B. Landforms: Dissected Fans. Dissected fans or upper bajadas adjacent to the McCoy Mountains contains the higher quality tortoise habitat in the region, and, as noted above, the FWS recommended that BLM prohibit further renewable energy development in this area, as well as in dissected fan habitats adjacent to the mountains in eastern Riverside County in

[7] Thomas v. Peterson, 753 F.2d 754, 758 (9th Cir. 1985).

general. (Biological Opinion FWS-ERIV-09B0186-10F0880, Blythe Solar Power Plant, pp. 38-39).

C. Foraging habitat for Golden eagles and other raptors. Based on the results of a 2010 golden eagle survey for several solar energy projects in eastern Riverside County, conducted by the Wildlife Research Institute[8], evidence of current or past nesting by Golden eagle, Red-tailed hawk and Prairie falcon was found in the McCoy, Big Maria and Little Maria mountains, all of which border the McCoy Wash valley. Although the proposed project does not provide suitable raptor nesting habitat, the McCoy Wash region is within the potential foraging range of these species. We recommend that an analysis of the effects of the proposed project, as well as other existing and proposed projects, on raptor foraging habitat within the area is included in the NEPA/CEQA analysis.

D. Bighorn sheep. We are unaware of any recent systematic surveys for Desert bighorn sheep in the McCoy Mountains. Current status of the Desert Bighorn in the McCoy, Little and Big Maria Mountains and known and potential movement corridors between these ranges should be obtained. We recommend that BLM obtain such information from subject-matter experts within the California Department of Fish and Game, and other sources. The EIS/EIR for the proposed project should address impacts, avoidance measures and other mitigation relative to Desert bighorn.

The potential effect of the Blythe Solar Power Project on Desert bighorn was analyzed by the BLM and the results are contained in the Plan Amendment/Final Environmental Impact Statement for the Blythe Solar Power Project published by the BLM in August 2010. Since the proposed project is located immediately north of the BSPP project, we recommend that systematic field surveys be conducted to determine if Desert bighorn utilize the habitat that would be affected by the proposed project, especially during the late winter and early spring seasons. Such surveys should be designed and performed by professional biologists with expertise in Desert bighorn biology and management.

This concludes the scoping comments of our organizations. Please contact us individually or as a group if you have questions or need clarification about any of the issues or recommendations we have included in this letter. Thank you for considering these scoping comments from our organizations.

Sincerely,

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[8] http://energy.ca.gov/sitingcases/genesis_solar/documents/applicant/2010-06-24_Golden_Eagle_Surveys_Surrounding_4_Proposed_Solar_Developments_TN-57324.PDF

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Attachment: Recommended siting criteria for solar energy projects

Audubon California
California Native Plant Society * California Wilderness Coalition
Center for Biological Diversity * Defenders of Wildlife
Desert Protective Council * Mojave Desert Land Trust
National Parks Conservation Association
Natural Resources Defense Council * Sierra Club * The Nature Conservancy
The Wilderness Society * The Wildlands Conservancy

Renewable Siting Criteria for California Desert Conservation Area

Environmental stakeholders have been asked by land management agencies, elected officials, other decision-makers, and renewable energy proponents to provide criteria for use in identifying potential renewable energy sites in the California Desert Conservation Area (CDCA). Large parts of the California desert ecosystem have survived despite pressures from mining, grazing, ORV, real estate development and military uses over the last century. Now, utility scale renewable energy development presents the challenge of new land consumptive activities on a potentially unprecedented scale. Without careful planning, the surviving desert ecosystems may be further fragmented, degraded and lost.

The criteria below primarily address the siting of solar energy projects and would need to be further refined to address factors that are specific to the siting of wind and geothermal facilities. While the criteria listed below are not ranked, they are intended to inform planning processes and were designed to provide ecosystem level protection to the CDCA (including public, private and military lands) by giving preference to disturbed lands, steering development away from lands with high environmental values, and avoiding the deserts' undeveloped cores. They were developed with input from field scientists, land managers, and conservation professionals and fall into two categories: 1) areas to prioritize for siting and 2) high conflict areas. The criteria are intended to guide solar development to areas with comparatively low potential for conflict and controversy in an effort to help California meet its ambitious renewable energy goals in a timely manner.

Areas to Prioritize for Siting

- Lands that have been mechanically disturbed, i.e., locations that are degraded and disturbed by mechanical disturbance:
    - Lands that have been "type-converted" from native vegetation through plowing, bulldozing or other mechanical impact often in support of agriculture or other land cover change activities (mining, clearance for development, heavy off-road vehicle use).[1]
- Public lands of comparatively low resource value located adjacent to degraded and impacted private lands on the fringes of the CDCA:[2]
    - Allow for the expansion of renewable energy development onto private lands.
    - Private lands development offers tax benefits to local government.
- Brownfields:
    - Revitalize idle or underutilized industrialized sites.
    - Existing transmission capacity and infrastructure are typically in place.

- Locations adjacent to urbanized areas:[3]
    - Provide jobs for local residents often in underserved communities;
    - Minimize growth inducing impacts;
    - Provide homes and services for the workforce that will be required at new energy facilities;
    - Minimize workforce commute and associated greenhouse gas emissions.
- Locations that minimize the need to build new roads.
- Locations that could be served by existing substations.
- Areas proximate to sources of municipal wastewater for use in cleaning.
- Locations proximate to load centers.
- Locations adjacent to federally designated corridors with existing major transmission lines.[4]

High Conflict Areas

In an effort to flag areas that will generate significant controversy the environmental community has developed the following list of criteria for areas to avoid in siting renewable projects. These criteria are fairly broad. They are intended to minimize resource conflicts and thereby help California meet its ambitious renewable goals. The criteria are not intended to serve as a substitute for project specific review. They do not include the categories of lands within the California desert that are off limits to all development by statute or policy.[5]

- Locations that support sensitive biological resources, including: federally designated and proposed critical habitat; significant[6] populations of federal or state threatened and endangered species,[7] significant populations of sensitive, rare and special status species,[8] and rare or unique plant communities.[9]
- Areas of Critical Environmental Concern, Wildlife Habitat Management Areas, proposed HCP and NCCP Conservation Reserves.[10]
- Lands purchased for conservation including those conveyed to the BLM.[11]
- Landscape-level biological linkage areas required for the continued functioning of biological and ecological processes.[12]
- Proposed Wilderness Areas, proposed National Monuments, and Citizens' Wilderness Inventory Areas.[13]
- Wetlands and riparian areas, including the upland habitat and groundwater resources required to protect the integrity of seeps, springs, streams or wetlands.[14]
- National Historic Register eligible sites and other known cultural resources.
- Locations directly adjacent to National or State Park units.[15]

EXPLANATIONS

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[1] Some of these lands may be currently abandoned from those prior activities, allowing some natural vegetation to be sparsely re-established. However, because the desert is slow to heal, these lands do not support the high level of ecological functioning that undisturbed natural lands do.

[2] Based on currently available data.

[3] Urbanized areas include desert communities that welcome local industrial development but do not include communities that are dependent on tourism for their economic survival.

[4] The term "federally designated corridors" does not include contingent corridors.

[5] Lands where development is prohibited by statute or policy include but are not limited to:

National Park Service units; designated Wilderness Areas; Wilderness Study Areas; BLM National Conservation Areas; National Recreation Areas; National Monuments; private preserves and reserves; Inventoried Roadless Areas on USFS lands; National Historic and National Scenic Trails; National Wild, Scenic and Recreational Rivers; HCP and NCCP lands precluded from development; conservation mitigation banks under conservation easements approved by the state Department of Fish and Game, U.S. Fish and Wildlife Service or Army Corps of Engineers a; California State Wetlands; California State Parks; Department of Fish and Game Wildlife Areas and Ecological Reserves; National Historic Register sites.

[6] Determining "significance" requires consideration of factors that include population size and characteristics, linkage, and feasibility of mitigation.

[7] Some listed species have no designated critical habitat or occupy habitat outside of designated critical habitat. Locations with significant occurrences of federal or state threatened and endangered species should be avoided even if these locations are outside of designated critical habitat or conservation areas in order to minimize take and provide connectivity between critical habitat units.

[8] Significant populations/occurrences of sensitive, rare and special status species including CNPS list 1B and list 2 plants, and federal or state agency species of concern.

[9] Rare plant communities/assemblages include those defined by the California Native Plant Society's Rare Plant Communities Initiative and by federal, state and county agencies.

[10] ACECs include Desert Tortoise Desert Wildlife Management Areas (DWMAs). The CDCA Plan has designated specific Wildlife Habitat Management Areas (HMAs) to conserve habitat for species such as the Mohave ground squirrel and bighorn sheep. Some of these designated areas are subject to development caps which apply to renewable energy projects (as well as other activities).

[11] These lands include compensation lands purchased for mitigation by other parties and transferred to the BLM and compensation lands purchased directly by the BLM.

[12] Landscape-level linkages provide connectivity between species populations, wildlife movement corridors, ecological process corridors (e.g., sand movement corridors), and climate change adaptation corridors. They also provide connections between protected ecological reserves such as National Park units and Wilderness Areas. The long-term viability of existing populations within such reserves may be dependent upon habitat, populations or processes that extend outside of their boundaries. While it is possible to describe current wildlife movement corridors, the problem of forecasting the future locations of such corridors is confounded by the lack of certainty inherent in global climate change. Hence the need to maintain broad, landscape-level connections. To maintain ecological functions and natural history values inherent in parks, wilderness and other biological reserves, trans-boundary ecological processes must be identified and protected. Specific and cumulative impacts that may threaten vital corridors and trans-boundary processes should be avoided.

[13] Proposed Wilderness Areas: lands proposed by a member of Congress to be set aside to preserve wilderness values. The proposal must be: 1) introduced as legislation, or 2) announced by a member of Congress with publicly available maps. Proposed National Monuments: areas proposed by the President or a member of Congress to protect objects of historic or scientific interest. The proposal must be: 1) introduced as legislation or 2) announced by a member of Congress with publicly available maps. Citizens' Wilderness Inventory Areas: lands that have been inventoried by citizens groups, conservationists, and agencies and found to have defined "wilderness characteristics." The proposal has been publicly announced.

[14] The extent of upland habitat that needs to be protected is sensitive to site-specific resources. For example: the NECO Amendment to the CDCA Plan protects streams within a 5-mile radius of Townsend big-eared bat maternity roosts; aquatic and riparian species may be highly sensitive to changes in groundwater levels.

[15] Adjacent: lying contiguous, adjoining or within 2 miles of park or state boundaries. (Note: lands more than 2 miles from a park boundary should be evaluated for importance from a landscape-level linkage perspective, as further defined in footnote 12).

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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San Francisco, CA 94105-3901

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SEP 27 2011

Jeffery Childers, Project Manager
California Desert District Office, BLM
22835 Calle San Juan De Los Lagos
Moreno Valley, California 92553

Subject: Notice of Intent to Prepare a Joint Environmental Impact Statement and Environmental Impact Report for the Proposed McCoy Solar Energy Project, Riverside County, California and Possible Land Use Amendments to the California Desert Conservation Area Plan

Dear Mr. Childers:

The U.S. Environmental Protection Agency has reviewed the August 29, 2011 Notice of Intent to prepare a Joint Environmental Impact Statement and Environmental Impact Report for the proposed McCoy Solar Energy Project, Riverside County, California which may include an amendment to the California Desert Conservation Area Plan. Our comments are provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

The EPA supports increasing the development of renewable energy resources, as recommended in the National Energy Policy Act of 2005. Using renewable energy resources such as solar power can help the nation meet its energy requirements without generating greenhouse gas emissions. EPA believes that early analyses of key resource areas and the identification of compensatory mitigation lands should be completed as early as possible to determine a project's viability and avoid potential project delays. We are most concerned about direct and cumulative impacts to aquatic, cultural, and biological resources, including threatened and endangered species. Since cumulative impacts often occur at the landscape or regional level, we are particularly concerned about the impacts associated with the influx of large-scale renewable energy projects in Riverside County. Resources in the desert are particularly vulnerable to such large-scale development. To assist in the scoping process for this project, we have identified several issues for your attention in the preparation of the EIS.

We appreciate the opportunity to review this NOI and are available to discuss our comments. Please send one hard copy of the Draft joint EIS/EIR and one CD ROM copy to this office at the same time it is officially filed with our Washington D.C. Office. If you have any questions, please contact me at (415) 972-3545, or contact Scott Sysum, the lead reviewer for this project. Scott can be reached at (415) 972-3742 or sysum.scott@epa.gov.

Sincerely,

Ann McPherson
Environmental Review Office
Communities and Ecosystems Division

Enclosure: EPA's Detailed Comments

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US EPA DETAILED COMMENTS ON THE NOTICE OF INTENT TO PREPARE A JOINT ENVIRONMENTAL IMPACT STATEMENT AND ENVIRONMENTAL IMPACT REPORT, AND POSSIBLE LAND USE AMENDMENT TO THE CALIFORNIA DESERT CONSERVATION AREA PLAN, FOR THE PROPOSED MCCOY SOLAR ENERGY PROJECT, RIVERSIDE COUNTY, CALIFORNIA, SEPTEMBER 28, 2011

Project Description

McCoy Solar, LLC, a subsidiary of NextEra Energy Resources, has requested a right of way authorization from the Bureau of Land Management to construct, operate, maintain, and decommission a 750–megawatt photovoltaic solar energy facility and ancillary facilities in Riverside County, CA. The proposed 750 MW PV facility would be built in two phases and would include: PV arrays, access roads, perimeter fencing, an electrical substation, an electrical switch yard, a meteorological/solar irradiance monitoring station, operation and maintenance facility, primary and secondary telecommunications lines and a 16 mile generation tie-line. The project would be constructed on approximately 7,700 acres of public lands and 470 acres of private land under the land use authority of Riverside County. The project site is located approximately 13 miles northwest of the town of Blythe, California and approximately 32 miles east of the town of Desert Center, California, along Interstate 10. The project will be located directly north of the previously approved Solar Millennium Blythe Solar Power Project.

Statement of Purpose and Need

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

> *Recommendation:*
> The purpose and need should be a clear, objective statement of the rationale for the proposed project. The DEIS should discuss the proposed project in the context of the larger energy market that this project would serve and discuss how the project will assist the state in meeting its renewable energy portfolio standards and goals.

Alternatives Analysis

The National Environmental Policy Act requires evaluation of reasonable alternatives, including those that may not be within the jurisdiction of the lead agency (40 CFR Section 1502.14(c)). A robust range of alternatives will include options for avoiding significant environmental impacts. The DEIS should provide a clear discussion of the reasons for the elimination of alternatives which are not evaluated in detail. A range of reasonable alternatives should include alternative sites and technologies; alternatives with reduced acreage, reduced MWs, or modified footprints; as well as alternatives that identify and avoid environmentally sensitive areas or areas with potential use conflicts. The alternatives analysis should describe the approach used to identify environmentally sensitive areas and describe the process that was used to designate them in terms of sensitivity (low, medium, and high).

The environmental impacts of the proposal and alternatives should be presented in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public (40 CFR 1502.14). The potential environmental impacts of each alternative should

be quantified to the greatest extent possible (e.g., acres of pristine desert impacted, tons per year of emissions produced).

Recommendations:
The DEIS should describe how each alternative was developed, how it addresses each project objective, and how it will be implemented. The alternatives analysis should include a discussion of a reduced acreage, reduced MW and modified footprint alternatives, as well as alternative sites and generating technologies, including different types of solar technologies, and describe the benefits associated with the proposed technology.

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

The EPA strongly encourages BLM and other interested parties to pursue the siting of renewable energy projects on disturbed, degraded, and contaminated sites, including fallow or abandoned agricultural lands before considering large tracts of undisturbed public lands.

The EPA recommends that the DEIS identify and analyze an *environmentally preferred alternative*. This alternative should consider options such as downsizing the proposed project within the project area and/or relocating sections/components of the project to other areas, including private land, to avoid or reduce environmental impacts.

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

Water Resources

Water Supply and Water Quality

PV electrical generation facilities generally need much less water than solar thermal plants. The DEIS should estimate the quantity of water the project will require and describe the source of this water and potential effects on other water users and natural resources in the project's area of influence. The DEIS should clearly depict reasonably foreseeable direct, indirect, and cumulative impacts to this resource. If groundwater is to be used, the potentially-affected groundwater basin should be identified and any potential for subsidence and impacts to springs or other open water bodies and biologic resources should be analyzed. The DEIS should include:

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

- An analysis of the potential for alternatives to cause adverse aquatic impacts such as impacts to water quality and aquatic habitats.

  Recommendations:
  The DEIS should address the potential effects of project discharges, if any, on surface water quality. Specific discharges should be identified and potential effects of discharges on designated beneficial uses of affected waters should be analyzed. If the facility is a zero discharge facility, the DEIS should disclose the amount of process water that would be disposed of onsite and explain methods of onsite containment.

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

  The DEIS should describe water reliability for the proposed project and clarify how existing and/or proposed sources may be affected by climate change. At a minimum, the EPA expects a qualitative discussion of impacts to water supply and the adaptability of the project to these changes.

Clean Water Act Section 404

The project applicant should coordinate with the U.S. Army Corps of Engineers to determine if the proposed project requires a Section 404 permit under the Clean Water Act. Section 404 regulates the discharge of dredged or fill material into waters of the United States (WOUS), including wetlands and other *special aquatic sites*. The DEIS should describe all WOUS that could be affected by the project alternatives, and include maps that clearly identify all waters within the project area. In addition, the EPA suggests that the BLM include a jurisdictional delineation for all WOUS, including ephemeral drainages, in accordance with the 1987 *Corps of Engineers Wetlands Delineation Manual* and the December 2006 *Arid West Region Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region.* A jurisdictional delineation will confirm the presence or absence of WOUS in the project area and help determine impact avoidance or if state and federal permits would be required for activities that affect WOUS.

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

Recommendations:
The DEIS should include a jurisdictional delineation for all WOUS, including ephemeral drainages, in accordance with the 1987 *Corps of Engineers Wetlands Delineation Manual* and the December 2006 *Arid West Region Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region.* A jurisdictional delineation will confirm the presence of WOUS in the project area and help determine impact avoidance or if state and federal permits would be required for activities that affect WOUS.

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

Drainages, Ephemeral Washes, and Floodplains

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

Resources in the desert are particularly vulnerable to utility-scale solar energy development. These resources are being cumulatively impacted by the numerous large-scale solar development projects being proposed in the desert. The potential damage that could result from disturbance of such washes includes alterations to the hydrological functions that natural channels provide in arid ecosystems, including adequate capacity for flood control, energy dissipation and sediment movement, as well as impacts to valuable habitat for desert species. For these reasons, the EPA recommends that a desert or ephemeral wash avoidance alternative be created, which would be consistent with the goals and objectives of NEPA to promote efforts which will prevent or eliminate damage to the environment and biosphere (42 USC § 4321), and to attain the widest range of beneficial uses of the environment without degradation (42 USC § 4331).

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

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

To avoid and minimize direct and indirect impacts to desert washes (such as erosion, migration of channels and local scour), the EPA recommends:

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

Discuss the availability of sufficient compensation lands within the project's watershed to replace desert wash functions lost on the project site.

Construction Stormwater Discharge Permit

The California State Water Resources Control board requires owner/operators to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity if the project will disturb more than one acre of soil. Given the disturbance area for this project, California State Water Resources Control Board General Permit associated with construction activity Construction General Permit Order 2009-0009-DWQ would likely be required. Additionally, a Stormwater Pollution Prevention Plan, that includes erosion control measures, would need to be generated for the project and implemented on-site.

The SWPPP would include the elements described in the Construction General Permit, including a site map(s) showing the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP also would list Best Management Practices, including erosion control BMPs that would be used to protect stormwater runoff, and include a description of required monitoring programs.

Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP. Guidance from other documents, such as the EPA document entitled "Developing Your Stormwater Pollution Prevention Plan: A Guide for Construction Sites" also could be used in the development of the SWPPP.

Recommendation:
The EPA recommends that the applicant determine the need for a California State Water Resources Control Board General Permit associated with construction activity Construction General Permit Order 2009-0009-DWQ. If such a permit is required, include a description of the proposed stormwater pollution control and mitigation measures in the DEIS.

Biological Resources and Habitat

The DEIS should identify all petitioned and listed threatened and endangered species and critical habitat that might occur within the project area. The document should identify and quantify which species or critical habitat might be directly, indirectly, or cumulatively affected by each alternative and mitigate impacts to these species. Emphasis should be placed on the protection and recovery of species due to their status or potential status under the federal or state Endangered Species Act. For this project, EPA is particularly concerned regarding potential impacts to desert tortoise, fringe toed lizards, burrowing owls, migratory birds and raptors.

Recommendations:
The EPA recommends that the BLM consult with the U.S. Fish and Wildlife Service and prepare a Biological Opinion under Section 7 of the ESA for all threatened or endangered species present.

We also recommend that BLM coordinate across field offices and with USFWS and California Department of Fish and Game to ensure that current and consistent surveying, monitoring, and reporting protocols are applied in protection and mitigation efforts.

The DEIS should provide a recent status update on this topic if these actions have been or will be undertaken. Analysis of impacts and mitigation on covered species should include:

- Baseline conditions of habitats and populations of the covered species.
- A clear description of how avoidance, mitigation and conservation measures will protect and encourage the recovery of the covered species and their habitats in the project area.
- Monitoring, reporting and adaptive management efforts to ensure species and habitat conservation effectiveness.

If the applicant is to acquire compensation lands, the location(s) and management plans for these lands should be discussed in the DEIS. In light of the numerous projects proposed in the eastern Riverside County area, available land to adequately compensate for environmental impacts to resources such as state jurisdictional waters, desert dry wash woodlands, and sensitive biological resources may serve as a limiting factor for development.

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

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

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

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

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

Discuss the need for monitoring, mitigation, and if applicable, translocation management plans for the sensitive biological resources, approved by the BLM and the biological resource management agencies. This would include, but not limited to, an Avian Protection Plan, a Raven Monitoring, Management, and Control Plan, Burrowing Owl Mitigation, Monitoring and Translocation Plan, Desert Tortoise Relocation/Translocation Plan, Desert Tortoise

Compensatory Mitigation Plan, Special – Status Plant Impact Avoidance and Mitigation Plan, and Management Plan for Sand Dune/Fringed-Toed Lizard.

The DEIS should include assurances that the design of the transmission line would be in compliance with current standards and practices that reduce the potential for raptor fatalities and injuries. The commonly referenced source of such design practices is found within the Avian Power Line Interaction Committee documents: *Suggested Practices for Avian Protection on Power Lines: State of the Art in 2006* manual and *Mitigating Bird Collisions with Power Lines: The State of the Art in 1994*. Also include a requirement for an Avian Protection Plan to be developed using the 2005 Avian Power Line Interaction Committee and U.S. Fish and Wildlife Service Avian Protection Plan Guidelines.

The EPA is also concerned about the potential impact of construction, installation, and maintenance activities (deep trenching, grading, filling, and fencing) on habitat. The DEIS should describe the extent of these activities and the associated impacts on habitat and threatened and endangered species. The EPA is also aware that shade from the PV panels could impact vegetation and/or species in the project area. We encourage habitat conservation alternatives that avoid and protect high value habitat and create or preserve linkages between habitat areas to better conserve the covered species.

Recommendations:
The DEIS should describe the extent of potential impacts from construction, installation, and maintenance activities.

The DEIS should indicate the location of important wildlife habitat areas. The DEIS should describe what measures will be taken to protect important wildlife habitat areas and to preserve linkages between them.

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

The DEIS should provide detailed information on any proposed fencing design and placement, and its potential effects on drainage systems on the project site. Fencing proposed for this project should meet appropriate hydrologic, wildlife protection and movement, and security performance standards. Those standards should be described in the DEIS.

Invasive Species

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

Recommendation:
The DEIS should include an invasive plant management plan to monitor and control noxious weeds.

Cumulative and Indirect Impacts

The cumulative impacts analysis should identify how resources, ecosystems, and communities in the vicinity of the project have already been, or will be, affected by past, present, or future activities in the project area. These resources should be characterized in terms of their response to change and capacity to withstand stresses. Trends data should be used to establish a baseline for the affected resources, to evaluate the significance of historical degradation, and to predict the environmental effects of the project components.

For the cumulative impacts assessment, we recommend focusing on resources of concern or resources that are "at risk" and/or are significantly impacted by the proposed project, before mitigation. For this project, the BLM should conduct a thorough assessment of the cumulative impacts to aquatic and biological resources, including impacts to desert tortoise, especially in the context of the renewable energy developments occurring and proposed in the eastern Riverside County area. As mentioned, cumulative impacts to desert washes and ecosystems are occurring and will continue to occur from multiple large solar installations in the desert, therefore cumulative impacts to this resource should be thoroughly discussed for this project as well.

The EPA supports a regional assessment of the potential cumulative effects of other projects in the eastern Riverside County to a range of resources, including aquatic, biological, and cultural resources. These findings should help inform current and future development proposed in the region.

The EPA assisted in the preparation of a guidance document for assessing cumulative impacts in California that we find to be very useful. While this guidance was prepared for transportation projects in California, the principles and the 8-step process outlined therein can be applied to other types of projects and offers a systematic way to analyze cumulative impacts for a project. The guidance is available at: http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm. In accordance with this guidance, the EPA recommends that the DEIS identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the DEIS should:

- Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date.
- Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis.
- Identify all on-going, planned, and reasonably foreseeable projects in the study area that may contribute to cumulative impacts.
- Identify the future condition of the resource based on an analysis of impacts from reasonably foreseeable projects or actions added to existing conditions and current trends.
- Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives.
- When cumulative impacts are identified for a resource, mitigation should be proposed.
- Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts.
- Identify opportunities to avoid and minimize impacts, including working with other entities.

Recommendations:
The DEIS should consider the cumulative impacts associated with multiple renewable energy and other development projects proposed in the eastern Riverside County area and the potential impacts on various resources including: water supply, endangered species, and habitat.

The BLM and project proponents should conduct a regional assessment of resource impacts, given the number of projects under construction or planned for the region.

As an indirect result of providing additional power, it can be anticipated that these projects will allow for development and population growth to occur in those areas that receive the generated electricity.

Recommendation:
The DEIS should describe the reasonably foreseeable future land use and associated impacts that will result from the additional power supply. The document should provide an estimate of the amount of growth, its likely location, and the biological and environmental resources at risk.

Climate Change

Scientific evidence supports the concern that continued increases in greenhouse gas emissions resulting from human activities will contribute to climate change. Global warming is caused by emissions of carbon dioxide and other heat-trapping gases. On December 7, 2009, the EPA determined that emissions of GHGs contribute to air pollution that "endangers public health and welfare" within the meaning of the Clean Air Act. One report indicates that observed changes in temperature, sea level, precipitation regime, fire frequency, and agricultural and ecological systems reveal that California is already experiencing the measurable effects of climate change[1]. The report indicates that climate change could result in the following changes in California: poor air quality; more severe heat; increased wildfires; shifting vegetation; declining forest productivity; decreased spring snowpack; water shortages; a potential reduction in hydropower; a loss in winter recreation; agricultural damages from heat, pests, pathogens, and weeds; and rising sea levels resulting in shrinking beaches and increased coastal floods.

Recommendations:
The DEIS should consider how climate change could potentially influence the proposed project, specifically within sensitive areas, and assess how the projected impacts could be exacerbated by climate change.

The DEIS should quantify and disclose the anticipated climate change *benefits* of solar energy. We suggest quantifying greenhouse gas emissions from different types of generating facilities including solar, geothermal, natural gas, coal-burning, and nuclear and compiling and comparing these values.

Air Quality

The DEIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards, criteria pollutant nonattainment areas, and potential air quality impacts of the proposed projects (including cumulative and indirect impacts). Such

[1] Moser, Susie, Guido Franco, Sarah Pittiglio, Wendy Chou, Dan Cayan. 2009. The Future Is Now: An Update on Climate Change Science Impacts and Response Options for California. California Energy Commission, PIER Energy-Related Environmental Research Program. CEC-500-2008-071.

an evaluation is necessary to assure compliance with State and Federal air quality regulations, and to disclose the potential impacts from temporary or cumulative degradation of air quality.

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

Recommendations:

- *Existing Conditions* – The DEIS should provide a detailed discussion of ambient air conditions, National Ambient Air Quality Standards, and criteria pollutant nonattainment areas in all areas considered for solar development.

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

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

- *Construction Emissions Mitigation Plan* – The DEIS should include a draft Construction Emissions Mitigation Plan and ultimately adopt this plan in the Record of Decision. In addition to all applicable local, state, or federal requirements, we recommend the following control measures (Fugitive Dust, Mobile and Stationary Source and Administrative) be included in the Construction Emissions Mitigation Plan in order to reduce impacts associated with emissions of particulate matter and other toxics from construction-related activities:

- *Fugitive Dust Source Controls:* The DEIS should identify the need for a Fugitive Dust Control Plan to reduce Particulate Matter 10 and Fine Particulate Matter 2.5 emissions during construction and operations. We recommend that the plan include these general commitments:
    - Stabilize heavily used unpaved construction roads with a non-toxic soil stabilizer or soil weighting agent that will not result in loss of vegetation, or increase other environmental impacts.
    - During grading use water, as necessary, on disturbed areas in construction sites to control visible plumes.
    - Vehicle Speed
        - Limit speeds to 25 miles per hour on stabilized unpaved roads as long as such speeds do not create visible dust emissions.
        - Limit speeds to 10 miles per hour or less on unpaved areas within construction sites on unstabilized (and unpaved) roads.
        - Post visible speed limit signs at construction site entrances.
    - Inspect and wash construction equipment vehicle tires, as necessary, so they are free of dirt before entering paved roadways, if applicable.

- Provide gravel ramps of at least 20 feet in length at tire washing/cleaning stations, and ensure construction vehicles exit construction sites through treated entrance roadways, unless an alternative route has been approved by appropriate lead agencies, if applicable.
- Use sandbags or equivalent effective measures to prevent run-off to roadways in construction areas adjacent to paved roadways. Ensure consistency with the project's Storm Water Pollution Prevention Plan, if such a plan is required for the project
- Sweep the first 500 feet of paved roads exiting construction sites, other unpaved roads en route from the construction site, or construction staging areas whenever dirt or runoff from construction activity is visible on paved roads, or at least twice daily (less during periods of precipitation).
- Stabilize disturbed soils (after active construction activities are completed) with a non-toxic soil stabilizer, soil weighting agent, or other approved soil stabilizing method.
- Cover or treat soil storage piles with appropriate dust suppressant compounds and disturbed areas that remain inactive for longer than 10 days. Provide vehicles (used to transport solid bulk material on public roadways and that have potential to cause visible emissions) with covers. Alternatively, sufficiently wet and load materials onto the trucks in a manner to provide at least one foot of freeboard.
- Use wind erosion control techniques (such as windbreaks, water, chemical dust suppressants, and/or vegetation) where soils are disturbed in construction, access and maintenance routes, and materials stock pile areas. Keep related windbreaks in place until the soil is stabilized or permanently covered with vegetation.

- *Mobile and Stationary Source Controls:*
  - If practicable, lease new, clean equipment meeting the most stringent of applicable Federal[2] or State Standards[3]. In general, commit to the best available emissions control technology. Tier 4 engines should be used for project construction equipment to the maximum extent feasible[4].
  - Where Tier 4 engines are not available, use construction diesel engines with a rating of 50 hp or higher that meet, at a minimum, the Tier 3 California Emission Standards for Off-Road Compression-Ignition Engines[5], unless such engines are not available.
  - Where Tier 3 engine is not available for off-road equipment larger than 100 hp, use a Tier 2 engine, or an engine equipped with retrofit controls to reduce exhaust emissions of nitrogen oxides and diesel particulate matter to no more than Tier 2 levels.
  - Consider using electric vehicles, natural gas, biodiesel, or other alternative fuels during construction and operation phases to reduce the project's criteria and greenhouse gas emissions.
  - Plan construction scheduling to minimize vehicle trips.
  - Limit idling of heavy equipment to less than 5 minutes and verify through unscheduled inspections.

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[2] EPA's website for nonroad mobile sources is http://www.epa.gov/nonroad/.
[3] For California, see ARB emissions standards, see: http://www.arb.ca.gov/msprog/offroad/offroad.htm.
[4] Diesel engines < 25 hp rated power started phasing in Tier 4 Model Years in 2008. Larger Tier 4 diesel engines will be phased in depending on the rated power (e.g., 25 hp - <75 hp: 2013; 75 hp - < 175 hp: 2012-2013; 175 hp - < 750 hp: 2011 - 2013; and ≥ 750 hp 2011- 2015).
[5] as specified in California Code of Regulations, Title 13, section 2423(b)(1)

- Maintain and tune engines per manufacturer's specifications to perform at CARB and/or EPA certification levels, prevent tampering, and conduct unscheduled inspections to ensure these measures are followed.

- *Administrative controls:*
  - Develop a construction traffic and parking management plan that maintains traffic flow and plan construction to minimize vehicle trips.
  - Identify any sensitive receptors in the project area, such as children, elderly, and infirmed, and specify the means by which you will minimize impacts to these populations (e.g. locate construction equipment and staging zones away from sensitive receptors and building air intakes).
  - Include provisions for monitoring fugitive dust in the fugitive dust control plan and initiate increased mitigation measures to abate any visible dust plumes.

Hazardous Materials/Hazardous Waste/Solid Waste

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

PV Production/Recycling

PV production can address the full product life cycle, from raw material sourcing through end of life collection and reuse or recycling. PV companies can minimize their environmental impacts during raw material extraction and minimize the amount of rare materials used in the product. PV manufacturing facilities exist that are zero waste and have no air or water emissions. PV companies can facilitate future material recovery for reuse or recycling. Several solar companies have developed approaches to recycling solar modules that enable treatment and processing of PV module components into new modules or other projects. Solar companies can facilitate collection and recycling through buy-back programs or collection and recycling guarantees. Several companies provide recycling programs that pay all packaging, transportation, and recycling costs.

Recommendations:
EPA recommends that the proponent strive to address the full product life cycle by sourcing PV components from a company that: 1) minimizes environmental impacts during raw material extraction; 2) manufactures PV panels in a zero waste facility; 3) provides future PV disassembly for material recovery for reuse and recycling; and 4) minimizes the carbon footprint associated with the manufacture and transport of PV panels.

Project Decommissioning, Site Restoration and Financial Assurance

Desert ecosystems have evolved over millennia to withstand severe conditions. Decommissioning and site restoration in an arid environment may take much longer and require more extensive intervention

than in a more temperate region. For the eastern Colorado Desert, sufficient moisture for regeneration is usually only available a couple of months per year. Desert ecosystems may take many years to recover even with active intervention. Disturbances can further slow this process and restoration has been found to be problematic at other sites in arid ecosystems with large-scale disturbance, including open-pit mines. The EPA recommends that the site restoration planning take into account the uncertainty and harshness of the eastern Colorado Desert climate and include monitoring of revegetation progress for at least ten years to ensure that the effort is successful.

Recommendations:
The EPA recommends that the DEIS include a requirement for a decommissioning and site restoration plan. The plan should include: 1) cost estimates – including a requirement for the project owner to secure a performance bond, surety bond, letter of credit, corporate guarantee, or other form of financial assurance adequate to cover the cost of decommissioning and effective restoration; 2) time allotted to complete the decommissioning/restoration; 3) description of the structures, facilities, foundations to be removed; and 4) description of restoration measures including recontouring the surface and revegetation to a condition reasonably similar to the original condition.

Coordination with Tribal Governments

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

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

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

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

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

Environmental Justice and Impacted Communities

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994) and the more recent Interagency Memorandum of Understanding on Environmental Justice and Executive Order 12898 (August 4, 2011) direct federal agencies to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations, allowing those populations a meaningful opportunity to participate in the decision-making process. Guidance[6] by CEQ clarifies the terms low-income and minority population (which includes Native Americans) and describes the factors to consider when evaluating disproportionately high and adverse human health effects.

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

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

Coordination with Land Use Planning Activities

The DEIS should discuss how the proposed action would support or conflict with the objectives of federal, state, tribal or local land use plans, policies and controls in the project areas. The term "land use plans" includes all types of formally adopted documents for land use planning, conservation, zoning and related regulatory requirements. Proposed plans not yet developed should also be addressed it they have been formally proposed by the appropriate government body in a written form (CEQ's Forty Questions, #23b).

[6] Environmental Justice Guidance under the National Environmental Policy Act, Appendix A (Guidance for Federal Agencies on Key Terms in Executive Order 12898), CEQ, December 10, 1997.

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ENVIRONMENTAL PROTECTION AGENCY
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Jeffery Childers, Project M
CA Desert District Office,
22835 Calle San Juan De I
Moreno Valley, CA 9255:

92553$9046 0034

SOUTHERN CALIFORNIA
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Louis B. Davis
Region Manager

September 28, 2011

Mr. Jeffery Childers
BLM California Desert District Office
22835 Calle San Juan de Los Lagos
Moreno Valley, CA 92553-9046

RE: Notice of Intent (NOI) to Prepare a Joint EIS/EIR for the McCoy Solar Energy Project

Dear Mr. Childers:

Southern California Edison (SCE) appreciates the opportunity to provide comment on the NOI for the proposed McCoy Solar Energy Project. The project is described as a proposal to develop an up to 750-MW photovoltaic solar facility and associated infrastructure on approximately 7,700 acres of public land and 470 acres of private land within the County of Riverside. Specifically, the project is stated to be located approximately 13 miles northwest of the City of Blythe and approximately 32 miles east of Desert Center.

Southern California Edison has recently completed a Phase II Facilities Study for this project. The Phase II Facilities Study identified several components necessary for interconnection, including a 220kV generator tie-in to the Colorado River Substation, and fiber optic cables for telecommunication purposes.

Interconnection of renewable generators into SCE's California Independent System Operator (CAISO)-controlled grid is established through an application to CAISO under their rules and tariffs. SCE and CAISO work together to determine, through a series of Interconnection Studies, the new and/or upgraded electrical facilities required to be constructed to support interconnection of the project into SCE's transmission system. The generator enters into an Interconnection Agreement with SCE and CAISO to interconnect and operate its generation project, and for SCE to design, construct, install, operate and maintain any facilities or upgrades, and for the customer to pay for such upgrades. The Agreement also allows refunds to be provided to the customer for any network upgrades financed up-front by the customer, pursuant to the Federal Energy Regulatory Commission (FERC) Tariff. Currently, the process includes projects studied serially and in clusters, which are queued for study purposes and for scheduling of construction activities.

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Region Manager

CPUC Permit to Construct (PTC) Requirements

Construction of new or relocated electrical facilities operating between 50 and 200 kV (power lines and substations) are subject to the CPUC environmental review requirements specified in the CPUC's General Order (GO) 131-D, Section III.B.

GO131-D provides for certain exemptions from the CPUC PTC environmental review requirements for facilities operating between 50 and 200 kV. For example, if the Lead Agency CEQA document permitting the generation project includes the project description, work scope, and environmental analysis for SCE's 50-200 kV interconnection facilities (including power line, substation, as well as associated telecommunication facilities), and the final CEQA document (Environmental Impact Report or Negative Declaration) finds no significant unavoidable environmental impacts caused by the proposed 50-200 kV electric facilities, the facilities may be able to be constructed exempt from the CPUC PTC requirements.

If the SCE 50-200 kV interconnection facilities are not included in the Lead Agency CEQA document for the generation project, or if the project does not qualify for the Exemption f due to significant, unavoidable environmental impacts, or if the exemption is subject to the "override" provision in GO 131-D, Section III.B.2., disallowing use of the exemption, SCE may need to seek approval from the CPUC for a PTC for the 50-200 kV interconnecting facilities. This process may take 18 months or longer, since the CPUC may need to conduct its own environmental evaluation (i.e., Mitigated Negative Declaration or Environmental Impact Report) for the new or relocated electric facilities (the 18 months is in addition to the time required by SCE to prepare its CPUC PTC application and related Proponent's Environmental Assessment). In certain cases, however, if the SCE facilities are covered in the final CEQA document, despite the presence of significant unavoidable environmental impacts that may preclude SCE from using Exemption f, SCE may be able to consult with the CPUC on a case-by-case basis to see if SCE could use the final CEQA document in lieu of a PEA and attach it to an "expedited" PTC application. This expedited PTC application typically takes the CPUC approximately 4-6 months to process.

CPUC Certificate of Public Convenience and Necessity (CPCN) Requirements

If the SCE interconnection facilities to be constructed or relocated are over 200 kV, GO 131-D, Section III.A requires SCE to obtain a CPCN from the CPUC unless certain exceptions apply. Unlike PTC Exemption f discussed above, there is no equivalent exemption for projects subject to a CPCN. Accordingly, SCE would need to consult on a case-by-case basis with the CPUC for such projects to determine if the CPUC would allow the project to proceed "exempt" or instead allow SCE to proceed under an "expedited" CPCN application by attaching the final CEQA document completed by the Lead Agency in lieu of an SCE PEA. Such an expedited CPCN would typically take from 4-6 months for the CPUC to process.

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For the benefits and reasons stated above, it is assumed that the project proponent for the generation project will include SCE's interconnection facilities and network upgrades work scope (including facilities to be constructed by others and deeded to SCE) in the reports/applications submitted to the Lead Agency permitting the generation project (e.g., California Energy Commission or applicable local, state or federal permitting agency, such as the Bureau of Land Management), and that such agencies will review the potential environmental impacts associated with SCE's work scope in any environmental document issued. However, depending on certain circumstances, the CPUC may still require SCE to undergo a standard PTC or CPCN for the generator tie-line and network upgrades associated with the generation project.

SCE Scope of Work NOT Subject to CPUC General Order 131-D

Certain SCE facilities and scope of work may not be subject to the CPUC's GO 131-D. In such instances, SCE will follow any and all other applicable environmental laws and regulations. In some cases, SCE will be required to obtain permits for SCE facilities and scope of work from state and federal agencies under other environmental laws and regulations, such as California Fish and Game Code, Clean Water Act, and Endangered Species Act. State and federal agencies may be required to comply with CEQA and NEPA prior to issuing their permits. The Lead Agency may also require evaluation of SCE's facilities and scope of work as part of the proposed generation project.

Coordination with SCE

For these reasons, SCE recommends that the project proponent and Lead Agency coordinate with SCE early in its environmental review process to identify the potential need to obtain certain permits for SCE facilities and scope of work necessary to interconnect the proposed project. SCE further suggests the project proponent submit to the Lead Agency information on the foreseeable SCE scope of work and its associated impacts, so that the Lead Agency can analyze such impacts during its environmental review process as appropriate. In this manner, the Lead Agency may coordinate with responsible agencies (under CEQA) or with cooperating agencies (under NEPA) to appropriately analyze impacts of the other agencies' actions and reduce the need for supplemental analyses and amendments to circulated environmental documents. In addition, SCE recommends that the project proponent coordinates with SCE when obtaining environmental permits in case both parties require permits issued under the same authorities.

For facilities that are not subject to GO 131-D, once all pre-construction requirements of applicable environmental laws and regulations are complied with, SCE would issue an in-house Environmental Clearance before commencement of its construction activities.

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Impacts to SCE Faciliites or Land Rights

In the event the project proposes to impact SCE facilities or its land related rights, please forward five (5) sets of project plans depicting SCE's facilities and its associated land rights to the following location for review:

Real Properties Department
Southern California Edison Company
2131 Walnut Grove Avenue, G.O.3 – Second Floor
Rosemead, CA 91770

Once again, SCE appreciates the the opportunity to comment on the NOP for this project and looks forward to working closely with the applicant and the Lead Agency to support interconnection of this project into SCE's CAISO controlled transmission grid (or through SCE's WDAT). Please notify SCE when the DEIR for this project becomes available for public review. If you have any questions regarding this letter, please do not hesitate to contact me at (951)249-8468.

Sincerely,

Local Public Affairs Region Manager
Southern California Edison Company

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Wildomar, CA 92595

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Janna Scott

From: Childers, Jeffery K [jchilders@blm.gov]
Sent: Monday, October 03, 2011 7:33 AM
To: Janna Scott; Jennifer Johnson
Subject: FW: McCoy Solar Scoping Meeting Comments 9-20-11 Palm Desert UCR Campus
Attachments: PPinon's comments made at BLM McCoy scoping meeting 9-20-11.rtf

Jeffery Childers
PM - P&EC – CDD – RECO
951.697-5308 Desk
951.807.6737 Cell

From: Pati Pinon [mailto:paticuna@msn.com]
Sent: Sunday, October 02, 2011 9:40 PM
To: Childers, Jeffery K; Pati Pinon
Subject: McCoy Solar Scoping Meeting Comments 9-20-11 Palm Desert UCR Campus

Dear Mr. Childers,

I spoke at the McCoy Scoping Meeting on September 20, 2011 and I wanted to make sure my comments were submitted in writing to you for your own records as part of the public opinion section of your scoping meetings. I did not observe any particular person taking notes or recording the public comments as have been done in the past, so I am submitting them myself.

Thank you,

Patricia Pinon,
Chairperson,
La Cuna de Aztlan Sacred Sites Protection Circle

Good evening, my name is Patricia Pinon and I am the Chairperson of La Cuna de Aztlan Sacred Sites Protection Circle. I am here to protest the McCoy Solar Project. In 2000, we organized our group, La Cuna de Aztlan Sacred Sites Protection Circle to create a path toward the protection of indigenous sacred sites located within the Lower Colorado River basin area. After several years of petitioning the BLM, we were able to secure a Memorandum of Understanding with the BLM and the NRDC's Southern Low Desert Resources Conservation and Development Council. La Cuna de Aztlan Sacred Sites Protection Circle Advisory Committee is comprised of 15 indigenous and culturally aware individuals who are dedicated to physically protecting the Blythe Giant Intaglios, other geoglyphs and several hundred sacred sites (located along the Colorado River from Needles, CA to Yuma, AZ), by seeking authorization from BLM to construct fences and limiting public access from the footpaths that lead directly to the sacred sites.

We met numerous hours with the BLM archaeologist and the NRDC geologist on the development of plans for the conservation, protection and interpretation of desert resources and sacred sites. Specifically the Advisory Committee agreed to diligently work towards the immediate and future protection of cultural resources, including the Blythe Intaglios, for the good of the future generations and the public good, and assist with any environmental documents deemed necessary for the completion of joint projects within the mutual boundary of the Council and BLM. Our efforts would also be focused on providing a public outreach program to encourage and promote active public participation in the protection of desert resources and assist in the solicitation of funds from outside organizations and agencies to complete agree upon projects or work items within the mutual boundaries of the BLM and the Council.

After all these years of working together with the BLM, you can imagine how disgusted and disappointed we were to learn that the BLM was actually planning on destroying the same sites we had jointly decided to protect and conserve. This is the stab in the back that shocked the committee and the Elders working with us to protect the desert native trails and over 300 sacred geoglyphs that lie vulnerably in the path of the these mega solar projects. The contamination these projects will leave behind will be devasting to the land and to the community of Blythe. We still don't know what it will do the earth's atmosphere but at this point no one seems to care. Of all the intelligent people here tonight, not one of you seems to care about what this will do the earth.

Our Chemehuevi and other indigenous Elders have always regarded this area as very sacred. Through our investigations, we have deciphered and cross referenced some of the petroglyphs and other symbols found on these mountains with Nahua Codex. We have also conducted field studies during the solstices and equinoxes confirming the authenticity of these sites. As a people we need to pass this valuable history to younger generations so that they may know their roots. Protecting the desert and these sites is a fight that will continue until the threat of their destruction is no more.

For 500 years the indigenous way of life was kept in darkness with the enslavement of indigenous people who were stripped of their culture, traditions and beliefs. Today, indigenous people throughout the world are awakening and realizing the truth of their heritage and once more have regained pride in their culture and traditions. This is why we will never give up this fight. We will never tolerate the destruction of Mother Earth and suppression of indigenous knowledge, languages, customs and traditions. Thank you.

La Cuna de Aztlan
Sacred Sites Protection Circle

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

13

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

October 3, 2011

Jeffery Childers
California Desert District BLM
22835 Calle San Juan de Los Lagos
Moreno Valley, Ca 92553

BLM Schedules Public Scoping Meeting for Proposed McCoy Solar Energy Project in Riverside County
UCR Extension Campus, Palm Desert, Ca September 20, 2011

Testimony of Alfredo Acosta Figueroa on issues against the proposed
McCoy Solar Energy Project in Riverside County

I, Alfredo Acosta Figueroa, a native of the Colorado River, born in Blythe, California, Elder/Historian and Chemehuevi Tribal Sacred Site Monitor hereby declare:

That for the past 56 years have been studying Aztlan- the "Aztec Place of Origin," (Chicomozstoc/Hue-Hue-Tlapallan) -here in the surrounding Palo Verde/Parker Valleys. I am the author of the book *Ancient Footprints of the Colorado River*, published in May 2002 and a second edition will be printed in two months that will include an update of the sacred sites that are within the approved Solar Power Project areas.

That in 1975, the Riverside County tribes organized opposition against the Sun Desert Nuclear Power Plant proposed to be built at the base of the Sacred Mule Mountains (*Calli* in the Aztec language & *Hamoc-Avi* in Mojave). After four years of intense struggle we were able to stop the project in 1979. This gave us the reputation of being the first indigenous group in the United States to stop a nuclear power plant from being built.

That in 1992, the Fort Mojave and the Colorado River tribes organized the Colorado River Anti-Ward Valley Coordinating Committee. After eight years, we stopped the proposed Ward Valley Nuclear Toxic Dump located in between the Sacred Turtle and Avi-Kawme Mountains (Spirit Mountain located 15 miles northwest of Laughlin, Nevada).

That in 2000, we organized *La Cuna de Aztlan Sacred Sites Protection Circle*, said circle is comprised of 15 Native American individuals dedicated to physically protecting the Sacred Sites. On February 15, 2008 La Cuna de Aztlan Sacred Sites Protection Circle signed a Memorandum of Understanding (MOU) together with the Southern Low Desert Resources Conservation & Development Council with the Bureau of Land Management. The MOU specifies the formation of a partnership for protection of cultural resources, and to protect the Blythe Giant Intaglios, other geoglyphs and several hundred sacred sites that are located along the Colorado River from Needles, California to Yuma, Arizona.

I hereby state:

That *La Cuna de Aztlan Sacred Sites Protection Circle* is totally against the McCoy Solar Energy Project.

1. That the McCoy project is just an extension (North) of the Blythe Solar Project. The McCoy Valley is one of the most sacred areas that surround the Colorado River. The McCoy Mountains on the west and the Little Maria & Big Maria Mountains on the east form the McCoy Valley where the McCoy Solar Project is proposed to be built.

   The McCoy Mountains that are located in the west are called *Nononoalcatepetl* meaning "where she is stretched out in her house in the mountain," in the Aztec language. This is the image of the sleeping woman which is called *Quetzalpetlatl* which is the duality of Quetzalcoatl. This image is seen west of the project site on top of the McCoy Mountain Ridge, with her head towards the north and face looking up. Directly west of the Sleeping Woman is the McCoy Well that has over 1,000 petroglyphs. It is one of the most condensed areas of petroglyphs in the Colorado River Desert.

   The east side of the valley is formed by the Little and Big Maria Mountains on the east. In the Big Maria Mountain there is a large white limestone Thunderbird Eagle image. The eagles' wings are over one half mile wide and are facing south toward west Blythe where the old Chemehuevi neighborhood of the jackrabbit is located. According to our Chemehuevi elders, in the Aztec language this neighborhood was called *Acacitli* which means "jackrabbit in the swamp", and it used to be an island before it was destroyed by thousands of Colorado River floods and modern day agriculture fields. The Thunderbird Eagle is called Cuautlehuanitl, meaning ascending eagle.

   The eagle image is directly six miles west of the Blythe Giant Intaglios next to Marie Peak. There is a mountain pass that comes west through the base of the eagle. This is where most of the main trails lead from and go west to where the proposed solar site is located. Also, this is one of the main areas where Native American traditionalists continue to perform their rituals. At the base of the Thunderbird Eagle and in between the small black peak that is directly in front, is where a cradle shape small valley is formed (*Cuna* in Spanish) –thus the name of our organization *La Cuna de Aztlan Sacred Sites Protection Circle*.

   In topography maps, the south end of the Big Maria Mountains is called *El Tosco* Peak which in the Aztec language represents *Tezcatlipoca*. The McCoy Mountains on the west, Little and Big Maria Mountains on the east form a large valley; and at the extreme northwest is the pyramid-like Granite Peak- as seen from Blythe, California. Granite Peak in the Aztec language is called *Tamoanchan*, and it is where *El Tosco*, the Great Spirit descends. The giant geoglyph image of *El Tosco* (100ft/long by 30ft/wide) is within the proposed McCoy project. There are also many small and large geoglyphs, stone monuments, and sacred sites and trails that are going to be destroyed if the project is carried out.

2. That the California Energy Commission Cultural Resources docket #09-AFC-8, recorded on 6/22/2010, the summary of conclusions testimony of Elizabeth A. Bagwell, Ph.D., and Beverly E. Bastian, reveals the following:

   "Staff finds that the GSEP construction impacts, when combined with impacts from past, present, and reasonably foreseeable projects, contribute in a small but significant way to the cumulatively considerable adverse impacts for cultural resources at both the local I-10 Corridor and regional levels. This analysis estimates that more than 800 sites within the I-10 Corridor, and 17,000 sites within the Southern California Desert Region, will potentially be destroyed. Mitigation can reduce the impact of this destruction, but not to a less-than-significant level."

3. That the proposed Solar projects are in direct violation of state, federal, county and United Nations laws that protect Native American Sacred Sites, include the following:

   *United Nations Declaration on the Right of Indigenous People Resolution of 2007 was adapted by the General Assembly during the 107th plenary meeting and was signed by President Barack Obama on December 15, 2010.

   *Native American Sacred Places, March 6, 2003 (S.B. 18)

   *Native American Sacred Lands Act, June 11, 2003 (H.R. 2419)
   *The Sacred Land Protection Act, July 18, 2002 (H.R. 5155)

   *The Native American Sacred Sites Protection Act, February 22, 2002 (S.B. 1828)

   *Accommodations of Sacred Sites and Federal Land, Signed by President Bill Clinton on May 24, 1996 (Executive Order 13007)

   *Native American Graves Protection & Repatriation Act of 1990

*Archeological Resources Protection Act of 1979

*American Indian Religious Freedom Act, August 11, 1978

*The Civil Right Act of 1968

*Antiquities Act of 1906

4. That the Solar Power Project will destroy thousands of acres of pristine desert environment and will destroy thousands of sacred turtles, horny toads, as well as other animals that live in the area. The turtle and the horny toad are one of the most venerated sacred animals among all the Indigenous nations, especially along the Colorado River. The turtle is the *nahualli* (animal representation) of Mother Earth and its image is seen in the center of the Aztec Sun Stone Calendar.

   Thirty miles west from the Colorado River, in the Turtle Mountain Twin Peaks, the turtles head is seen piercing out of the Earth (It is the north peak of the Turtle Mountain Twin Peaks).The turtles face image is seen looking west 10-miles north of Vidal Junction on Highway 95. And when seen coming down from Needles on Highway 95, you will see that the Twin Peaks look identical to a woman's breasts. That is why we know the turtle is a women and she represents Mother Earth.

   The horny toad is the center of what is the base of the *nahui ollin* (the four directions) and the image is represented in the Arica Mountains (With the Horny Toad head facing south) which are 25 miles north of the McCoy project and five miles west of Rice, California on Highway 62. This is why the Quechan Tribe have filed suit in defense of the Sacred Horney Toad.

5. That the 862 billion dollar economic stimulus fast-track package that was signed and promoted by President Barack Obama in 2009, has been a complete failure as we have seen with the 528 million loan package that was given to Solyndra Inc., a now-bankrupt solar panel manufacturer from Fremont, California. The Solyndra Inc. has even declined to testify before the congressional hearings that are investigating there 585 million government loan making a complete mockery of these solar projects.

6. That the southern California blackout of September 10, 2011 proves that we should build these solar power projects in urban areas. This is where the majority of the energy is needed because of the risk of another blackout. As we now experienced, one man's mistake paralyze 6 million people's lives and as we know the long distance transmission lines can easily be sabotaged. According to The Press Enterprise article of September 11, 2011, "the nation's transmission lines remain all too vulnerable to cascading failures."

7. That La Cuna de Aztlan Sacred Sites Protection Circle is available to tour any of the archaeologists/anthropologists that would like to visit the sites we have described in order to reveal the sacredness of our area which has been totally ignored by the solar power companies and the BLM. For more information please contact Patricia Piñon, President of La Cuna de Aztlan Sacred Sites Protection Circle at (760) 219-2834, paticuna@msn.com or Alfredo Acosta Figueroa, at (760) 922-6422, lacunadeaztlan@aol.com, 424 N. Carlton Avenue, Blythe California 92225.

8. Enclosed are aerial photographs of The Sun Complex Geoglyph and the True North Geoglyph which were destroyed by the 150-foot grid roadway of the Blythe Solar Project as well as pictures of Granite Peak & El Tosco Geoglyph, & Quetzalpetlatl.

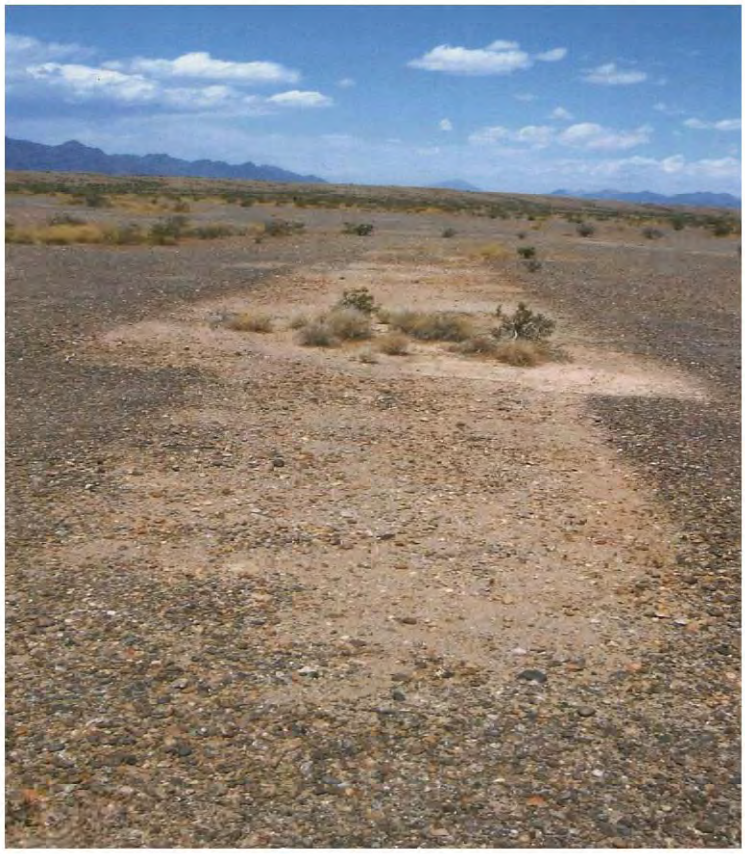
Sincerely,

Alfredo Acosta Figueroa

Alfredo Acosta Figueroa

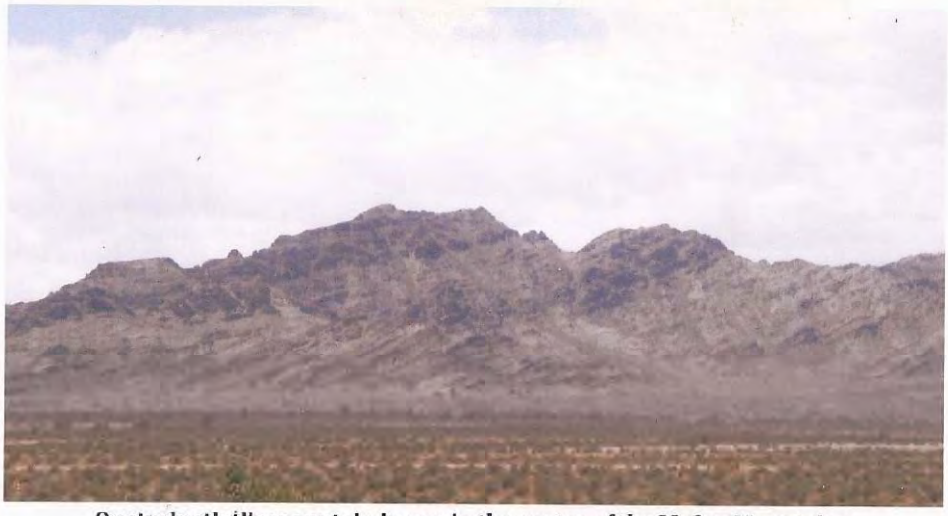
Picture of Granite Peak (seen directly northwest from El Tosco Geoglyph)

"When the cosmos meets Earth it is called Ilhuicatlalpan, deciphered it means, Ilhui=Cosmo, Ca=Calli (House), Tlal=Earth, Pan=Place Above." It forms an hourglass or the letter "X" as seen on many petroglyphs.



Picture of El Tosco Geoglyph with Granite Peak "Tamoanchan," in the background.

The geoglyph represents the creator as he descends from the cosmos and meets with Mother Earth at Granite Peak called Tamoanchan which means "Tata busca su Casa" (Grandfather seeks his house). This image of the creator is the one that judges your action and behaviors here on earth.

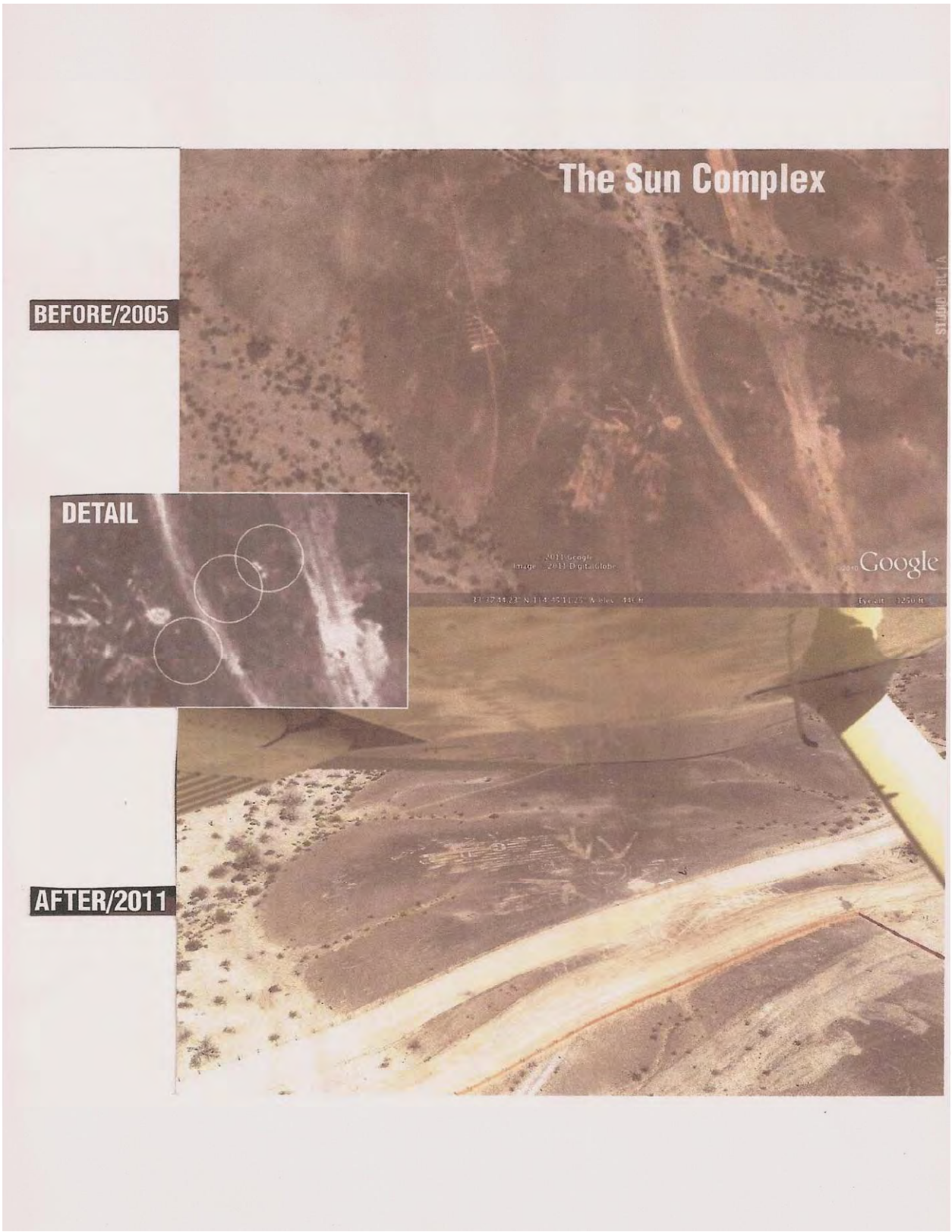


Quetzalpetlatl's mountain image in the center of the McCoy Mountains

In this picture you can see Quetzalpetlatl laying north to south in what is called Nonoalcatepetl on the east side of the McCoy Mountain where she is doing penance..."After Quetzalcoatl gets drunk he orders his attendents to bring his elder sister Quetzalpetlatl to share in his revel and she goes and joins him."
(Anales de Cuauhtitlan)

Quetzalpetlatl's mountain image as seen further south

"She came to were Quetzalcoatl was and sat next to him and accepted 4 cups of pulque and finally her 5th, her libation. Both were throughly drunk and when dawn came and they awakened they were fully aware of what they had done during the night and were completed distraughted with grief." In this image the head of Quetzalcoatl (Mc Coy Peak) forms the feet of Quetzalpetlatl.
(Anales de Cuauhtitlan)


The Sun Complex
BEFORE/2005
DETAIL
AFTER/2011
Google

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

October 5, 2011

Mr. Jay Olivas, Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1409

Re: SCH#2011101007; Joint NEPA/CEQA Notice of Intent (NOI) and CEQA Notice of Preparation (NOP); draft Environmental Impact Statement (DEIS) and draft Environmental Impact Report (DEIR) for the **"Conditional Use Permit No. 3671/Public Use Permit No. 911/McCoy Solar Energy Project (MSEP); an activity of McCoy Solar LLC of NextEra Energy Resources LLC (applicant) to produce 750 MW of electricity through photovoltaic solar energy generation and related infrastructure interconnecting to Califonria electrical grid at Southern California Edison (SCE) substation at the Colorado River"** located on approximately 5,363-acres of both public (BLM) and private (County) land in the Blythe area; eastern Riverside County, California

Dear Mr. Olivas:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were identified** within the project area identified. However, the absence of archaeological resources does not preclude their existence. This area is known to the NAHC as very culturally sensitive. As such, the NAHC recommends the use of Native American Monitors during construction activity phases of the

project, avoiding Native American cultural resources where possible and mitigating cultural/archaeological resources in order to reduce or minize any damage to Native American cultural resources.

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
October 5, 2011

Cabazon Band of Mission Indians
David Roosevelt, Chairperson
84-245 Indio Springs Cahuilla
Indio , CA 92203-3499
(760) 342-2593
(760) 347-7880 Fax

Joseph R. Benitez (Mike)
P.O. Box 1829 Chemehuevi
Indio , CA 92201
(760) 347-0488
(760) 408-4089 - cell

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Chemehuevi Reservation
Charles Wood, Chairperson
P.O. Box 1976 Chemehuevi
Chemehuevi Valley CA 92363
chair1cit@yahoo.com
(760) 858-4301
(760) 858-5400 Fax

Torres-Martinez Desert Cahuilla Indians
Mary Resvaloso, Chairperson
PO Box 1160 Cahuilla
Thermal , CA 92274
mresvaloso@torresmartinez.
(760) 397-0300
(760) 397-8146 Fax

Fort Mojave Indian Tribe
Tim Williams, Chairperson
500 Merriman Ave Mojave
Needles , CA 92363
(760) 629-4591
(760) 629-5767 Fax

Twenty-Nine Palms Band of Mission Indians
Darrell Mike, Chairperson
46-200 Harrison Place Chemehuevi
Coachella , CA 92236
tribal-epa@worldnet.att.net
(760) 775-5566
(760) 808-0409 - cell - EPA
(760) 775-4639 Fax

Colorado River Indian Tribe
Ginger Scott, Museum Curator; George Ray, Coor
26600 Mojave Road Mojave
Parker , AZ 85344 Chemehuevi
crit.museum@yahoo.com
(928) 669-9211-Tribal Office
(928) 669-8970 ext 21
(928) 669-1925 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011101007; Joint NEPA/CEQA Notice of Intent (NOI) and Notice of Preparation (NOP); draft NEPA and CEQA environmental impact documents (DEIS/DEIR) and Conditional Use Permit No. 3671/Public Use Permit No. 911/McCoy Solar Energy Project or MSEP); Blythe Area; Riversiede Co., CA

Native American Contacts
Riverside County
October 5, 2011

Torres-Martinez Desert Cahuilla Indians
Ernest Morreo
PO Box 1160 Cahuilla
Thermal , CA 92274
maxtm@aol.com
(760) 397-0300
(760) 397-8146 Fax

Augustine Band of Cahuilla Mission Indians
Mary Ann Green, Chairperson
P.O. Box 846 Cahuilla
Coachella , CA 92236
hhaines@augustinetribe.
(760) 398-6180
760-369-7161 - FAX

Fort Yuma Quechan Indian Nation
Keeny Escalanti., President
PO Box 1899 Quechan
Yuma , AZ 85366
qitpres@quechantribe.com
(760) 572-0213
(760) 572-2102 FAX

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.
gov
(951) 922-0105 Fax

AhaMaKav Cultural Society, Fort Mojave Indian
Linda Otero, Director
P.O. Box 5990 Mojave
Mohave Valley AZ 86440
(928) 768-4475
LindaOtero@fortmojave.com
(928) 768-7996 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.
gov
(909) 862-5152 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairwoman
P.O. Box 391820 Cahuilla
Anza , CA 92539
sestrada@
(951) 659-2700
(951) 659-2228 Fax

Torres-Martinez Desert Cahuilla Indians
Diana L. Chihuahua, Vice Chairperson, Cultural
P.O. Boxt 1160 Cahuilla
Thermal , CA 92274
dianac@torresmartinez.
760) 397-0300, Ext. 1209
(760) 272-9039 - cell (Lisa)
(760) 397-8146 Fax

This list is current only as of the date of this document.

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This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011101007; Joint NEPA/CEQA Notice of Intent (NOI) and Notice of Preparation (NOP); draft NEPA and CEQA environmental impact documents (DEIS/DEIR) and Conditional Use Permit No. 3671/Public Use Permit No. 911/McCoy Solar Energy Project or MSEP); Blythe Area; Riversiede Co., CA

Native American Contacts
Riverside County
October 5, 2011

Cocopah Museum/Cultural Resources Dept.
Jill McCormick, Tribal Archaeologist
County 15th & Ave. G Cocopah
Sommerton , AZ 85350
culturalres@cocopah.com
(928) 530-2291 - cell
(928) 627-2280 - fax

Cahuilla Band of Indians
Luther Salgado, Sr., , Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

Agua Caliente Band of Cahuilla Indians THPO
Patricia Tuck, Tribal Historic Perservation Officer
5401 Dinah Shore Drive Cahuilla
Palm Springs, CA 92264
ptuck@augacaliente-nsn.gov
(760) 699-6907

(760) 699-6924- Fax

Augustine Band of Cahuilla Mission Indians
Karen Kupcha
P.O. Box 846 Cahuilla
Coachella , CA 92236
(760) 398-6180
916-369-7161 - FAX

Ah-Mut-Pipa Foundation
Preston J. Arrow-weed
P.O. Box 160 Quechan
Bard , CA 92222 Kumeyaay
ahmut@earthlink.net
(928) 388-9456

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011101007; Joint NEPA/CEQA Notice of Intent (NOI) and Notice of Preparation (NOP); draft NEPA and CEQA environmental impact documents (DEIS/DEIR) and Conditional Use Permit No. 3671/Public Use Permit No. 911/McCoy Solar Energy Project or MSEP); Blythe Area; Riversiede Co., CA

Mojave Desert Air Quality Management District
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • fax 760.245.2699
Visit our web site: http://www.mdaqmd.ca.gov
Eldon Heaston, Executive Director

October 7, 2011

Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409
Attn: Jay Olivas, Project Planner

Re: Notice of Preparation of a Draft Environmental Impact Report for the McCoy Solar Project

Dear Mr. Olivas,

The Mojave Desert Air Quality Management District (District) has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the McCoy Solar Project. This project has requested a Conditional Use Permit and a Public Use Permit to construct, operate, maintain and decommission a 46 Megawatt (MW) solar photovoltaic (PV) solar power plant on approximately 477 privately owned acres as part of an overall up to 750 MW PV solar power plant located on a total of approximately 5,636 acres (private land and public land administered by the Bureau of Land Management). This project will be developed in two phases, to be called Unit 1 and Unit 2.

The District has no special comments or information that would be necessary to the environmental review process. District attainment plans are located at http://www.mdaqmd.ca.gov/index.aspx?page=13 for your information and review. Please refer to a previous letter issued on May 3, 2011 requiring fugitive dust best management practices (including but not limited to applicable provisions of District Rule 403.2) be implemented in the grading and construction phases of the project.

Thank you for the opportunity to review this notice of preparation. If you have any questions regarding this letter, please contact me at (760) 245-1661 or Tracy Walters at ext. 6122.

Sincerely,

Alan J. De Salvio
Supervising Air Quality Engineer

AJD/tw McCoy Solar.doc

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

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Executive/Administration Committee Chair

Pam O'Connor, Santa Monica

Policy Committee Chairs

Community, Economic and Human Development
Bill Jahn, Big Bear Lake

Energy & Environment
Margaret Clark, Rosemead

Transportation
Paul Glaab, Laguna Niguel

October 25, 2011

Mr. Jay Olivas
Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1409
(951) 955-1195

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the McCoy Solar Energy Project [I20110149]

Dear Mr. Olivas:

Thank you for submitting the **Notice of Preparation of a Draft Environmental Impact Report for the McCoy Solar Energy Project [I20110149]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project involves the construction, operation, maintenance and decommission of a 46 Megawatt solar photovoltaic solar power plant on approximately 477 privately owned acres in East Riverside County.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: http://scag.ca.gov/igr. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **When available, please send environmental documentation ONLY to SCAG's main office in Los Angeles and provide a minimum of 45 days for SCAG to review.** If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895 or leep@scag.ca.gov. Thank you.

Sincerely,

Jacob Lieb, Manager
Environmental and Assessment Services

The Regional Council is comprised of 84 elected officials representing 190 cities, six counties, six County Transportation Commissions and a Tribal Government representative within Southern California.

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MCCOY SOLAR ENERGY PROJECT [I20110149]

PROJECT LOCATION

The proposed project is located in East Riverside County within the Desert Area Plan, northerly of Interstate 10, southerly of McCoy Wash, easterly of McCoy Mountains, and westerly of Blythe Airport. The proposed solar plant site is located approximately 13 miles northwest of the City of Blythe, California and approximately 32 miles east of Desert Center.

PROJECT DESCRIPTION

McCoy Solar, LLC is a subsidiary of NextEra Energy Resources LLC, has requested a Conditional Use Permit and a Public Use Permit to construct, operate, maintain and decommission a 46 Megawatt (MW) solar photovoltaic (PV) solar power plant on approximately 477 privately owned acres as part of an overall up to 750 MW PV solar power plant project located on a total of approximately 5,636 acres (private and public land administered by the Bureau of Land Management). The overall 750 MW solar power plant project would be developed in two phases—Unit 1 and Unit 2. Unit 1 includes the 477 acre portion of the solar power plant subject to the Conditional Use Permit, is expected to have an overall 250 MW capacity. Necessary facilities on the private lands subject to County jurisdiction include solar arrays and inverters, portions of the access road, portions of the double-circuit 230 kV generation tie line, electrical power distribution line and telecommunications line. A fixed tilt ground mount will be used for the structures that support the PV panels. The proposed 13.7 mile generation tie line would require about 200 acres of public and private lands. The proposed 2 acre switch yard would be located adjacent to and connect into Southern California Edison's proposed Colorado River Substation. The proposed project would operate year-round.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion and city are as follows:

Adopted SCAG Regionwide Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Riverside County Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	617,241	710,478	854,662	988,192	1,104,571	1,243,632
Households	195,391	225,127	274,912	318,088	357,579	401,356
Employment	144,184	181,733	220,862	260,399	300,196	337,791

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that may be pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

RTP G1 *Maximize mobility and accessibility for all people and goods in the region.*
RTP G2 *Ensure travel safety and reliability for all people and goods in the region.*
RTP G3 *Preserve and ensure a sustainable regional transportation system.*
RTP G4 *Maximize the productivity of our transportation system.*
RTP G5 *Protect the environment, improve air quality and promote energy efficiency.*
RTP G6 *Encourage land use and growth patterns that complement our transportation investments.*
RTP G7 *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
GV P1.3 *Encourage transit-oriented development.*
GV P1.4 *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.

GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2 *Promote developments, which provide a mix of uses.*
GV P2.3 *Promote "people scaled," walkable communities.*
GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.

GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
GV P3.2 *Support educational opportunities that promote balanced growth.*
GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
GV P3.5 *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.

GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*

GV P4.2 *Focus development in urban centers and existing cities.*
GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4 *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: http://www.scag.ca.gov/igr/

- Click on ***"Demonstrating Your Project's Consistency With SCAG Policies"***
- Scroll down to ***"Table of SCAG Policies for IGR"***

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles

Regional Transportation Plan Goals

Goal/ Principle Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G3	Preserve and ensure a sustainable regional transportation system.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
Etc.	Etc.	Etc.

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

October 26, 2011

Mr. Jay Olivas, Project Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P.O. Box 1409
Riverisde, California 92502-1409

NOTICE PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL REPORT FOR THE MCCOY SOLAR ENERGY PROJECT, (SCH#2011101007), RIVERSIDE COUNTY

Dear Mr. Olivas:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation for a draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "McCoy Solar, LLC, a subsidiary of NextEra Energy Resources LLC, has requested a Conditional Use Permit and a Public Use Permit to construct. Operate, maintain, and decommission a 46 Megawatt (MW) solar photovoltaic (PV) solar power plant on approximately 477 private owned acres as part of an overall up to 750 MW PV solar power plant project located on a total of approximately 5,636 acres (private and public land administrated by the Bureau of Land Management (BLM)). The overall 750 MW solar power plant project would be developed in two phases, to be called Unit 1 and Unit 2. Linear facilities extending out of the solar plant site would include the main access road, gen-tie line, switchyard, telecommunication lines, and distribution line. Two separate wastewater collection systems would be provided as part of the Project: one for sanitary wastes, and another to address the process wastewater. The proposed solar plant site is located approximately 13 miles northwest of the City of Blythe, California, and approximately 32 miles east of Desert Center. The McCoy Solar Energy project site is located in the East County –Desert Area Plan. The vacant, privately owned parcels are zoned W-2-10, Controlled Development with a 10 acre minimum".

Based on the review of the submitted document DTSC has the following comments:

1. The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

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information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

10) Also, in future CEQA document, please provide your e-mail address, so DTSC can send you the comments both electronically and by mail.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,

Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3381

Riverside County
Waste Management Department
Hans W. Kernkamp, General Manager-Chief Engineer

October 27, 2011

Jay Olivas, Project Planner
Riverside County Planning Department
P. O. Box No. 1409
Riverside, CA 92502-1409

RE: Comments on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for McCoy Solar Energy Project

Dear Mr. Olivas:

The Riverside County Waste Management Department (RCWMD) has reviewed the NOP of a DEIR for the McCoy Solar Energy Project. The RCWMD requests that the following potential project impact areas be analyzed and evaluated in the forthcoming DEIR:

1. The RCWMD is concerned about the quantity of construction and demolition (C&D) waste that could be generated by the project and how the waste will be disposed of. Should a large quantity of the projects' C&D waste be brought to a county landfill for disposal, it could exceed the landfill's daily permitted capacity, thus a violation of State regulations and an impact to County landfill operation. The DEIR should analyze this potential solid waste impact.

   Palo Verde Disposal Service is the franchise waste hauler for the project area. This hauler operates under a waste delivery agreement (WDA) which stipulates that any waste generated within the franchise area, including solid waste generated from the Project area, will be disposed of at the Blythe Landfill. The Blythe Landfill is described below:

   Blythe Landfill
   The Blythe Landfill is located at 1000 Midland Road, Blythe, CA, 92225. The landfill is owned and operated by the RCWMD. The landfill property encompasses approximately 335-acres, of which 78 acres are permitted for waste disposal. The landfill is currently permitted to receive a maximum of 400 tons per day of refuse, and as of January 1, 2011, had a remaining capacity of approximately 650,000 tons. It is estimated that the remaining disposal capacity will last until approximately 2047. During 2010, the Blythe Landfill accepted a daily average volume of 60 tons, for a period total of approximately 16,256 tons.

2. In order to preserve landfill capacity and support efforts to recycle, reuse, and/or reduce the amount of recyclable material going to the landfill, the Project will be conditioned to implement the following measures:

- **Prior to issuance of a grading and/or building permit**, A Waste Recycling Plan (WRP) shall be submitted to the Riverside County Waste Management Department for approval. At a minimum, the WRP must identify the materials (i.e., cardboard, concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler

- **Prior to final building inspection,** evidence (i.e., receipts or other type of verification) to demonstrate project compliance with the approved WRP shall be presented by the project proponent to the Planning Division of the Riverside County Waste Management Department. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

3. Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division, at 1.888.722.4234.

Thank you for the allowing us the opportunity to comment on the NOP. Please continue to include the RCWMD in future transmittals. Feel free to call me at (951) 486-3351 if you have any questions regarding the above comments.

Sincerely,

Ryan Ross
Planner IV

PD108968

COLORADO RIVER BOARD OF CALIFORNIA
770 FAIRMONT AVENUE, SUITE 100
GLENDALE, CA 91203-1068
(818) 500-1625
(818) 543-4685 FAX

October 28, 2011

Mr. Scott Morgan
Director
State Clearinghouse
1400 Tenth Street
P.O. Box 3044
Sacramento, CA 95812-3044

Regarding SCH# 2011-101-007: Notice of Preparation of a Draft Environmental Impact Report for Conditional Use Permit No. 3671 and Public Use Permit No. 911 for McCoy Solar Energy Project, City of Blythe, County of Riverside, California

Dear Mr. Morgan:

The Colorado River Board of California (CRB) has received and reviewed a copy of the Notice of Preparation of a Draft Environmental Impact Report for Conditional Use Permit No. 3671 and Public Use Permit No. 911 for McCoy Solar Energy Project (MSEP), City of Blythe, County of Riverside, California.

Table 2-3 of the Notice of Preparation of a Draft Environmental Impact Report (DEIR) indicates that the estimated overall water usage for the construction-related activities for the MSEP could be 650 to 750 acre-feet. In addition, potable water would be supplied for construction workers on-site with an estimated consumptive use of approximately one acre-foot per year. As for the operations, the proposed water use for module cleaning and dust control would be 30 acre-feet per year for the project. This water supply for the MSEP project will be pumped from three on-site groundwater wells. Groundwater in the area is contained within the Palo Verde Mesa Groundwater Basin.

According to the Consolidated Decree of the Supreme Court of the United States in the case of *Arizona v. California, et al.* entered March 27, 2006, (547 U.S. 150, 2006), the consumptive use of water means "diversion from the stream less such return flow thereto as is available for consumptive use in the United States or in satisfaction of the Mexican treaty obligation" and consumptive use "includes all consumptive uses of water of the mainstream, including water drawn from the mainstream by underground pumping." Also, pursuant to the 1928 Boulder Canyon Project Act (BCPA) and the Consolidated Decree, no water shall be delivered from storage or used by any water user without a valid contract between the Secretary of the Interior and the water user for such use, i.e., through a BCPA Section 5 contract.

Within California, BCPA Section 5 contracts have previously been entered into between users of Colorado River mainstream water and the Secretary of the Interior for water from the Colorado River that exceeds California's basic entitlement to use Colorado River water as set forth in the Consolidated Decree. Thus, no additional Colorado River water is available for use by new project

proponents along the Colorado River, except through the contract of an existing BCPA Section 5 contract holder, either by direct service or through an exchange of non-Colorado River water for Colorado River water.

The lands proposed for the MSEP overlie the "Accounting Surface" area designated by U.S. Geological Survey Scientific Investigations Report 2008-5113. The Accounting Surface is defined to represent the elevation and slope of the static water table in the river aquifer outside the flood plain and the reservoirs of the Colorado River that would exist if the water in the river aquifer were derived only from the river. The Accounting Surface extends outward from the edges of the flood plain or a reservoir to the subsurface boundary of the river aquifer. This report indicates that the aquifer underlying the lands is considered to be hydraulically connected to the Colorado River and groundwater withdrawn from wells located on the lands would be replaced by Colorado River water, in part or in total. Generally speaking, wells that have a static water-level elevation near, equal to or below the Accounting Surface are presumed to yield water that will be replaced by water from the Colorado River. Wells that have a static water-level elevation above the Accounting Surface are presumed to yield water that will be replaced by water from precipitation and inflow from tributary valleys. This means that if it is determined that these wells are, in fact, pumping water that will be replaced by water from the Colorado River, a BCPA Section 5 contract with the Secretary of the Interior would be required before such a diversion and use is deemed to be a legally authorized use of this water supply.

The MSEP is located adjacent to the Blythe Solar Power Project. The CRB has identified a preferred option for obtaining a legally authorized and reliable water supply for these projects. Currently, that option involves obtaining water through an existing BCPA Section 5 contract holder, The Metropolitan Water District of Southern California. Although other options may be available, it is the Board's assessment that they could not be implemented in a timely manner and address the requirement that water consumptively used from the Colorado River must be through a BCPA Section 5 contractual entitlement.

If you have any questions or require further information, please feel free to contact me, or Dr. Jay Chen of my staff, at (818) 500-1625.

Sincerely,

Christopher S. Harris
Acting Executive Director

cc: Ms. Lorri Gray-Lee, Regional Director, U.S. Bureau of Reclamation
Ms. Holly Roberts, Associate Field Manager, Palm Springs-South Coast Field Office, BLM
Mr. Jay Olivas, Project Planner, Riverside County Planning Department
Mr. William J. Hasencamp, The Metropolitan Water District of Southern California

NOP Distribution List

County: Riverside

SCH# 2011101007

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  Mike Sotelo
- [ ] California Coastal Commission
  Elizabeth A. Fuchs No Comments
- [x] Colorado River Board
  ~~Gerald R. Zimmerman~~
  Christopher S. Harris
- [ ] Dept. of Conservation
  Jonathan Martis
- [ ] California Energy Commission
  Eric Knight
- [ ] Cal Fire
  Allen Robertson
- [ ] Central Valley Flood Protection Board
  James Herota
- [x] Office of Historic Preservation
  Ron Parsons
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [ ] California Department of Resources, Recycling & Recovery
  Sue O'Leary
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources
  Resources Agency
  Nadell Gayou
- [ ] _____
  Conservancy

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [ ] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 1E
  Laurie Harnsberger
- [ ] Fish & Game Region 2
  Jeff Drongesen
- [ ] Fish & Game Region 3
  Charles Armor
- [ ] Fish & Game Region 4
  Julie Vance
- [ ] Fish & Game Region 5
  Leslie Newton-Reed
  Habitat Conservation Program
- [x] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 I/M
  Brad Henderson
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Steve Shaffer
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Anna Garbeff
  Environmental Services Section
- [ ] Dept. of Public Health
  Bridgette Binning
  Dept. of Health/Drinking Water

Independent Commissions,Boards

- [ ] Delta Protection Commission
  Linda Fiack
- [ ] Cal EMA (Emergency Management Agency)
  Dennis Castrillo
- [ ] Governor's Office of Planning & Research
  State Clearinghouse
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Leo Wong
- [ ] Santa Monica Bay Restoration
  Guangyu Wang
- [ ] State Lands Commission
  Cy R. Oggins
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [ ] Caltrans - Division of Aeronautics
  Philip Crimmins
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Bob Nannini
  Office of Special Projects
- [ ] Housing & Community Development
  CEQA Coordinator
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [ ] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Bruce de Terra
- [ ] Caltrans, District 4
  Lisa Carboni
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Michael Navarro
- [ ] Caltrans, District 7
  Elmer Alvarez
- [x] Caltrans, District 8
  Dan Kopulsky
- [ ] Caltrans, District 9
  Gayle Rosander
- [ ] Caltrans, District 10
  Tom Dumas
- [ ] Caltrans, District 11
  Jacob Armstrong
- [ ] Caltrans, District 12
  Marlon Regisford

Cal EPA

Air Resources Board

- [ ] Airport Projects
  Jim Lerner
  - [ ] Transportation Projects
    Douglas Ito
  - [ ] Industrial Projects
    Mike Tollstrup
- [ ] State Water Resources Control Board
  Regional Programs Unit
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resouces Control Board
  Phil Crader
  Division of Water Rights
- [x] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] RWQCB 3
  Central Coast Region (3)
- [ ] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
  - [ ] RWQCB 5F
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] RWQCB 5R
    Central Valley Region (5)
    Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
  - [ ] RWQCB 6V
    Lahontan Region (6)
    Victorville Branch Office
- [x] RWQCB 7
  Colorado River Basin Region (7)
- [ ] RWQCB 8
  Santa Ana Region (8)
- [ ] RWQCB 9
  San Diego Region (9)

- [ ] Other _____

Last Updated 8/23/11

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

October 26, 2011

Mr. Jay Olivas, Project Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P.O. Box 1409
Riverisde, California 92502-1409

NOTICE PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL REPORT FOR THE MCCOY SOLAR ENERGY PROJECT, (SCH#2011101007), RIVERSIDE COUNTY

Dear Mr. Olivas:

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Sincerely,

Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3381

STATE OF CALIFORNIA - THE NATURAL RESOURCES AGENCY EDMUND G. BROWN, JR., Governor

COLORADO RIVER BOARD OF CALIFORNIA
770 FAIRMONT AVENUE, SUITE 100
GLENDALE, CA 91203-1068
(818) 500-1625
(818) 543-4685 FAX

October 28, 2011

Mr. Scott Morgan
Director
State Clearinghouse
1400 Tenth Street
P.O. Box 3044
Sacramento, CA 95812-3044

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Within California, BCPA Section 5 contracts have previously been entered into between users of Colorado River mainstream water and the Secretary of the Interior for water from the Colorado River that exceeds California's basic entitlement to use Colorado River water as set forth in the Consolidated Decree. Thus, no additional Colorado River water is available for use by new project

proponents along the Colorado River, except through the contract of an existing BCPA Section 5 contract holder, either by direct service or through an exchange of non-Colorado River water for Colorado River water.

The lands proposed for the MSEP overlie the "Accounting Surface" area designated by U.S. Geological Survey Scientific Investigations Report 2008-5113. The Accounting Surface is defined to represent the elevation and slope of the static water table in the river aquifer outside the flood plain and the reservoirs of the Colorado River that would exist if the water in the river aquifer were derived only from the river. The Accounting Surface extends outward from the edges of the flood plain or a reservoir to the subsurface boundary of the river aquifer. This report indicates that the aquifer underlying the lands is considered to be hydraulically connected to the Colorado River and groundwater withdrawn from wells located on the lands would be replaced by Colorado River water, in part or in total. Generally speaking, wells that have a static water-level elevation near, equal to or below the Accounting Surface are presumed to yield water that will be replaced by water from the Colorado River. Wells that have a static water-level elevation above the Accounting Surface are presumed to yield water that will be replaced by water from precipitation and inflow from tributary valleys. This means that if it is determined that these wells are, in fact, pumping water that will be replaced by water from the Colorado River, a BCPA Section 5 contract with the Secretary of the Interior would be required before such a diversion and use is deemed to be a legally authorized use of this water supply.

The MSEP is located adjacent to the Blythe Solar Power Project. The CRB has identified a preferred option for obtaining a legally authorized and reliable water supply for these projects. Currently, that option involves obtaining water through an existing BCPA Section 5 contract holder, The Metropolitan Water District of Southern California. Although other options may be available, it is the Board's assessment that they could not be implemented in a timely manner and address the requirement that water consumptively used from the Colorado River must be through a BCPA Section 5 contractual entitlement.

If you have any questions or require further information, please feel free to contact me, or Dr. Jay Chen of my staff, at (818) 500-1625.

Sincerely,

Christopher S. Harris
Acting Executive Director

cc: Ms. Lorri Gray-Lee, Regional Director, U.S. Bureau of Reclamation
Ms. Holly Roberts, Associate Field Manager, Palm Springs-South Coast Field Office, BLM
Mr. Jay Olivas, Project Planner, Riverside County Planning Department
Mr. William J. Hasencamp, The Metropolitan Water District of Southern California

NOP Distribution List

County: Riverside SCH# 2011101007

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  Mike Sotelo
- [ ] California Coastal Commission
  Elizabeth A. Fuchs No Comment
- [x] Colorado River Board
  ~~Gerald R. Zimmerman~~
  Christopher S. Harris
- [ ] Dept. of Conservation
  Jonathan Martis
- [ ] California Energy Commission
  Eric Knight
- [ ] Cal Fire
  Allen Robertson
- [ ] Central Valley Flood Protection Board
  James Herota
- [x] Office of Historic Preservation
  Ron Parsons
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [ ] California Department of Resources, Recycling & Recovery
  Sue O'Leary
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources
  Resources Agency
  Nadell Gayou
- [ ] _____
  Conservancy

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [ ] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 1E
  Laurie Harnsberger
- [ ] Fish & Game Region 2
  Jeff Drongesen
- [ ] Fish & Game Region 3
  Charles Armor
- [ ] Fish & Game Region 4
  Julie Vance
- [ ] Fish & Game Region 5
  Leslie Newton-Reed
  Habitat Conservation Program
- [x] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 I/M
  Brad Henderson
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Steve Shaffer
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Anna Garbeff
  Environmental Services Section
- [ ] Dept. of Public Health
  Bridgette Binning
  Dept. of Health/Drinking Water

Independent Commissions,Boards

- [ ] Delta Protection Commission
  Linda Flack
- [ ] Cal EMA (Emergency Management Agency)
  Dennis Castrillo
- [ ] Governor's Office of Planning & Research
  State Clearinghouse
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Leo Wong
- [ ] Santa Monica Bay Restoration
  Guangyu Wang
- [ ] State Lands Commission
  Cy R. Oggins
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [ ] Caltrans - Division of Aeronautics
  Philip Crimmins
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Bob Nannini
  Office of Special Projects
- [ ] Housing & Community Development
  CEQA Coordinator
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [ ] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Bruce de Terra
- [ ] Caltrans, District 4
  Lisa Carboni
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Michael Navarro
- [ ] Caltrans, District 7
  Elmer Alvarez
- [x] Caltrans, District 8
  Dan Kopulsky
- [ ] Caltrans, District 9
  Gayle Rosander
- [ ] Caltrans, District 10
  Tom Dumas
- [ ] Caltrans, District 11
  Jacob Armstrong
- [ ] Caltrans, District 12
  Marlon Regisford

Cal EPA

Air Resources Board

- [ ] Airport Projects
  Jim Lerner
  - [ ] Transportation Projects
    Douglas Ito
  - [ ] Industrial Projects
    Mike Tollstrup
- [ ] State Water Resources Control Board
  Regional Programs Unit
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resouces Control Board
  Phil Crader
  Division of Water Rights
- [x] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] RWQCB 3
  Central Coast Region (3)
- [ ] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
  - [ ] RWQCB 5F
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] RWQCB 5R
    Central Valley Region (5)
    Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
  - [ ] RWQCB 6V
    Lahontan Region (6)
    Victorville Branch Office
- [x] RWQCB 7
  Colorado River Basin Region (7)
- [ ] RWQCB 8
  Santa Ana Region (8)
- [ ] RWQCB 9
  San Diego Region (9)

- [ ] Other _____

Last Updated 8/23/11

RIVERSIDE COUNTY FIRE DEPARTMENT

IN COOPERATION WITH
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

John R. Hawkins ~ Fire Chief
210 West San Jacinto Avenue ~ Perris, CA 92570
(951) 940-6900 ~ www.rvcfire.org

PROUDLY SERVING THE UNINCORPORATED AREAS OF RIVERSIDE COUNTY AND THE CITIES OF:

BANNING
BEAUMONT
CALIMESA
CANYON LAKE
COACHELLA
DESERT HOT SPRINGS
EASTVALE
INDIAN WELLS
INDIO
JURUPA VALLEY
LAKE ELSINORE
LA QUINTA
MENIFEE
MORENO VALLEY
PALM DESERT
PERRIS
RANCHO MIRAGE
RUBIDOUX CSD
SAN JACINTO
TEMECULA
WILDOMAR

BOARD OF SUPERVISORS:

BOB BUSTER
DISTRICT 1

JOHN TAVAGLIONE
DISTRICT 2

JEFF STONE
DISTRICT 3

JOHN BENOIT
DISTRICT 4

MARION ASHLEY
DISTRICT 5

October 30, 2011

County of Riverside Transportation & Land Management Agency
Planning Department
Planner Jay Olivas
4080 Lemon Street, 9th Floor
PO Box 1409
Riverside, CA 92502

RE: Conditional Use Permit No. 3671 and Public Use Permit No. 911/ McCoy Solar Energy Project

Dear Mr. Olivas,

Thank you for providing the Riverside County Fire Department the opportunity to comment on the Development Plan for the Mc Coy Solar Energy Project in Blythe, California.

With respect to the referenced project, the Riverside County Fire Department has the following comments:

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, traffic, hazardous materials and service vehicles.

The proposed McCoy Solar Energy Project will create a **"cumulative"** increase in requests for service and will add to the Fire Department's ability to provide an acceptable level of service. These services include increased emergency incidents and public service calls.

Due to the remote location and climate conditions, a response by the fire department would require multiple units to respond. In the event of a fire, medical emergency, hazardous material or technical rescue incident, the fire department will be required to cover or *back fill* stations left uncovered in order to meet service demands and support the region. If an incident were to occur, fire units would be dispatched from Blythe, Indio and the lower Coachella Valley as part of the regional integrated fire protection response system.

The onsite conditions create a high risk potential for a technical rescue, and a hazardous materials incident which would require specialized equipment and trained staff to respond. Extended response times from specialized equipment can be anticipated to the project area.

The California Fire Code outlines fire protection standards for the safety, health, and welfare of the public. These standards will be enforced by the Fire Chief.

If I can be of further assistance, please feel free to contact me at (951) 940-6349 or e-mail at jason.neumann@fire.ca.gov

Sincerely,

Jason Neuman

Jason Neuman, Captain
Strategic Planning Bureau
Riverside County Fire Department

RIVERSIDE COUNTY FIRE DEPARTMENT

IN COOPERATION WITH
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

John R. Hawkins ~ Fire Chief
210 West San Jacinto Avenue ~ Perris, CA 92570
(951) 940-6900 ~ www.rvcfire.org

PROUDLY SERVING THE UNINCORPORATED AREAS OF RIVERSIDE COUNTY AND THE CITIES OF:

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CANYON LAKE
COACHELLA
DESERT HOT SPRINGS
EASTVALE
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JURUPA VALLEY
LAKE ELSINORE
LA QUINTA
MENIFEE
MORENO VALLEY
PALM DESERT
PERRIS
RANCHO MIRAGE
RUBIDOUX CSD
SAN JACINTO
TEMECULA
WILDOMAR

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BOB BUSTER
DISTRICT 1

JOHN TAVAGLIONE
DISTRICT 2

JEFF STONE
DISTRICT 3

JOHN BENOIT
DISTRICT 4

MARION ASHLEY
DISTRICT 5

October 30, 2011

County of Riverside Transportation & Land Management Agency
Planning Department
Planner Jay Olivas
4080 Lemon Street, 9th Floor
PO Box 1409
Riverside, CA 92502

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If I can be of further assistance, please feel free to contact me at (951) 940-6349 or e-mail at jason.neumann@fire.ca.gov

Sincerely,

Jason Neuman

Jason Neuman, Captain
Strategic Planning Bureau
Riverside County Fire Department

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

October 31, 2011

Mr. Jay Olivas
Riverside County Planning Department
County Administrative Center
Riverside, California

Dear Mr. Olivas:

Re: Notice of Preparation of an
Draft Environmental Impact Report
CUP 3671

We have reviewed this case and have the following comments:

The Notice of Preparation for a Draft Environmental Impact Report (DEIR) analyzes the potential environmental impacts of Conditional Use Permit No. 3671. Conditional Use Permit No. 3671 and Public Use Permit No. 911 propose a 46 Megawatt (MW) photovoltaic (PV) solar power plant on approximately 477 acres of approximately 5,636 acres (private and public land administered by the Bureau of Land Management (BLM)). A portion of the project's generation tie line crosses County owned land approximately nine (9) miles to the south of the solar power plant site which will be subject to a Public Use Permit (PUP 911). The site is located in the Blythe area, north of Interstate 10, south of McCoy Wash, east of McCoy Mountains, and west of Blythe Airport. This case is related to Public Use Permit No. 911.

The entire site lies within the floodplain as stated in the Country's Floodplain Management Ordinance 458. The site is located on a broad alluvial plain and has a tributary drainage area of approximately 45 square miles from the northwest and west. Stormwater flows from the McCoy Mountains and McCoy Wash impact the site. The site's topography shows that runoff flows in a broad braided and distributary nature typical of desert washes. Various areas (in addition to the wash areas delineated on the plan) of the site appear to receive frequent runoff and therefore shall be kept free of fill and buildings.

Since the proposal is to construct solar panels, no increased runoff and/or flow diversion is anticipated.

It should be noted that the District has not received this case, therefore, specific comments cannot be issued. Based on the submitted NOP, received October 5, 2011, the District feels that the document requires some additions, corrections and clarifications. The DEIR document shall discuss at a minimum the following items:

Re: Notice of Preparation of an
Draft Environmental Impact Report
CUP 3671

1. The entire site lies within a floodplain as described in the Country's Floodplain Management Ordinance 458. The DEIR shall identify potential hazards, impacts and mitigation efforts to the development, panels and supports, buildings, etc.

2. The drainage for the overall area and site shall be described. The site's tributary drainage area shall be identified.

3. The NOP indicates minor grading will be performed as part of this development. A grading and drainage plan shall be included in the DEIR. The property's maintenance access and site grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

4. Stormwater pollution prevention requirements and practices shall be identified for construction and post-construction stages of the project.

Any questions pertaining to this project may be directed to Tina Hanson of this office at 951.955.2511 or me at 951.955.1214.

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

MD:TTH:blj
P8/141735

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

October 31, 2011

Mr. Jay Olivas
Riverside County Planning Department
County Administrative Center
Riverside, California

Dear Mr. Olivas:

Re: Notice of Preparation of an
Draft Environmental Impact Report
PUP 911

We have reviewed this case and have the following comments:

The Notice of Preparation for a Draft Environmental Impact Report (DEIR) analyzes the potential environmental impacts of Public Use Permit No. 911. Conditional Use Permit No. 3671 and Public Use Permit No. 911 propose a 46 Megawatt (MW) photovoltaic (PV) solar power plant on approximately 477 acres of approximately 5,636 acres (private and public land administered by the Bureau of Land Management (BLM)). A portion of the project's generation tie line crosses County owned land approximately nine (9) miles to the south of the solar power plant site which will be subject to a Public Use Permit (PUP 911). The site is located in the Blythe area, north of Interstate 10, south of McCoy Wash, east of McCoy Mountains and west of Blythe Airport. This case is related to Conditional Use Permit No. 3671.

The entire site lies within the floodplain as stated in the Country's Floodplain Management Ordinance 458. The site is located on a broad alluvial plain and has a tributary drainage area of approximately 45 square miles from the northwest and west. Stormwater flows from the McCoy Mountains and McCoy Wash impact the site. The site's topography shows that runoff flows in a broad braided and distributary nature typical of desert washes. Various areas (in addition to the wash areas delineated on the plan) of the site appear to receive frequent runoff and therefore shall be kept free of fill and buildings.

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4. Stormwater pollution prevention requirements and practices shall be identified for construction and post-construction stages of the project.

Any questions pertaining to this project may be directed to Tina Hanson of this office at 951.955.2511 or me at 951.955.1214.

Very truly yours,

MEKBIB DEGAGA
Engineering Project Manager

MD:TTH:blj
P8/141733

AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

John Lyon
Riverside

Glen Holmes
Hemet

Greg Pettis
Cathedral City

Richard Stewart
Moreno Valley

STAFF

Director
Ed Cooper

John Guerin
Russell Brady
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

November 1, 2011

Jay Olivas, Planner IV
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside CA 92501
(HAND DELIVERY)

RE: Notice of Preparation of an Environmental Impact Report – Conditional Use Permit No. 03671 and Public Use Permit No. 00911

Dear Mr. Olivas:

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a copy of the Notice of Preparation for this Environmental Impact Report. We concur with the decision to require the preparation of an Environmental Impact Report and offer the following comments for your Department's consideration.

Based on the exhibits included with the Notice of Preparation, the field of solar arrays will not be located within the Blythe Airport Influence Area. Therefore, unless the weather station or other aspects of the generation facility involve structures or towers with an overall height exceeding 200 feet above ground level, Airport Land Use Commission review of the generation facility itself will not be required.

However, the associated 230kV generation tie line does pass through the Airport Influence Area and is, therefore, subject to Airport Land Use Commission review if County permits are required for its approval. We recommend that the applicant be directed to submit an application for official ALUC review of the use permit as it would apply to the proposed segments of the transmission line traversing the Blythe Airport Influence Area. The applicant should also begin the process of submitting for Federal Aviation Administration Obstruction Evaluation Service review, where needed.

The cumulative effects of large-scale solar energy projects and their associated aboveground transmission lines on flight activities in the vicinity of Blythe Airport should be considered as potentially significant. The combination of solar thermal projects under consideration by the California Energy Commission and photovoltaic projects under consideration by the Bureau of Land Management and Riverside County is leading quickly toward a situation where the airport may soon be surrounded by solar projects.

The proliferation of generation tie lines within an airport's approach and departure paths (or other locations within Blythe Airport's inner Compatibility Zones) is of particular concern. There does not seem to be any coordination so as to minimize the number of such lines needed. Hence, each solar project developer seeks to provide its own generation tie lines. This cumulative effect needs to be acknowledged (and mitigated, to the extent feasible). These are among the concerns that led ALUC to recommend in its letter of July 14, 2010 to the California Energy Commission ("CEC") that "the CEC, County of Riverside and other land use planning agencies consider cumulative impacts before proposing to site any future

projects within the Blythe Airport Influence Area."
We do appreciate the efforts made by this applicant to site the proposed generation tie line parallel to the corridor selected for the Blythe Solar Power Project and would urge that the location be slightly farther from the airport, rather than slightly closer thereto.

Additionally, please be aware that portions of a transmission line that are not in an Airport Influence Area could still potentially be subject to Federal Aviation Administration review through the Form 7460-1 process if within 20,000 feet of an airport runway, especially if located at a higher elevation than the runway.

Thank you for the opportunity to provide comments. If you have any questions, please contact John Guerin of ALUC staff at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

_____
Edward C. Cooper, Director

JG:bas
.
cc: Colby Cataldi, Assistant Director, Riverside County Economic Development Agency
Daryl Shippy, EDA (Fairgrounds office)

Y:\ALUC\Airport Case Files\Blythe\McCoy Solar CUP03671 PUP911 NOP Response – ltr to Jay-O.doc

SOUTHERN CALIFORNIA EDISON
An EDISON INTERNATIONAL Company

Louis B. Davis
Region Manager

November 1, 2011

Mr. Jay Olivas
Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409

RE: Notice of Preparation (NOP) to Prepare an EIR for the McCoy Solar Energy Project (Conditional Use Permit No. 3671 and Public Use Permit No. 911)

Dear Mr. Olivas:

Southern California Edison (SCE) appreciates the opportunity to provide comment on the NOP for the proposed McCoy Solar Energy Project. The project is described as a proposal to develop an up to 750-MW photovoltaic solar facility and associated infrastructure on approximately 5,636 acres of private and public land administered by the Bureau of Land Management. Specifically, the project is stated to be located approximately 13 miles northwest of the City of Blythe and approximately 32 miles east of Desert Center.

Interconnection of renewable generators into SCE's California Independent System Operator (CAISO)-controlled grid is established through an application to CAISO under their rules and tariffs. SCE and CAISO work together to determine, through a series of Interconnection Studies, the new and/or upgraded electrical facilities required to be constructed to support interconnection of the project into SCE's transmission system. The generator enters into an Interconnection Agreement with SCE and CAISO to interconnect and operate its generation project, and for SCE to design, construct, install, operate and maintain any facilities or upgrades, and for the customer to pay for such upgrades. The Agreement also allows refunds to be provided to the customer for any network upgrades financed up-front by the customer, pursuant to the Federal Energy Regulatory Commission (FERC) Tariff. Currently, the process includes projects studied serially and in clusters, which are queued for study purposes and for scheduling of construction activities.

CPUC Certificate of Public Convenience and Necessity (CPCN) Requirements

If the SCE interconnection facilities to be constructed or relocated are over 200 kV, GO 131-D, Section III.A requires SCE to obtain a CPCN from the CPUC unless certain exceptions apply. SCE would need to consult on a case-by-case basis with the CPUC for such projects to determine if the CPUC would allow the project to proceed "exempt" or instead allow SCE to proceed under an "expedited" CPCN application by attaching the final CEQA document completed by the Lead Agency in lieu of an SCE PEA. Such an expedited CPCN would typically take from 4-6 months for the CPUC to process.

For the benefits and reasons stated above, it is assumed that the project proponent for the generation project will include SCE's interconnection facilities and plan of service facilities (including facilities to be constructed by others and deeded to SCE) in the reports/applications submitted to the Lead

24487 Prielipp Rd.
Wildomar, CA 92595

Office: (951) 249-8468
E-mail: louis.davis@scc.com

Agency permitting the generation project (e.g., California Energy Commission or applicable local, state or federal permitting agency, such as the Bureau of Land Management), and that such agencies will review the potential environmental impacts associated with SCE's work scope in any environmental document issued. However, depending on certain circumstances, the CPUC may still require SCE to undergo a standard CPCN for the generator tie-line and network upgrades associated with the generation project.

SCE Scope of Work NOT Subject to CPUC General Order 131-D

Certain SCE facilities and scope of work may not be subject to the CPUC's GO 131-D. In such instances, SCE will follow any and all other applicable environmental laws and regulations. In some cases, SCE will be required to obtain permits for SCE facilities and scope of work from state and federal agencies under other environmental laws and regulations, such as California Fish and Game Code, Clean Water Act, and Endangered Species Act. State and federal agencies may be required to comply with CEQA and NEPA prior to issuing their permits. The Lead Agency may also require evaluation of SCE's facilities and scope of work as part of the proposed generation project.

Coordination with SCE

For these reasons, SCE recommends that the project proponent and Lead Agency coordinate with SCE early in its environmental review process to identify the potential need to obtain certain permits for SCE facilities and scope of work necessary to interconnect the proposed project. SCE further suggests the project proponent submit to the Lead Agency information on the foreseeable SCE scope of work and its associated impacts, so that the Lead Agency can analyze such impacts during its environmental review process as appropriate. In this manner, the Lead Agency may coordinate with responsible agencies (under CEQA) or with cooperating agencies (under NEPA) to appropriately analyze impacts of the other agencies' actions and reduce the need for supplemental analyses and amendments to circulated environmental documents. In addition, SCE recommends that the project proponent coordinates with SCE when obtaining environmental permits in case both parties require permits issued under the same authorities.

Southern California Edison has recently completed a Phase II Facilities Study for this project. Please note that if the project scope has changed from the scope identified in the facility study, additional components may be required.

Impacts to SCE Facilities or Land Rights

The Phase II Facilities Study identified several components necessary for interconnection, including a 230kV generator tie-in to the Colorado River Substation and fiber optic cables for telecommunication purposes. In the event the project proposes to impact SCE facilities or its land related rights, please forward five (5) sets of project plans depicting SCE's facilities and its associated land rights to the following location for review:

Real Properties Department
Southern California Edison Company
2131 Walnut Grove Avenue, G.O.3 – Second Floor
Rosemead, CA 91770

24487 Prielipp Rd.
Wildomar, CA 92595

Office: (951) 249-8468
E-mail: louis.davis@scc.com

Once again, SCE appreciates the the opportunity to comment on the NOP for this project and looks forward to working closely with the applicant and the Lead Agency to support interconnection of this project into SCE's CAISO controlled transmission grid (or through SCE's WDAT).

Please notify SCE when the DEIR for this project becomes available for public review. If you have any questions regarding this letter, please do not hesitate to contact me at (951) 249-8468.

Sincerely,

Louis Davis
Local Public Affairs Region Manager
Southern California Edison Company

24487 Prielipp Rd.
Wildomar, CA 92595

Office: (951) 249-8468
E-mail: louis.davis@sce.com

Janna Scott

From: Olivas, Jay [JOLIVAS@rctlma.org]
Sent: Thursday, November 10, 2011 9:07 AM
To: 'Russell, Meg'; Stein, Kenneth; Janna Scott
Subject: FW: Solar Projects

From: Sarkissian, John [mailto:JSarkiss@riversidecountyit.org]
Sent: Thursday, November 10, 2011 8:46 AM
To: VGarcia@thehltgroup.net; Olivas, Jay
Subject: Solar Projects

Good morning Jay,

REF: PUP911, CUP3670.

We need to verify what radio communications, if any, may be included with these solar projects. In reviewing the documentation, I only detected fiber optic connectivity for telecommunications. As a reminder, the County of Riverside has built numerous new sites in the eastern county area to support the new 700 MHz voice / data public safety radio network (Public Safety Enterprise System) supporting the Sheriff, Fire Dept, and Public Safety. This includes new microwave links at each site. We must ensure there is no chance for radio interference to jeopardize PSEC operations.

Thank you,

John Sarkissian
Frequency Manager
Riverside County Information Technology Dept (RCIT)
Public Safety Enterprise Communication (PSEC)
Office: (951)486-7757; Cell: (951)830-9496
Jsarkiss@RiversideCountyIT.org

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November 29, 2011

Jeff Childers
Bureau of Land Management
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553

Subject: Comments on NextEra's McCoy Solar Energy Project

Dear Mr. Childers;

Palo Verde Solar I, LLC (PVSI), a wholly owned subsidiary of STA Development, LLC is the holder of a Bureau of Land Management (BLM) Right of Way Grant (ROW) for its Blythe Solar Power Project (BSPP). The ROW was issued after full satisfaction of the requirements under the National Environmental Policy Act (NEPA) on November 4, 2010. PVSI began construction on December 15, 2010. Prior to completion of the financing for full construction of the BSPP, PVSI announced it wished to cease construction and modify its solar technology from one that employed concentrating solar thermal to one that would employ solar photovoltaic technology.

BLM encouraged PVSI to work closely with NextEra Energy and enXco who are proposing solar projects on BLM land north of the BSPP ROW. The purpose of the request was to determine whether the BSPP could accommodate the generation tie transmission lines and access roads from both of these projects within the ROW area. After several meetings, our respective engineers were able to agree to several corridor options through or adjacent to the BSPP ROW that would accommodate the access road and both generation tie transmission lines for NextEra and for enXco. PVSI, NextEra and enXco agree that the preferred shared corridor be located along the eastern boundary of the BSPP ROW. We understand that this shared corridor will be the subject of a separate ROW Grant issued to both NextEra and enXco but would be within the previously granted ROW for the BSPP. The ROW for the BSPP will be modified to exclude the shared corridor as part of the BSPP technology amendment proposal. The preferred eastern shared corridor has been located to provide full avoidance of cultural areas located near the eastern and southern boundaries of the BSPP ROW as well as comply with the Riverside County Airport Land Use Commission's (RCALUC) compatibility zones and restrictions[1].

At BLM's request, the three companies also identified two other alternative shared corridors through the BSPP ROW: a western alternative and a central alternative to be studied in the NEPA evaluation of the McCoy Project. Both of these alternatives are technically problematic in that they

[1] As of the date of this letter, the applicants' engineers are still evaluating the electrical requirements for line crossing for the eastern alternative. As a result, the eastern route may be subject to a future minor modification related to the crossing point.

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bisect the BSPP ROW in such a way that inhibits security and provides some negative effects from shading of solar collectors. While each of these alternatives have been configured to reduce environmental impacts, each provide potentially greater impacts to PVSI and do not reduce impacts over the preferred eastern shared corridor.

We have attached a drawing showing the alternatives for BLM and the County to consider when evaluating the NextEra McCoy Solar Energy Project[2]. However, we strongly urge BLM and the County to select the eastern shared corridor as the preferred route because the eastern shared corridor:

- reduces impacts from transmission line and access roads that are not within a shared corridor;
- has been located in an area that was evaluated for the BSPP ROW and within which PVSI was granted the ability to conduct intensive grading;
- will involve less ground disturbance than was approved for the BSPP ROW;
- will avoid the cultural resource area along the western and southern boundary of the BSPP ROW;
- will reduce shading impacts on our solar panels;
- will restrict generation tie line pole heights to comply with RCALUC zoning requirements;
- will reduce visual impacts by locating the structures further away from the mountain background as well as within a shared corridor;
- will minimize impacts to BSPP while still providing the efficient use of land due to co-location of transmission lines and sharing of access road;
- will be located further from the desert tortoise relocation area west of the BSPP ROW boundary; and
- will avoid more predominate wash systems on the western boundary of the BSPP ROW.

This letter only addresses the coordination for the utility corridor around the BSPP site. There is a separate, related coordination effort amongst PVSI, NextEra, enXco, the developers of the Desert Southwest Power Link, Southern California Edison, and BLM. This effort is ongoing to assure proper alignment of transmission lines south of Interstate 10 as they enter the Colorado River Substation. Separate correspondence and documentation will be provided on that issue.

We thank you for the opportunity to work with interested parties to develop a solution that reduces environmental impacts while reducing impacts to the BSPP ROW. If you have any questions, please do not hesitate to contact me at (510) 463-6523.

Sincerely,

Elizabeth Ingram
Director, Project Development

[2] The alternatives are shown only to the point at which each option is south of the BSPP site. The parties understand that the final corridor will continue west and adjacent to the BSPP gentie to the Colorado River Substation.

Cc: Holly Roberts, BLM Palm Springs Field Office
Allison Shaffer, BLM Palm Springs Field Office
Ysmael Wariner, BLM Palm Springs Field Office
Meg Russell, NextEra Energy
Ian Black, enXco
Bob Mooney, Desert Southwest Power Link
John Keelin, Southern California Edison

Blythe Solar Power Project

McCoy Western, Central, and Eastern Corridor Alternatives

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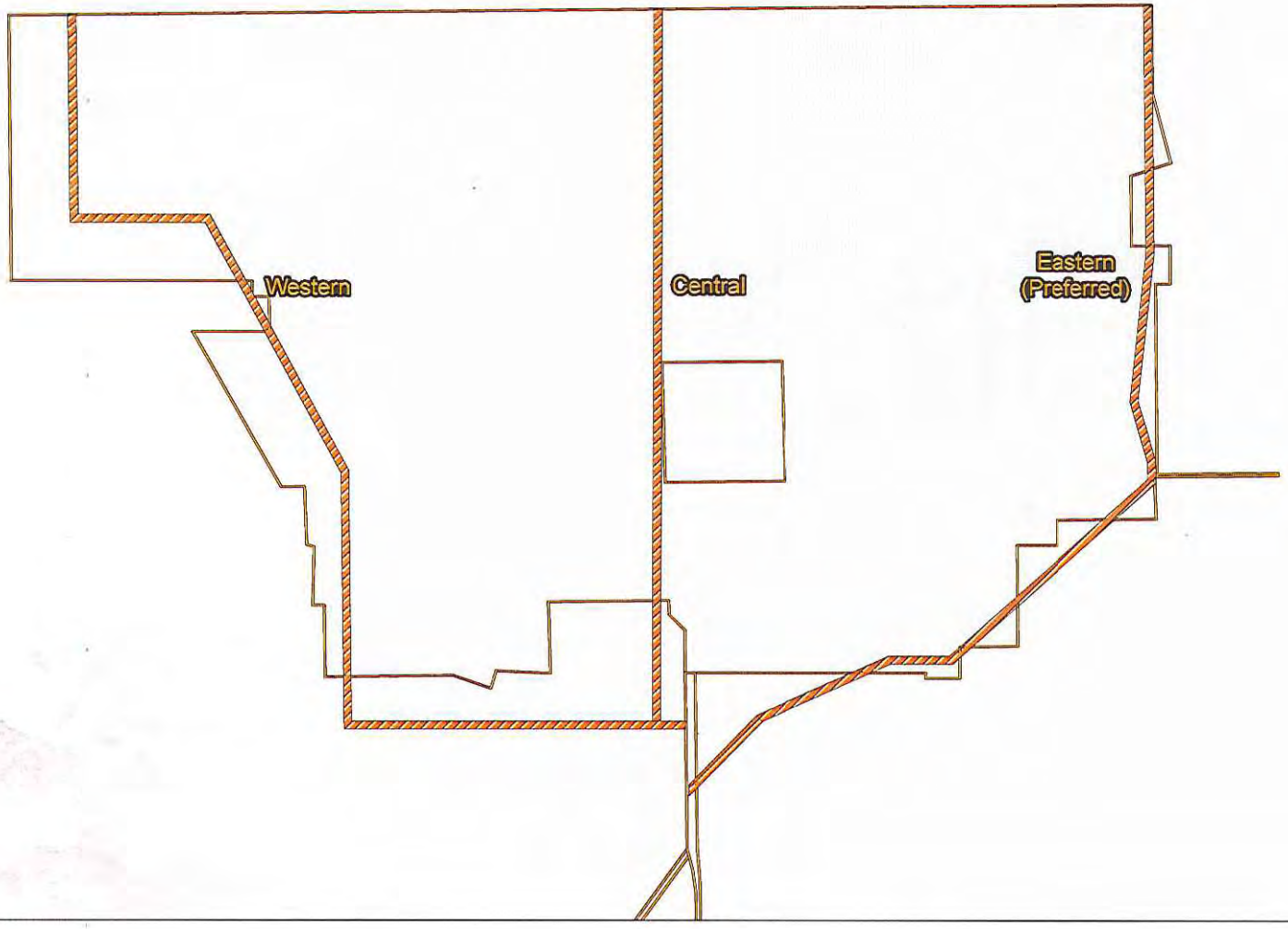
Drafted: 11/29/2011

Corridor Alternatives

Right of Way



Janna Scott

To: BLM_CA_McCoySolorEnergyPlant
Subject: RE: McCoy Solar Energy Project scoping comment

From: Jared Fuller [mailto:jgillenfuller@yahoo.com]
Sent: Wednesday, September 28, 2011 4:12 PM
To: BLM_CA_McCoySolorEnergyPlant
Subject: McCoy Solar Energy Project scoping comment

The site of this project may contain significant resources. These may include habitat for special status or sensitive plants, and desert tortoises or other threatened animal species. Significant archaeological resources including geoglyphs may also be present. The EIS should include a thorough analysis of these resources and mandate the avoidance of a all areas with these and other sensitive resources even if this would significantly reduce the size of the project.
In addition, woodland areas located along drainages should be avoided even if particular sensitive resources may not be found in these areas. This would preserve plant cover and diversity and corridors for wildlife, as well as reduce the need to implement flood control measures.

Thank you.
Jared Fuller
Provo, UT