



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Washington, D.C. 20240
<http://www.blm.gov>



SEP 26 2012

DECISION MEMORANDUM FOR THE SECRETARY

FROM: Mike Pool
Acting Director, Bureau of Land Management

SUBJECT: Decision Record – Campo Verde Gen-Tie Project (CA)

INTRODUCTION

The Applicant, Campo Verde Solar, LLC, is proposing to construct, operate, maintain, and decommission a gen-tie Project on public and private lands. On September 12, 2011, Campo Verde Solar, LLC submitted a right-of-way (ROW) application to the Bureau of Land Management (BLM) to construct, operate, maintain, and decommission a gen-tie. Subsequently Campo Verde submitted an Environmental Assessment that met the BLM's requirements. The Environmental Assessment considered two separate routes for the gen-tie across public land and private land as well as a private land only alternative. The gen-tie would transmit electricity from the Applicant's private land solar generation site to the Imperial Valley Substation. The project site is located in southern Imperial County, California, approximately 8 miles south west of the city of El Centro.

The decision approves two different alternatives (Alternative 3 and Alternative 2), each crossing public land. The BLM's preferred alternative is Alternative 3, which is the shortest route, 0.9 mile total length of which 0.4 mile crosses public land. Because Campo Verde Solar, LLC has not yet acquired the necessary interests in privately held lands to allow construction of Alternative 3, the grant will also include Alternative 2, which is 1.0 mile in length, with 0.9 mile crossing public land. Alternative 2 may only be developed if Campo Verde Solar, LLC is unable to acquire the necessary interests in privately held land to develop Alternative 3, and relinquishes the rights to Alternative 3. Campo Verde Solar, LLC must relinquish one of the two alternatives before BLM will issue a Notice to Proceed (NTP) to begin construction.

There is currently an existing Imperial Irrigation District (IID) line that parallels Alternative 3. The IID has proposed upgrading this line and building a collector station on private land. If these collector station and line upgrades are completed, it is possible that Campo Verde Solar could use this collector station to access the Imperial Valley Substation. This would minimize disturbance of public lands. However, because this collector station has not been approved and construction of the upgraded line has not begun, it is not known if it is feasible for the Applicant to use this line and still meet the schedule required by their power purchase agreement. However, if the Applicant is able to connect to the proposed collector station within the timeframe necessary to fulfill the power purchase agreement, the BLM would not issue a NTP for the construction of either alternative.

BACKGROUND

The BLM received an application for a ROW from Campo Verde Solar, LLC on September 12, 2011 for the double 230 kilovolt (kV) transmission line associated with the Campo Verde Solar Project. In addition to the double 230 kV transmission line, the Proposed Project includes the following components: use of existing associated access road with newly created temporary 20 foot wide spur roads; an electrical tower structures located on lands managed by the BLM; a small 100 foot by 150 foot area around each tower structure site cleared of obstructions and temporarily used for construction on the BLM managed lands; tensioning/pulling sites on BLM managed land, with each site resulting 100 foot by 400 foot of temporary disturbance; and an optical ground wire installed underground from the southern structure into the Imperial Valley Substation per San Diego Gas & Electric's requirement.

The BLM analyzed this project through an Environmental Assessment, in compliance with the National Environmental Policy Act (NEPA). This Environmental Assessment analyzed the Campo Verde Solar Generation project as a cumulative effect. The solar generation part of the project is fully located on private land. The Environmental Assessment analyzed the site-specific impacts on air quality, biological resources, cultural resources, water resources, geological resources and hazards, hazardous materials handling, land use, noise, and visual resources. Since the gen-tie is fully located within a designated corridor, this project is in conformance with the California Desert Conservation Area Plan, as amended, and did not require a plan amendment.

Construction of the Campo Verde Gen-Tie Project is expected to begin in 2013 and is anticipated to require 24 months to complete. Construction activities associated with the gen-tie are anticipated to require 2-6 months to complete.

POSITION OF INTERESTED PARTIES

In order to identify any project specific issues associated with the relevant plans and programs discussed above, the BLM held an interagency meeting in El Centro for the Federal, State, and local agencies with potential interest in the Project. This meeting was held on October 12, 2011, in the BLM El Centro Office and was attended by the following:

- BLM technical specialists
- US Fish and Wildlife Service
- US Border Patrol
- Naval Air Facility, El Centro
- California Department of Fish and Game
- Imperial County Planning and Development Services

The issues identified were consistent with the missions of each agency and the issues were addressed in the Environmental Assessment. Biological and cultural resources were identified as the primary issues associated with the portions of the project on BLM land.

In consideration of the information generated by the early coordination for this project, BLM prepared an EA for the project. By posting of the EA on the BLM's website, the EA was

circulated for a 30-day public review period from April 13, 2012 through May 13, 2012. No written comments on the EA were received during that public review period.

The BLM initiated tribal consultation for the project by letter on November 2, 2011, to identify properties of religious and cultural significance to the tribes. The following tribes or tribal organizations were invited to be consulting parties:

- Barona Band of Mission Indians
- Campo Band of Mission Indians
- Cocopah Indian Tribe
- Ewiiapaayp Band of Kumeyaay Indians
- Fort Yuma Quechan Tribe
- Jamul Indian Village
- Kwaaymii Laguna Band of Indians
- La Posta Band of Kumeyaay Indians
- Manzanita Band of Kumeyaay Indians
- Mesa Grande Band of Mission Indians
- San Pasqual Band of Diegueno Indians
- Santa Ysabel Band of Diegueno Indians
- Sycuan Band of Kumeyaay Nation
- Torres-Martinez Desert Cahuilla Indians
- Viejas Band of Kumeyaay Indians

The BLM did not receive any responses. Additionally, the Campo Verde Project was discussed at several staff-to-staff coordination meetings with the Quechan Historic Preservation Officer, John Bathke, and the Cocopah Cultural Resources Manager, Jill McCormick. In addition to these meetings, the BLM also had a meeting with Quechan Culture Committee on February 24, 2012 to discuss all of the projects that propose to tie in to the Imperial Valley Substation, including the Campo Verde project. There were no government-to-government meetings specifically for this project. The BLM has had no requests from any tribe for meetings or site visits. Throughout the Section 106 and tribal coordination process, the BLM continued to provide updates on the status of the environmental review process and the Section 106 process, invited the tribes into government-to-government consultation, and requested their help in identifying any issues or concerns.

The BLM, after consultation with the California State Historic Preservation Officer (SHPO), sent a letter to the SHPO, dated May 22, 2012, requesting peer review on the BLM's Determination and Findings for the Campo Verde Solar Project. Neither the SHPO nor any of the consulting parties elected to comment on the BLM's Determination and Findings. As a result, formal consultation under Section 106 between the BLM and the SHPO for the Campo Verde Solar Project ends at the signing of this Decision Record.

DECISION OPTIONS

The Environmental Assessment analyzed three action alternatives, and one No Action Alternatives with regard to the gen-tie. Each of these alternatives is described briefly below.

Alternative 1 - No Action Alternative

Under this alternative the BLM would not approve the ROW grant for the gen-tie. Under this alternative the proposed generating facility could be completed and that a transmission line would be developed without a need for action from the BLM. An exact location of the gen-tie was not analyzed. This alternative does not require any Federal approvals or action, as the BLM would not approve the ROW grant for the construction and operation of the gen-tie.

Alternative 2 - Proposed Action, Secondary Approved Alternative

The Proposed Action has the same private land generating facility as the Primary Approved Alternative but varies slightly with respect to the alignment of the gen-tie line. Under the Proposed Action, the gen-tie line would be routed to the west of the Selected Alternative. It would be 1.0 miles long with 0.9 miles on land managed by the BLM. Compared to the Primary Approved Alternative, the Proposed Action would have 6 additional transmission line support structures on BLM managed land than the Selected Alternative. The Proposed Action could permanently impact approximately 0.05 acres, which is the same as the Primary Selected Alternative. The Proposed Action could temporarily impact approximately 7.69 acres.

Alternative 3 - Alternative Gen-Tie Across BLM Land Alternative, Primary Approved Alternative

The Selected Alternative has the same generating facility as Alternative 2 but varies slightly with respect to the alignment of the gen-tie line. Under this alternative, the gen-tie line would be routed to the east of Alternative 2. It would be 0.9 miles long with 0.4 miles on land managed by the BLM. The Selected Alternative could temporarily impact 8.01 acres, of which 2.10 is non-native fallow agricultural land.

Alternative 4 - Private Land Gen-Tie Alternative

This alternative assumes that the proposed generating facility would be completed and that a transmission line would be developed without a need for action from the BLM. Alternative 4 could permanently impact approximately 0.10 acres, compared to 0.05 acres for Alternative 3. Alternative 4 could temporarily impact approximately 10.19 acres, compared to 8.01 acres in Alternative 3. All impacts would be on private land. Under NEPA, this alternative does not require any Federal approvals or action, as the BLM would not approve the ROW grant for the construction and operation of the gen-tie.

RECOMMENDATION

I recommend that you approve both Alternative 2 and Alternative 3, as explained in the introduction section of this memo, for the Campo Verde Gen-Tie Project. Your approval of this decision constitutes the final decision of the Department of the Interior and, in accordance with the regulations at 43 CFR 4.410(a)(3), is not subject to appeal under Departmental regulations at 43 CFR Part 4. Any challenge to this decision, including the BLM Authorized Officer's issuance of the rights-of-way as approved by this decision, must be brought in Federal district court.

DECISION BY THE SECRETARY

APPROVE: X

DISAPPROVE:

COMMENTS:

 9/26/2012
Date

 Ken Salazar
Ken Salazar