Appendix B

Public Comments

Appendix B
Public Comments

The following comments were received during the Palen Solar PV comment period.

Comment Number	Date	From
A - Public Agencies		
A1	7/14/16	Metropolitan Water District of Southern California
A2	8/31/16	U.S. Environmental Protection Agency
A3	9/6/16	Joshua Tree National Park
A4	8/4/16	California Department of Transportation
B - Groups, Organizations & Companies		
B1	8/28/16	Basin & Range Watch
B2	9/1/16	National Parks Conservation Association
B3	9/1/16	Center for Biological Diversity
B4	9/3/16	Morongo Basin Conservation Association
C - Tribal Governments & Organizations		
C1	7/14/16	La Cuna de Aztlan Sacred Sites Protection Circle
C2	9/6/16	Chemehuevi Cultural Center
D - Public Meetings		
See Section 3.1 of the report.		
E - Private CItizens		
E1	6/20/16	Anco Blazev
E2	6/30/16	Scott Connelly
E3	7/1/16	Kenneth B. Waxlax
E4	7/19/16	Donna Charpied
E5	8/18/16	Patrick Donnelly

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Scoping Comment A1 – Metropolitan Water District of Southern California

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

July 14, 2016 **Via Federal Express and E-Mail**

Frank McMenimen
BLM Project Manager
Bureau of Land Management
1201 Bird Center Drive
Palm Springs, CA 92262

Dear Mr. McMenimen:

Notice of Public Meeting for a Proposed Supplemental Environmental
Impact Statement and Supplemental Environmental Impact Report for the Palen Solar PV Project

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to provide input to the scoping process for the expected Supplemental Environmental Impact Statement and Supplemental Environmental Impact Report (collectively, SEIS) for the proposed Palen Solar Photovoltaic Project (Project). The proposed SEIS will analyze environmental effects resulting from construction and operation of a 500 megawatt solar photovoltaic (PV) electric generating facility with associated infrastructure, rather than the California Energy Commission approved Palen Solar Electric Generating System using thermal solar trough technology.

Metropolitan has previously reviewed the Bureau of Land Management's (BLM) Draft and Final Environmental Impact Statements (EIS), the Draft Supplemental EIS/Draft Plan Amendment for the Palen Solar I, LLC's Palen Solar Power Project, as well as the California Energy Commission Final Staff Assessment. Metropolitan submitted comments on the Draft EIS on June 15, 2010, the Final EIS on June 9, 2011, the Supplemental Environmental Impact Statement on October 24, 2013, and the Final Staff Assessment – Part A, also on October 24, 2013 (enclosed herewith and incorporated by reference).

Metropolitan's ownership and operation of the Colorado River Aqueduct (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. In sum, as a contractor receiving delivery of Colorado River supplies, Metropolitan remains concerned about the Project's potential direct and cumulative impacts on water supplies, specifically potential impacts on Colorado River and local groundwater supplies. In light of the drought conditions in our region, Metropolitan appreciates BLM's plan to focus on an analysis of water resources in the

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supplemental review and requests that the new SEIS discuss anticipated impacts to water resources, including Colorado Rover resources, both on the local and regional level.

We appreciate the opportunity to provide input to your planning process and look forward to receiving future environmental and related documentation on this Project. If we can be of further assistance, please contact Ms. Malinda K. Stalvey at (213) 217-5545.

Very truly yours,

Victoria Dee Blackshaw

for Deirdre West
Manager, Environmental Planning Team

MKS/mks
(EPT Project No. 20160618EXT)

Enclosures: Comment Letter on Palen Solar Power Plant DEIS dated June 15, 2010
Comment Letter on Palen Solar Power Plant FEIS dated June 9, 2011
Comment Letter on Draft Supplemental EIS/Draft Plan Amendment dated October 24, 2013
Comment Letter on Final Staff Assessment Palen Solar Electric Generating System dated October 24, 2013

MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

JUNE 15, 2010 **Via Electronic & U.S. Mail**

Alan Solomon,
Siting, Transmission and Environmental
Protection Division
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

Allison Shaffer
Project Manager
Palm Springs South Coast Field Office
Bureau of Land Management
1201 Bird Center Drive
Palm Springs, California 92262

To Whom it May Concern:

Notice of Availability of the Draft Environmental Impact Statement/Staff Assessment for the Chevron Energy Solutions/Solar Millennium Palen Solar Power Plant and Possible California Desert Conservation Area Plan Amendment; CEC Docket No. 09-AFC-7, BLM Docket No. CACA 48810

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Draft Environmental Impact Statement/Staff Assessment (collectively, "DEIS") for the Chevron Energy Solutions/Solar Millennium Palen Solar Power Plant and Possible California Desert Conservation Area Plan Amendment (Project). The U.S. Bureau of Land Management (BLM) is the lead agency under the National Environmental Policy Act (NEPA) for the DEIS and the California Energy Commission (CEC) is the lead agency (for licensing thermal power plants 50 megawatts and larger) under the California Environmental Quality Act (CEQA) and has a certified regulatory program under CEQA. Under its certified program, CEC is exempt from having to prepare an environmental impact report. Its certified program, however, requires environmental analysis of the project or a "staff assessment," including an analysis of alternatives and mitigation measures to minimize any significant adverse effect the project may have on the environment.

Metropolitan is pleased to submit comments for consideration by BLM and CEC during the public comment period for the DEIS and staff assessment.[1] 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

[1] Comments on the DEIS and Revised Staff Assessment are due July 1, 2010 per the Federal Register notice. 75 Fed. Reg. 16786 (April 2, 2010). This comment deadline applies to the CEC's Revised Staff Assessment anticipated to be issued June 18, 2010 regardless of whether it is finalized separately from BLM's DEIS as the relevant comment periods may not be reduced or altered retroactively.

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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

Solar Millennium LLC and Chevron Energy Solutions, the joint developers of this project, propose to construct, own, and operate the Palen Solar Power Project. The Project is a concentrated solar thermal electric generating facility with two adjacent, independent, and identical solar plants of 250 megawatt (MW) nominal capacity each for a total capacity of 500 MW nominal.

The Project will utilize solar parabolic trough technology to generate electricity. With this technology, arrays of parabolic mirrors collect heat energy from the sun and refocus the radiation on a receiver tube located at the focal point of the parabola. A heat transfer fluid (HTF) is heated to high temperature (750 degrees Fahrenheit) as it circulates through the receiver tubes. The heated HTF is then piped through a series of heat exchangers where it releases its stored heat to generate high-pressure steam. The steam is then fed to a traditional steam turbine generator where electricity is produced.

The project water needs would be met by use of groundwater pumped from one of two wells on the plant site. Water for domestic uses by project employees would also be provided by onsite groundwater treated to potable water standards. During construction, the Project proponent anticipates using up to 1,500 acre-feet of water. Following construction and for long-term

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operations, the average total annual water usage for all four units combined is estimated to be about 300 acre-feet per year (afy).

The project site would be located approximately 10 miles east of Desert Center, along Interstate 10 approximately halfway between the cities of Indio and Blythe, in Riverside County, California. An application has been filed with BLM for a right-of-way (ROW) grant of approximately 5,200 acres.

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 0.3 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 final EIS and staff assessment 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 final EIS 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).

As noted above, the Project proposes to use approximately 1,500 af of water during construction and 300 acre-feet per year (afy) for long-term operations, using groundwater from a groundwater basin that is hydrogeologically connected to the Colorado River, within an area referred to as the "accounting surface." The extent of accounting surface area for the Colorado River was determined by the U.S. Geological Survey (USGS) and USBR as part of an on-going rule-making process. *See* Notice of Proposed Rule Regulating the Use of the Lower Colorado River

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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. In addition, the California contractors have agreed in the 1931 Seven Party Agreement to prioritize the delivery of California's Colorado River water among themselves. Under this priority agreement, the following alternatives identified in SOIL&WATER-15 are no longer available to Proponents to mitigate impacts to Colorado River water resources:

> The [mitigation] activities shall include the following water conservation projects: payment for irrigation improvements in Palo Verde Irrigation District, payment for irrigation improvements in Imperial Irrigation District, purchase of water rights within the Colorado River Basin that will be held in reserve, and/or BLM's Tamarisk Removal Program.

Instead, Proponents would have to obtain water from the existing junior priority holder, Metropolitan, which has the authority to sell water for power plant use. Mitigation measure SOIL&WATER-15 should be revised accordingly. 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. Proponents must fully address the impacts on Colorado River water resources and provide full mitigation for such impacts, including replacement of supply.

Additionally, CEC and BLM 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 final EIS and staff assessment 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 Dr. Debbie Drezner at (213) 217-5687.

Very truly yours,

Delaine W. Shane

Delaine W. Shane
Manager, Environmental Planning Team

DSD/dsd
(Public Folders/EPT/Letters/EPT Final Letter PDF/2010/15-JUN-10B.doc)
Enclosures: Map

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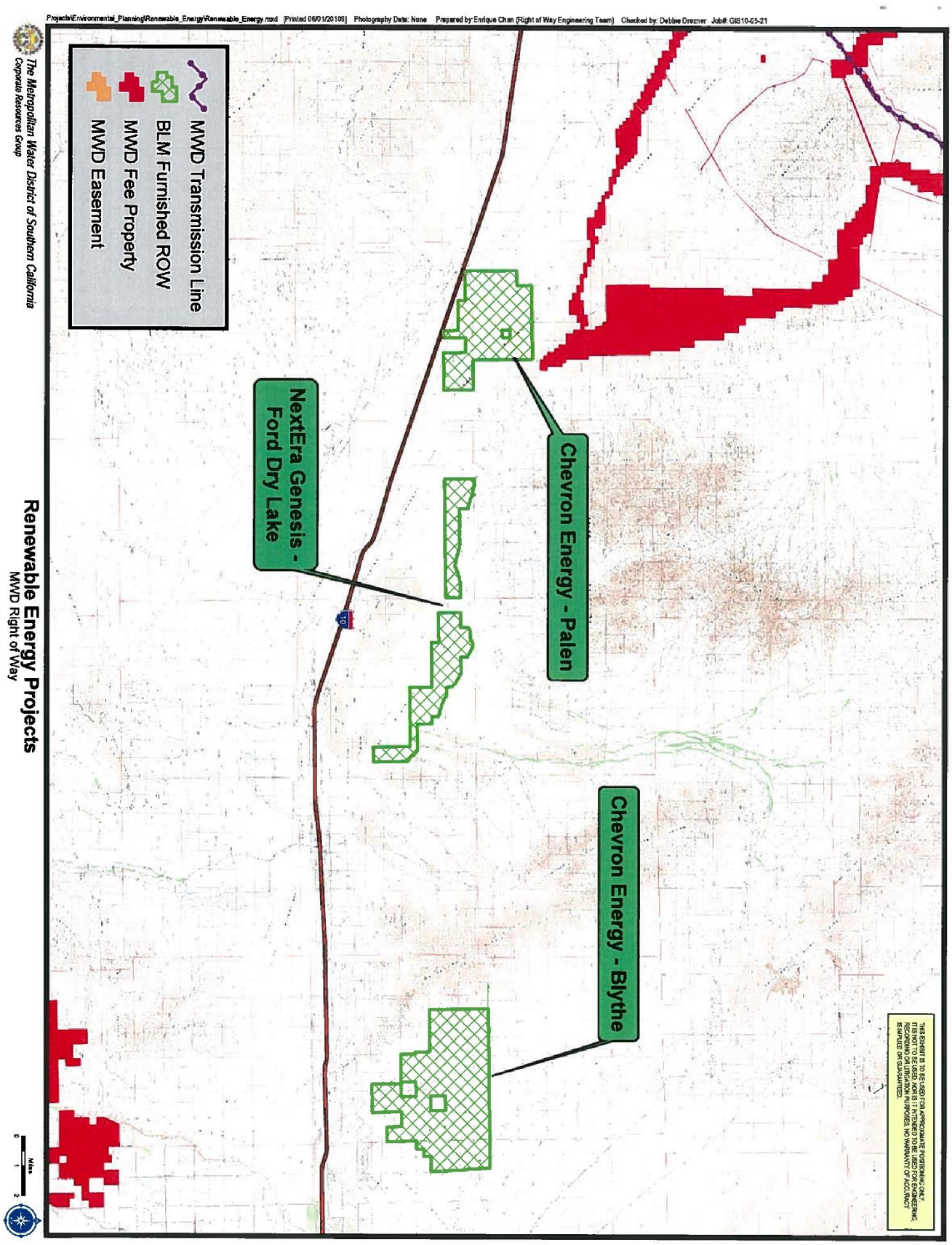
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The Metropolitan Water District of Southern California
Corporate Resources Group
Renewable Energy Projects
MWD Right of Way
MWD Transmission Line
BLM Furnished ROW
MWD Fee Property
MWD Easement
Chevron Energy - Palen
NextEra Genesis - Ford Dry Lake
Chevron Energy - Blythe
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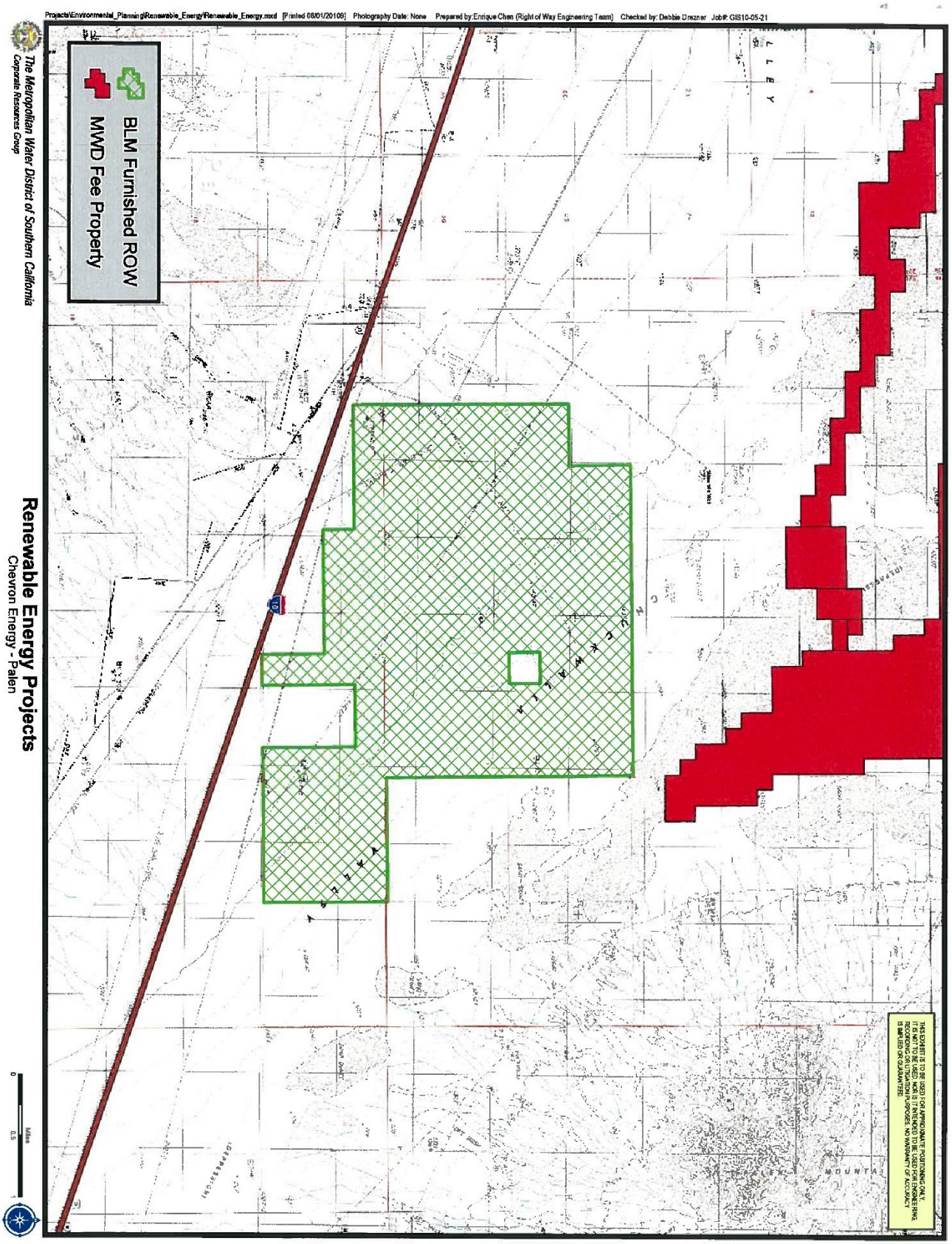
Projects\Environmental_Planning\Renewable_Energy\Renewable_Energy.mxd [Printed 08/01/2016] Photography Date: None Prepared by:Enrique Chen (Right of Way Engineering Team) Checked by: Debbie Drezner Job#: GIS10-05-21
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THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

June 9, 2011 **Via Electronic & U.S. Mail**

Dale Rundquist
Siting, Transmission and Environmental
Protection Division
California Energy Commission
1516 Ninth Street, MS-2000
Sacramento, CA 95814

Allison Shaffer
Project Manager
Palm Springs South Coast Field Office
Bureau of Land Management
1201 Bird Center Drive
Palm Springs, California 92262

To Whom It May Concern:

Notice of Availability of the Final Environmental Impact Statement for the Palen Solar I, LLC's Palen Solar Power Plant (PSPP) and Proposed California Desert Conservation Area Plan Amendment, CEC Docket No. 09-AFC-7, BLM Docket No. CACA 048810

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Bureau of Land Management's (BLM) Final Environmental Impact Statement (FEIS) for the Palen Solar I, LLC's Palen Solar Power Plant (Project). Metropolitan submitted comments on the draft EIS on June 15, 2010 that are attached hereto and incorporated by reference. In sum, as a contractor receiving delivery of Colorado River supplies, Metropolitan remains concerned about the Project's potential direct and cumulative impacts on water supplies, specifically potential impacts on Colorado River and local groundwater supplies.

Metropolitan is aware that BLM's current position is that groundwater pumping associated with the Project would neither result in direct impacts to the adjacent Palo Verde Mesa Groundwater Basin (PVMGB) nor would induce flow from the Colorado River, and therefore no significant impact to Colorado River water resources would occur. Metropolitan appreciates that BLM recognizes the uncertainty of this conclusion as indicated in the discussion of Colorado River-related concerns in:

- Section 4.19.2, "Discussion of Direct and Indirect Impacts" related to water resources impacts,
- Section 4.19.5 "Residual Impacts after Mitigation Measures were Implemented", and
- Section 5.5.2.10 "Common Response" related to water resources.

Metropolitan commends BLM for highlighting the concerns of various commentators that project-related groundwater use could affect the adjacent PVMGB by inducing flows from the

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Colorado River into that basin and that any resulting use of Colorado River water without an entitlement would be illegal.

As a result of these concerns, therefore, BLM proposes to mitigate potential effects on Colorado River water resources through implementation of mitigation measures SOIL&WATER-14, -15, -17 and -18. These mitigation measures require that the Project Owner submit to the Compliance Project Manager (CPM) for review and approval:

(1) a Water Offset Plan thirty days before the start of extraction of groundwater for construction or operation (SOIL&WATER-14),
(2) an annual Notice of Extraction and Diversion of Water (SOIL&WATER-15),
(3) a report detailing the results of analysis, estimation and modeling within thirty days following certification of the Project (SOIL&WATER-17), and
(4) a Groundwater Level and Quality Monitoring and Reporting Plan within 90 days prior to construction, a Well Monitoring Installation and Groundwater Level Network report at least 60 days prior to construction, and all groundwater quality and level monitoring data at least 60 days prior to use of any groundwater for construction (SOIL&WATER-18).

Metropolitan requests to be included, along with the Colorado River Board of California, in the process of reviewing all groundwater and hydrogeological monitoring and reporting provided by the Project Owner related to local groundwater and Colorado River resources prior to approval of the reports. These reports would include the various documents listed above, as well as any additional pertinent groundwater monitoring data submitted by the Project Owner to the CPM.

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 Dr. Debbie Drezner at (213) 217-5687.

Very truly yours,

John Shamma

John Shamma
Manager, Environmental Planning Team

DSD/rdl
(Public Folders/Environmental Planning&Compliance\COMPLETED JOBS\June 2011\Job No. 2011060901)

Attachment: Comment Letter on Palen Solar Power Plant DEIS dated June 15, 2010

cc: Mr. Christopher S. Harris,
Acting Executive Director
Colorado River Board of California
770 Fairmont Avenue, Suite 100
Glendale, California 91203-1068

bcc: W. Hasencamp
J. P. Matusak
C. M. Stites
J. A. Vanderhorst

MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

JUNE 15, 2010 **Via Electronic & U.S. Mail**

Alan Solomon,
Siting, Transmission and Environmental
Protection Division
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

Allison Shaffer
Project Manager
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Very truly yours,

Delaine W. Shane

Delaine W. Shane
Manager, Environmental Planning Team

DSD/dsd
(Public Folders/EPT/Letters/EPT Final Letter PDF/2010/15-JUN-10B.doc)
Enclosures: Map

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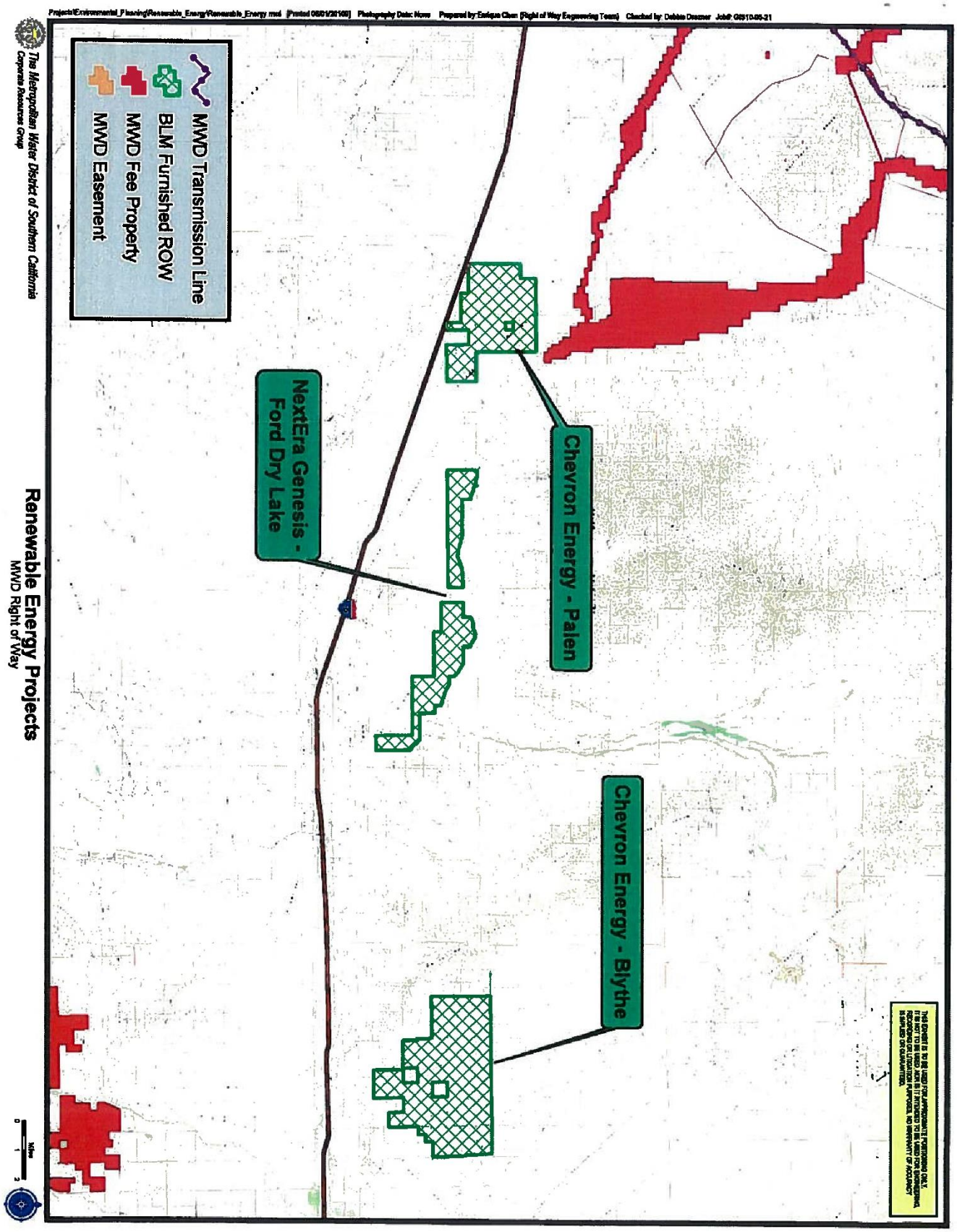
Projects\Environmental_Planning\Renewable_Energy\Renewable_Energy.mxd [Printed 06/01/2016] Photography Date: None Prepared by: Enrique Chan (Right of Way Engineering Team) Checked by: Debbie Dresner Job#: GIS10-06-21
The Metropolitan Water District of Southern California
Corporate Resources Group
Renewable Energy Projects
MWD Right of Way
MWD Transmission Line
BLM Furnished ROW
MWD Fee Property
MWD Easement
NextEra Genesis - Ford Dry Lake
Chevron Energy - Palen
Chevron Energy - Blythe
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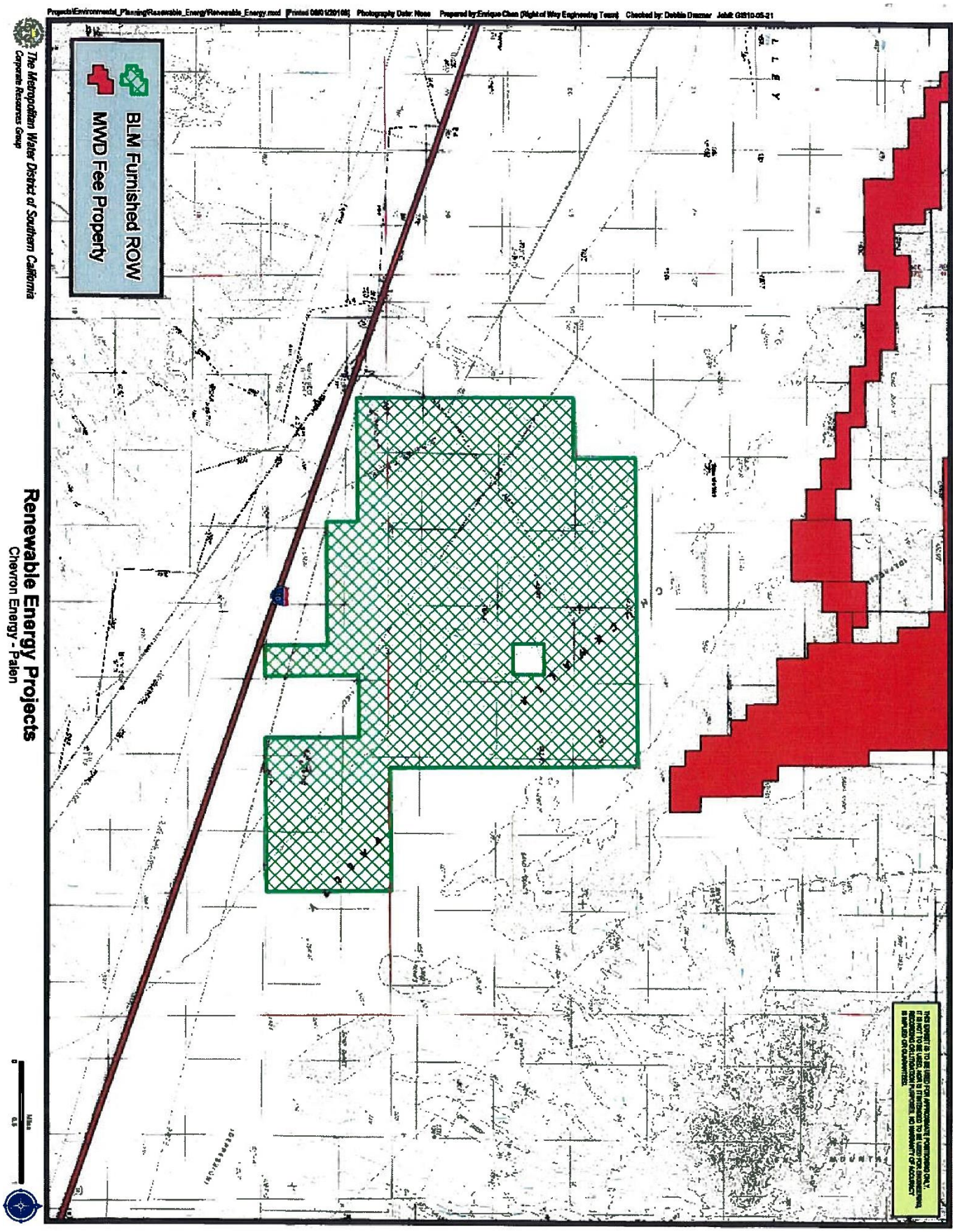
Project:\Environmental_Planning\Renewable_Energy\Renewable_Energy.mxd [Printed 08/01/2016] Photography Date: None Prepared by:Enrique Chan [Right of Way Engineering Team] Checked by: Debbie Dresner Job#: 03510-05-21
The Metropolitan Water District of Southern California
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THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

October 24, 2013 (DUE DATE) **Via Electronic & U.S. Mail**

Mr. Frank McMenimen
Project Manager
BLM Palm Springs-South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262

To Whom it May Concern:

Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Palen Solar Electric Generating System and Draft California Desert Conservation Area Plan Amendment, EIS No. 2013/023+1793, BLM Docket No. CACA 048810

The Metropolitan Water District of Southern California (Metropolitan) has previously reviewed the Bureau of Land Management's (BLM) Draft and Final Environmental Impact Statements (EIS) for the Palen Solar I, LLC's Palen Solar Power Project (Project). Metropolitan submitted comments on the Draft EIS on June 15, 2010 and on the Final EIS on June 9, 2011 that are attached hereto and incorporated by reference. In sum, as a contractor receiving delivery of Colorado River supplies, Metropolitan remains concerned about the Palen Solar Electric Generating System's potential direct and cumulative impacts on water supplies, specifically potential impacts on Colorado River and local groundwater supplies. Applicant Proposed Measure, "Soil&Water-14, Mitigation of Impacts to the Palo Verde Mesa Groundwater Basin" states:

> "To mitigate the impact from Project pumping, the Project owner shall identify and implement offset measures to mitigate the increase in discharge from surface water to groundwater that affects recharge in the Palo Verde Valley Groundwater Basin….The activities shall include the following water conservation projects: payment for irrigation improvements in Palo Verde Irrigation District, payment for irrigation improvements in Imperial Irrigation District, purchase of water rights within the Colorado River Basin that will be held in reserve, and/or BLM's Tamarisk Removal Program or other proposed mitigation activities acceptable to the CPM." (Draft Supplemental EIS, page C-111)

The Palen Solar Power Project Final EIS recognizes that the project site overlies the Colorado River Accounting Surface (page 4.19-6).

The Bureau of Land Management published a Record of Decision for the "Desert Harvest Solar Project and Amendment to the California Desert Conservation Area Land Use Management Plan" in March 2013. (Draft Supplemental EIS, page 4.1-21) Appendix 3 to that Record of

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Decision contains the "Full Text of Mitigation Measures and Applicant Measures". (http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/palmsprings/desert_harvest_solar.Par.71528.File.dat/Appendix3_DesertHarvest_ROD.pdf) The Desert Harvest Solar Project is to be located northwest of the Palen Solar Electric Generating System, and is further away from the Colorado River. Appendix 3 to that Record of Decision includes the following mitigation measure, MM WAT-7, for the Desert Harvest Solar Project:

> **"Colorado River Water Supply Plan.** Prior to the onset of water-consuming construction activities, the project owner shall prepare a Colorado River Water Supply Plan (Plan) and submit this Plan to the BLM and the Colorado River Basin Regional Water Quality Control Board (RWQCB) for review and approval, and to the Metropolitan Water District of Southern California (MWD) for review and comment. The Plan shall identify measures that will be taken to replace water on an acre-foot to acre-foot basis, if the project results in consumption of any water from below the Colorado River Accounting Surface, towards the purpose of ensuring that no allocated water from the Colorado River is consumed without entitlement to that water.
>
> The Plan shall describe that groundwater monitoring activities and quarterly data reports required in compliance with MM WAT-3 (Groundwater Drawdown Monitoring and Reporting Plan) will be closely reviewed for depth to groundwater information, and proximity of the depth of project-related groundwater pumping to the Colorado River Accounting Surface of 234 feet amsl. The Plan shall further describe that if project-related groundwater pumping draws water from below 234 feet amsl, the following shall occur:
>
> 1) All groundwater pumping shall immediately cease,
>
> 2) Based on groundwater monitoring data, the quantity of groundwater pumped from below 234 feet amsl shall be recorded, and
>
> 3) The project owner shall implement water conservation/offset activities to replace Colorado River water on an acre-foot by acre-foot basis.
>
> In order to effectively implement item (3) above, the Plan shall include the following information:
>
> - Identification of water conservation / offset activities to "replace" the quantity of water diverted from the Colorado River;
> - Identification of any required permits or approvals and compliance of conservation / offset activities with CEQA and NEPA;
> - An estimated schedule of completion for each identified activity;
> - Performance measures that would be used to evaluate the amount of water replaced by each identified activity; and
> - Monitoring and reporting protocol to ensure that water conservation / offset activities are effectively implemented and achieve the intended purpose of replacing Colorado River water diversions.

The project owner shall collaborate with the BLM, the Colorado River RWQCB, and/or the MWD, as appropriate, in order to identify acceptable water conservation / offset activities for the purposes of the Plan, with "acceptable" activities being those that are considered environmentally, physically, and economically feasible, while also effectively resulting in the replacement of Colorado River water. A number of water conservation / offset activities that have been considered and determined to not be viable and therefore may not be identified in the Plan include the following:

- Irrigation improvements in the Palo Verde Irrigation District (water unused by the PVID becomes available to MWD per the 2003 Colorado River Water Delivery Agreement executed by MWD, the Secretary of the Interior, Imperial Irrigation District, Coachella Valley Water District, and San Diego County Water Authority);
- Purchase of water allotments allocated by the Department of the Interior (all Colorado River water available to California in shortage, normal, or Intentionally Created Surplus conditions is already allocated and its use is limited to each entity's service area under executed water delivery contracts);
- Implementation of conservation programs in floodplain communities (all water unused by holders of higher priorities becomes available to MWD per the water delivery contracts which have been executed by the Department of the Interior); and
- Participation in the BLM's Tamarisk Removal Program (use of Colorado River water by phreatophytes such as tamarisk is not charged as a use of water for U.S. Supreme Court Decree accounting purposes by the U.S. Bureau of Reclamation).

If the project owner has filed an application to the U.S. Bureau of Reclamation (USBR) to obtain an allocation of water from the Colorado River and such allocation is granted, it may be used to satisfy some or all of the water conservation offsets on an acre-foot per acre-foot basis. However, the filing of an application for allocation of Colorado River water does not guarantee that such an allocation will be issued. In addition, all of California's apportionment to use of Colorado River water during shortage, normal, and Intentionally Created Surplus conditions has already been allocated by the Department of the Interior. Therefore, unless the project owner currently holds entitlement to the use of Colorado River water, it shall not be assumed that an allocation will be granted.

If the project does not result in diversion of Colorado River water (via pumping from near (within +/-0.84 feet at the 95-percent confidence level), equal to, or below 234 feet amsl) it will not be necessary to implement the water conservation/offset activities identified in the Colorado River Water Supply Plan. However, the Plan must be approved by the BLM prior to project-related groundwater pumping is initiated so that if at any time during the project it is determined that groundwater is being produced from below the Colorado River Accounting Surface of 234 feet amsl, the requirements described in this measure shall be immediately implemented, starting with the cessation of groundwater pumping.

The Colorado River Water Supply Plan is separate from the Groundwater Drawdown Monitoring and Reporting Plan required per MM WAT-3 and the Drought Water Management and Water Conservation Education Programs required per MM WAT-6. Therefore, this Plan must be developed, reviewed, approved of, and implemented as a

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separate, stand-alone document. Compliance with this measure shall be verified by the Environmental Monitor."

Metropolitan requests that BLM substitute all of the provisions of MM-WAT 7 from Appendix 3 of the Desert Harvest Solar Project Record of Decision for Applicant's Proposed Measure, "Soil&Water-14, Mitigation of Impacts to the Palo Verde Mesa Groundwater Basin".

On Page 4.1-17 of Volume 1 of the Draft Supplemental EIS, in the row ID 7, revise "144-foot" to "438-foot lift" in the Project Description column. The 144-foot value is for Iron Mountain Pumping Plant, rather than Eagle Mountain Pumping Plant, the subject of this row.

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

Attachments: Comment Letter on Palen Solar Power Plant DEIS dated June 15, 2010
Comment Letter on Palen Solar Power Plant FEIS dated June 9, 2011

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

bcc: W. Hasencamp
J. P. Matusak
C. M. Stites
J. A. Vanderhorst

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THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

October 24, 2013 **VIA E-FILING & U.S. MAIL**

California Energy Commission
Dockets Unit, MS-14
Docket No. 09-AFC-7C
1516 Ninth Street
Sacramento, CA 95814-5512

To Whom it May Concern:

Comments on the Final Staff Assessment – Part A for the
Proposed Palen Solar Electric Generating System (09-AFC-7C)

The Metropolitan Water District of Southern California (Metropolitan) reviewed the above-referenced Staff Assessment – Part A (SA-Part A) for the Proposed Palen Solar Electric Generating System and provides these comments. Metropolitan previously reviewed the Bureau of Land Management's (BLM) and California Energy Commission's (CEC) Draft Environmental Impact Statement (DEIS)/Staff Assessment for the Chevron Energy Solutions/Solar Millennium Palen Solar Power Project (PSPP) and Possible California Desert Conservation Area Plan Amendment, and Final Environmental Impact Statement (FEIS) for the Palen Solar I, LLC's PSPP and Proposed California Desert Conservation Area Plan Amendment and submitted prior comments on those documents, copies of which are enclosed and incorporated herewith. Metropolitan also responded to the BLM's Notice of Availability of the Draft Supplemental Environmental Impact Statement (EIS) for the Palen Solar Electric Generating System and Draft California Desert Conservation Area Plan Amendment, a copy of which is enclosed herewith.

In sum, Metropolitan appreciates that the CEC has recognized that the Project, along with the cumulative impacts of neighboring desert solar projects, may impact Colorado River supplies and that it is requiring the Project proponent to mitigate for and monitor these potential impacts. However, Metropolitan is concerned that the alternatives identified in the proposed condition of certification SOIL& WATER-14 will not be effective in offsetting impacts to Lower Colorado River water supplies and/or are not viable. Thus, Metropolitan is requesting that CEC replace proposed condition of certification SOIL&WATER-14 with a mitigation measure that BLM included in a similar project, the Desert Harvest Solar Project, which identifies viable mitigation alternatives. A copy of the mitigation measure, MM WAT-7, is enclosed for reference, and taken from Appendix 3 to BLM's Record of Decision for the "Desert Harvest Solar Project and Amendment to the California Desert Conservation Area Land Use Management Plan", beginning at page 80.

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(http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/palmsprings/desert_harvest_solar.Par.71528.File.dat/Appendix3_DesertHarvest_ROD.pdf) Metropolitan also requests that CEC substitute the Colorado River accounting surface elevation for the Palen Solar Electric Generating System shown on Figure 6 of the U.S. Geological Survey's Scientific Investigations Report 2008-5113, "Update of the Accounting Surface Along the Colorado River" for the value shown in MM WAT-7 for the Desert Harvest Solar Project.

More specifically, the CEC's proposed condition of certification SOIL&WATER-14 suggests that the Project proponent may mitigate by one of the following: (1) pay for irrigation improvements in Palo Verde Irrigation District (PVID), (2) payment for irrigation improvements in Imperial Irrigation District (IID), (3) purchase of water rights within the Colorado River Basin that will be held in reserve, and/or (4) BLM's Tamarisk Removal Program or other proposed mitigation activities acceptable to the CEC Compliance Project Manager. As a preliminary matter, entities in California are already 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 during shortage, normal, and Intentionally Created Surplus conditions. Thus to offset groundwater which would be replaced by Colorado River water, the Project proponent will 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 supplies with the Project proponent, subject to any required approvals by Metropolitan's Board of Directors.

Under the priority rights to use of Colorado River water, any water unused by PVID or IID becomes available to Metropolitan in accordance with the 2003 Colorado River Water Delivery Agreement executed by Metropolitan, the Secretary of the Interior, IID, Coachella Valley Water District, and San Diego County Water Authority, and Metropolitan's 1930, 1931, 1946 and 1987 contracts with the Department of the Interior. Thus, water newly conserved in PVID or IID's service area would not be available for any other purposes.

Additionally, tamarisk removal and the water conserved by such an effort outside the service areas of Colorado River water delivery contractors would only offset Colorado River system losses generally, and would not result in a reduction in the amount of consumptive use charged to California by the U.S. Bureau of Reclamation. Thus, such tamarisk removal would not be a viable offset to the Project's use of groundwater that would be replaced by Colorado River water.

For these reasons, Metropolitan recommends that the enclosed mitigation measure be substituted for proposed condition of certification SOIL&WATER-14 and that Metropolitan be included, along with the U.S. Bureau of Reclamation and the Colorado River Board of California, in the consultation to provide review and comment of the Water Offset Plan once prepared.

Metropolitan also requests that it be copied on all documentation and monitoring done pursuant to conditions of certification SOIL&WATER-4 and SOIL&WATER-17.

Finally, on Page 1-24 of the Staff Assessment – Part A, please revise "144-foot" to "438-foot lift" in the Project Description column of the table. The 144-foot value is for Iron Mountain Pumping Plant, rather than Eagle Mountain Pumping Plant, the subject of this row.

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

CMS/JPM:
(J:\Environmental Planning&Compliance\Completed Jobs\June 2011\Job No. 2011060901)

Enclosures: Proposed Soil and Water Mitigation Measure
June 15, 2010, Comment Letter on PSPP DEIS/Staff Assessment
June 9, 2011, Comment Letter on PSPP FEIS
October 24, 2013 Comment Letter on Draft Supplemental EIS/Draft Plan Amendment

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

PROPOSED SOIL & WATER MITIGATION MEASURE
(taken from Appendix 3 to BLM's Record of Decision for the "Desert Harvest Solar Project and Amendment to the California Desert Conservation Area Land Use Management Plan at page 80)

Colorado River Water Supply Plan. Prior to the onset of water-consuming construction activities, the project owner shall prepare a Colorado River Water Supply Plan (Plan) and submit this Plan to the BLM and the Colorado River Basin Regional Water Quality Control Board (RWQCB) for review and approval, and to the Metropolitan Water District of Southern California (MWD) for review and comment. The Plan shall identify measures that will be taken to replace water on an acre-foot to acre-foot basis, if the project results in consumption of any water from below the Colorado River Accounting Surface, towards the purpose of ensuring that no allocated water from the Colorado River is consumed without entitlement to that water.

The Plan shall describe that groundwater monitoring activities and quarterly data reports required in compliance with MM WAT-3 (Groundwater Drawdown Monitoring and Reporting Plan) will be closely reviewed for depth to groundwater information, and proximity of the depth of project-related groundwater pumping to the Colorado River Accounting Surface of 234 feet amsl. The Plan shall further describe that if project-related groundwater pumping draws water from below 234 feet amsl, the following shall occur:

1) All groundwater pumping shall immediately cease,

2) Based on groundwater monitoring data, the quantity of groundwater pumped from below 234 feet amsl shall be recorded, and

3) The project owner shall implement water conservation/offset activities to replace Colorado River water on an acre-foot by acre-foot basis.

In order to effectively implement item (3) above, the Plan shall include the following information:

- Identification of water conservation / offset activities to "replace" the quantity of water diverted from the Colorado River;
- Identification of any required permits or approvals and compliance of conservation / offset activities with CEQA and NEPA;
- An estimated schedule of completion for each identified activity;
- Performance measures that would be used to evaluate the amount of water replaced by each identified activity; and
- Monitoring and reporting protocol to ensure that water conservation / offset activities are effectively implemented and achieve the intended purpose of replacing Colorado River water diversions.

The project owner shall collaborate with the BLM, the Colorado River RWQCB, and/or the MWD, as appropriate, in order to identify acceptable water conservation / offset activities for the purposes of the Plan, with "acceptable" activities being those that are considered environmentally, physically, and economically feasible, while also effectively resulting in the

replacement of Colorado River water. A number of water conservation / offset activities that have been considered and determined to not be viable and therefore may not be identified in the Plan include the following:

- Irrigation improvements in the Palo Verde Irrigation District (water unused by the PVID becomes available to MWD per the 2003 Colorado River Water Delivery Agreement executed by MWD, the Secretary of the Interior, Imperial Irrigation District, Coachella Valley Water District, and San Diego County Water Authority);
- Purchase of water allotments allocated by the Department of the Interior (all Colorado River water available to California in shortage, normal, or Intentionally Created Surplus conditions is already allocated and its use is limited to each entity's service area under executed water delivery contracts);
- Implementation of conservation programs in floodplain communities (all water unused by holders of higher priorities becomes available to MWD per the water delivery contracts which have been executed by the Department of the Interior); and
- Participation in the BLM's Tamarisk Removal Program (use of Colorado River water by phreatophytes such as tamarisk is not charged as a use of water for U.S. Supreme Court Decree accounting purposes by the U.S. Bureau of Reclamation).

If the project owner has filed an application to the U.S. Bureau of Reclamation (USBR) to obtain an allocation of water from the Colorado River and such allocation is granted, it may be used to satisfy some or all of the water conservation offsets on an acre-foot per acre-foot basis. However, the filing of an application for allocation of Colorado River water does not guarantee that such an allocation will be issued. In addition, all of California's apportionment to use of Colorado River water during shortage, normal, and Intentionally Created Surplus conditions has already been allocated by the Department of the Interior. Therefore, unless the project owner currently holds entitlement to the use of Colorado River water, it shall not be assumed that an allocation will be granted.

If the project does not result in diversion of Colorado River water (via pumping from near (within +/-0.84 feet at the 95-percent confidence level), equal to, or below 234 feet amsl) it will not be necessary to implement the water conservation/offset activities identified in the Colorado River Water Supply Plan. However, the Plan must be approved by the BLM prior to project-related groundwater pumping is initiated so that if at any time during the project it is determined that groundwater is being produced from below the Colorado River Accounting Surface of 234 feet amsl, the requirements described in this measure shall be immediately implemented, starting with the cessation of groundwater pumping.

The Colorado River Water Supply Plan is separate from the Groundwater Drawdown Monitoring and Reporting Plan required per MM WAT-3 and the Drought Water Management and Water Conservation Education Programs required per MM WAT-6. Therefore, this Plan must be developed, reviewed, approved of, and implemented as a separate, stand-alone document. Compliance with this measure shall be verified by the Environmental Monitor.

MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

JUNE 15, 2010 **Via Electronic & U.S. Mail**

Alan Solomon,
Siting, Transmission and Environmental
Protection Division
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

Allison Shaffer
Project Manager
Palm Springs South Coast Field Office
Bureau of Land Management
1201 Bird Center Drive
Palm Springs, California 92262

To Whom it May Concern:

Notice of Availability of the Draft Environmental Impact Statement/Staff Assessment for the Chevron Energy Solutions/Solar Millennium Palen Solar Power Plant and Possible California Desert Conservation Area Plan Amendment; CEC Docket No. 09-AFC-7, BLM Docket No. CACA 48810

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Draft Environmental Impact Statement/Staff Assessment (collectively, "DEIS") for the Chevron Energy Solutions/Solar Millennium Palen Solar Power Plant and Possible California Desert Conservation Area Plan Amendment (Project). The U.S. Bureau of Land Management (BLM) is the lead agency under the National Environmental Policy Act (NEPA) for the DEIS and the California Energy Commission (CEC) is the lead agency (for licensing thermal power plants 50 megawatts and larger) under the California Environmental Quality Act (CEQA) and has a certified regulatory program under CEQA. Under its certified program, CEC is exempt from having to prepare an environmental impact report. Its certified program, however, requires environmental analysis of the project or a "staff assessment," including an analysis of alternatives and mitigation measures to minimize any significant adverse effect the project may have on the environment.

Metropolitan is pleased to submit comments for consideration by BLM and CEC during the public comment period for the DEIS and staff assessment.[1] 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

[1] Comments on the DEIS and Revised Staff Assessment are due July 1, 2010 per the Federal Register notice. 75 Fed. Reg. 16786 (April 2, 2010). This comment deadline applies to the CEC's Revised Staff Assessment anticipated to be issued June 18, 2010 regardless of whether it is finalized separately from BLM's DEIS as the relevant comment periods may not be reduced or altered retroactively.

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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

Solar Millennium LLC and Chevron Energy Solutions, the joint developers of this project, propose to construct, own, and operate the Palen Solar Power Project. The Project is a concentrated solar thermal electric generating facility with two adjacent, independent, and identical solar plants of 250 megawatt (MW) nominal capacity each for a total capacity of 500 MW nominal.

The Project will utilize solar parabolic trough technology to generate electricity. With this technology, arrays of parabolic mirrors collect heat energy from the sun and refocus the radiation on a receiver tube located at the focal point of the parabola. A heat transfer fluid (HTF) is heated to high temperature (750 degrees Fahrenheit) as it circulates through the receiver tubes. The heated HTF is then piped through a series of heat exchangers where it releases its stored heat to generate high-pressure steam. The steam is then fed to a traditional steam turbine generator where electricity is produced.

The project water needs would be met by use of groundwater pumped from one of two wells on the plant site. Water for domestic uses by project employees would also be provided by onsite groundwater treated to potable water standards. During construction, the Project proponent anticipates using up to 1,500 acre-feet of water. Following construction and for long-term

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operations, the average total annual water usage for all four units combined is estimated to be about 300 acre-feet per year (afy).

The project site would be located approximately 10 miles east of Desert Center, along Interstate 10 approximately halfway between the cities of Indio and Blythe, in Riverside County, California. An application has been filed with BLM for a right-of-way (ROW) grant of approximately 5,200 acres.

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 0.3 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 final EIS and staff assessment 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 final EIS 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).

As noted above, the Project proposes to use approximately 1,500 af of water during construction and 300 acre-feet per year (afy) for long-term operations, using groundwater from a groundwater basin that is hydrogeologically connected to the Colorado River, within an area referred to as the "accounting surface." The extent of accounting surface area for the Colorado River was determined by the U.S. Geological Survey (USGS) and USBR as part of an on-going rule-making process. *See* Notice of Proposed Rule Regulating the Use of the Lower Colorado River

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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. In addition, the California contractors have agreed in the 1931 Seven Party Agreement to prioritize the delivery of California's Colorado River water among themselves. Under this priority agreement, the following alternatives identified in SOIL&WATER-15 are no longer available to Proponents to mitigate impacts to Colorado River water resources:

> The [mitigation] activities shall include the following water conservation projects: payment for irrigation improvements in Palo Verde Irrigation District, payment for irrigation improvements in Imperial Irrigation District, purchase of water rights within the Colorado River Basin that will be held in reserve, and/or BLM's Tamarisk Removal Program.

Instead, Proponents would have to obtain water from the existing junior priority holder, Metropolitan, which has the authority to sell water for power plant use. Mitigation measure SOIL&WATER-15 should be revised accordingly. 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. Proponents must fully address the impacts on Colorado River water resources and provide full mitigation for such impacts, including replacement of supply.

Additionally, CEC and BLM 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 final EIS and staff assessment 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 Dr. Debbie Drezner at (213) 217-5687.

Very truly yours,

Delaine W. Shane

Delaine W. Shane
Manager, Environmental Planning Team

DSD/dsd
(Public Folders/EPT/Letters/EPT Final Letter PDF/2010/15-JUN-10B.doc)
Enclosures: Map

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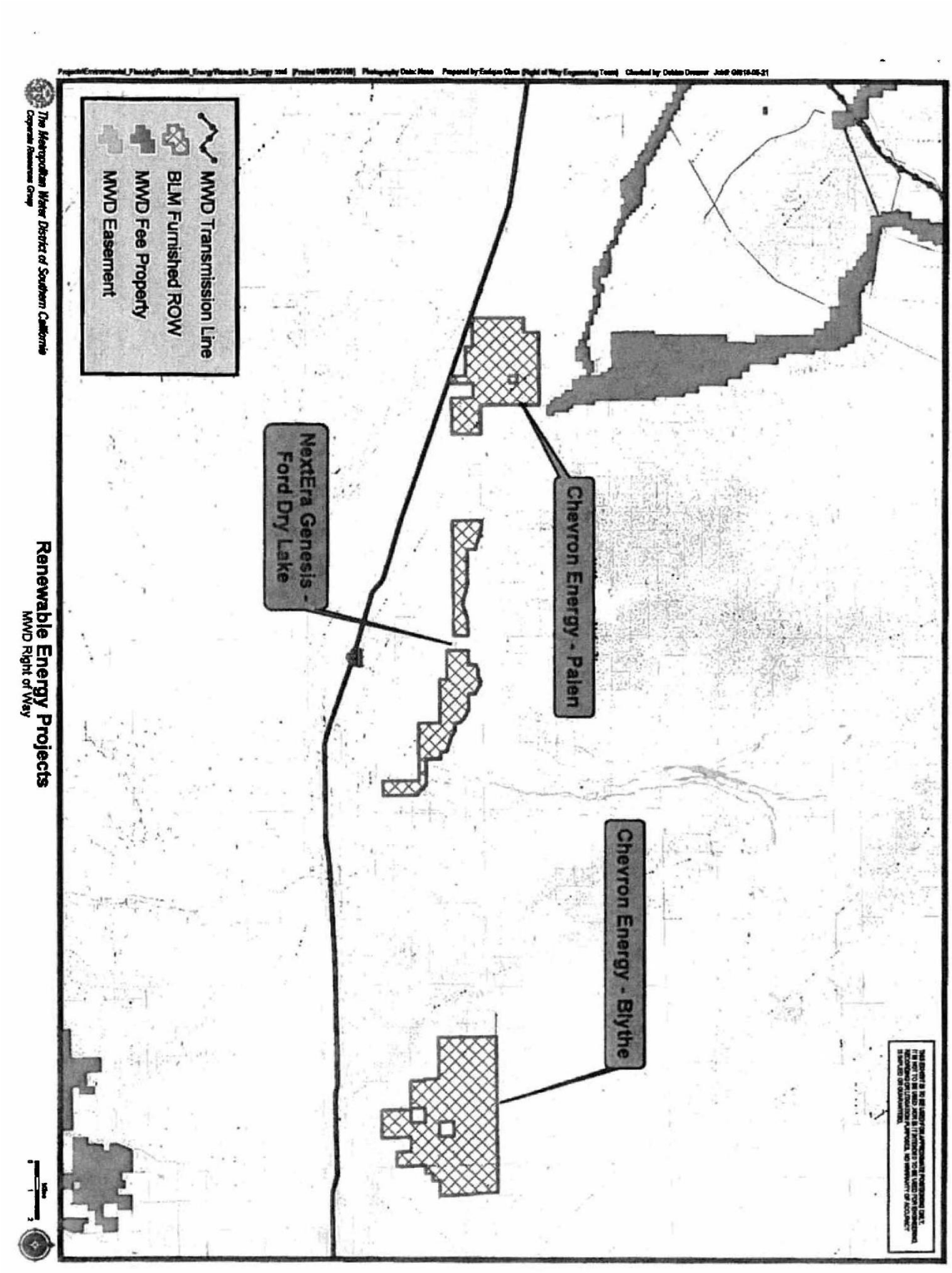
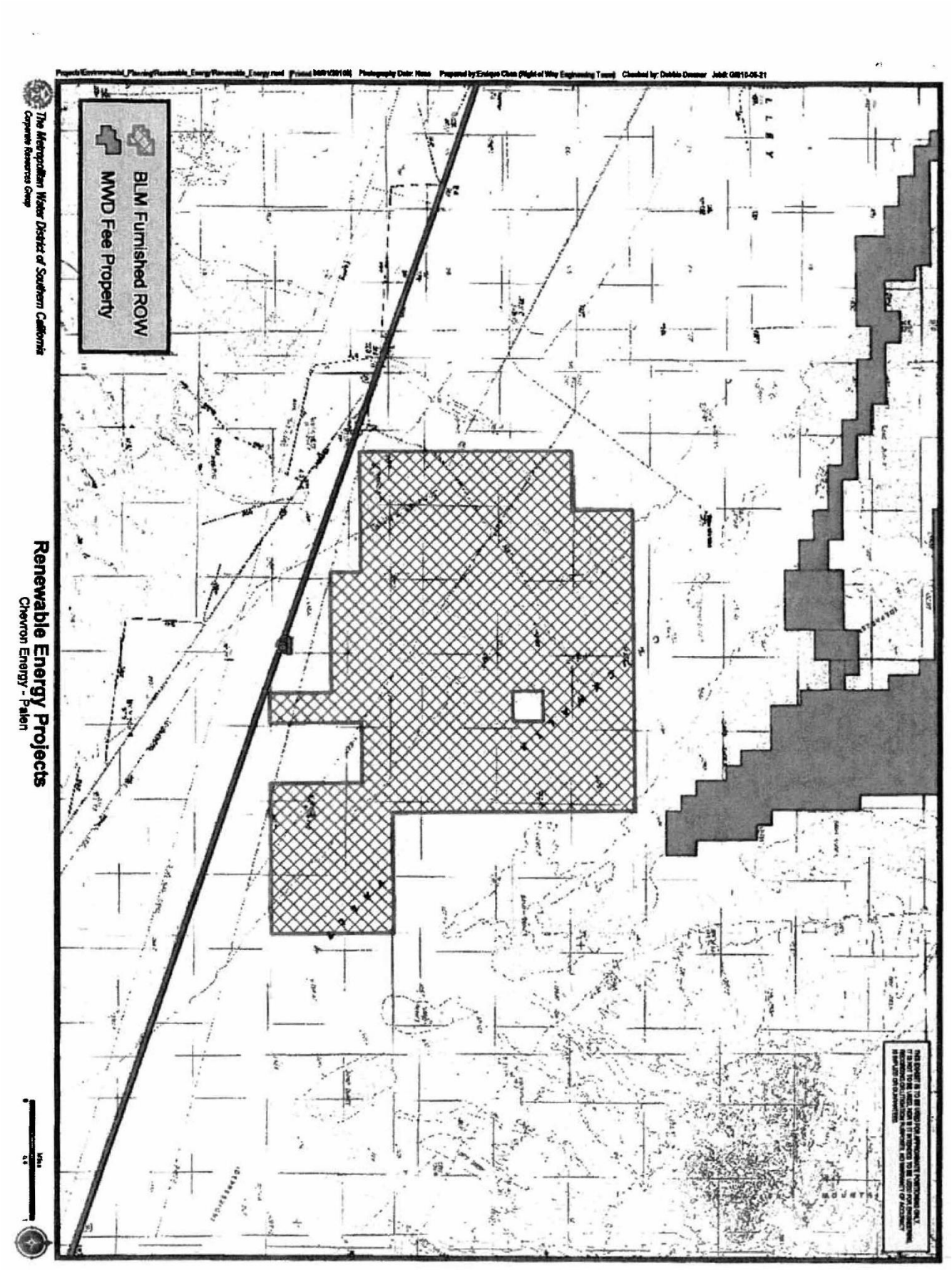

The Metropolitan Water District of Southern California
Corporate Resources Group
Renewable Energy Projects
MWD Right of Way
MWD Transmission Line
BLM Furnished ROW
MWD Fee Property
MWD Easement
NextEra Genesis - Ford Dry Lake
Chevron Energy - Palen
Chevron Energy - Blythe


The Metropolitan Water District of Southern California
Corporate Resources Group
BLM Furnished ROW
MWD Fee Property
Renewable Energy Projects
Chevron Energy - Palen

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

June 9, 2011 **Via Electronic & U.S. Mail**

Dale Rundquist
Siting, Transmission and Environmental
Protection Division
California Energy Commission
1516 Ninth Street, MS-2000
Sacramento, CA 95814

Allison Shaffer
Project Manager
Palm Springs South Coast Field Office
Bureau of Land Management
1201 Bird Center Drive
Palm Springs, California 92262

To Whom It May Concern:

Notice of Availability of the Final Environmental Impact Statement for the Palen Solar I, LLC's Palen Solar Power Plant (PSPP) and Proposed California Desert Conservation Area Plan Amendment, CEC Docket No. 09-AFC-7, BLM Docket No. CACA 048810

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Bureau of Land Management's (BLM) Final Environmental Impact Statement (FEIS) for the Palen Solar I, LLC's Palen Solar Power Plant (Project). Metropolitan submitted comments on the draft EIS on June 15, 2010 that are attached hereto and incorporated by reference. In sum, as a contractor receiving delivery of Colorado River supplies, Metropolitan remains concerned about the Project's potential direct and cumulative impacts on water supplies, specifically potential impacts on Colorado River and local groundwater supplies.

Metropolitan is aware that BLM's current position is that groundwater pumping associated with the Project would neither result in direct impacts to the adjacent Palo Verde Mesa Groundwater Basin (PVMGB) nor would induce flow from the Colorado River, and therefore no significant impact to Colorado River water resources would occur. Metropolitan appreciates that BLM recognizes the uncertainty of this conclusion as indicated in the discussion of Colorado River-related concerns in:

- Section 4.19.2, "Discussion of Direct and Indirect Impacts" related to water resources impacts,
- Section 4.19.5 "Residual Impacts after Mitigation Measures were Implemented", and
- Section 5.5.2.10 "Common Response" related to water resources.

Metropolitan commends BLM for highlighting the concerns of various commentators that project-related groundwater use could affect the adjacent PVMGB by inducing flows from the

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Colorado River into that basin and that any resulting use of Colorado River water without an entitlement would be illegal.

As a result of these concerns, therefore, BLM proposes to mitigate potential effects on Colorado River water resources through implementation of mitigation measures SOIL&WATER-14, -15, -17 and -18. These mitigation measures require that the Project Owner submit to the Compliance Project Manager (CPM) for review and approval:

(1) a Water Offset Plan thirty days before the start of extraction of groundwater for construction or operation (SOIL&WATER-14),
(2) an annual Notice of Extraction and Diversion of Water (SOIL&WATER-15),
(3) a report detailing the results of analysis, estimation and modeling within thirty days following certification of the Project (SOIL&WATER-17), and
(4) a Groundwater Level and Quality Monitoring and Reporting Plan within 90 days prior to construction, a Well Monitoring Installation and Groundwater Level Network report at least 60 days prior to construction, and all groundwater quality and level monitoring data at least 60 days prior to use of any groundwater for construction (SOIL&WATER-18).

Metropolitan requests to be included, along with the Colorado River Board of California, in the process of reviewing all groundwater and hydrogeological monitoring and reporting provided by the Project Owner related to local groundwater and Colorado River resources prior to approval of the reports. These reports would include the various documents listed above, as well as any additional pertinent groundwater monitoring data submitted by the Project Owner to the CPM.

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 Dr. Debbie Drezner at (213) 217-5687.

Very truly yours,

John Shamma

John Shamma
Manager, Environmental Planning Team

DSD/rdl
(Public Folders/Environmental Planning&Compliance\COMPLETED JOBS\June 2011\Job No. 2011060901)

Attachment: Comment Letter on Palen Solar Power Plant DEIS dated June 15, 2010

cc: Mr. Christopher S. Harris,
Acting Executive Director
Colorado River Board of California
770 Fairmont Avenue, Suite 100
Glendale, California 91203-1068

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

October 24, 2013 **Via Electronic & U.S. Mail**

Mr. Frank McMenimen
Project Manager
BLM Palm Springs-South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262

To Whom it May Concern:

Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Palen Solar Electric Generating System and Draft California Desert Conservation Area Plan Amendment, EIS No. 2013/023+1793, BLM Docket No. CACA 048810

The Metropolitan Water District of Southern California (Metropolitan) has previously reviewed the Bureau of Land Management's (BLM) Draft and Final Environmental Impact Statements (EIS) for the Palen Solar I, LLC's Palen Solar Power Project (Project). Metropolitan submitted comments on the Draft EIS on June 15, 2010 and on the Final EIS on June 9, 2011 that are attached hereto and incorporated by reference. Although the Palen Solar Power Project Final EIS recognizes that the project site overlies the Colorado River Accounting Surface (page 4.19-6, as a contractor receiving delivery of Colorado River supplies, Metropolitan remains concerned about the Palen Solar Electric Generating System's potential direct and cumulative impacts on water supplies, specifically potential impacts on Colorado River and local groundwater supplies. Applicant Proposed Measure, "Soil&Water-14, Mitigation of Impacts to the Palo Verde Mesa Groundwater Basin" states:

> "To mitigate the impact from Project pumping, the Project owner shall identify and implement offset measures to mitigate the increase in discharge from surface water to groundwater that affects recharge in the Palo Verde Valley Groundwater Basin....The activities shall include the following water conservation projects: payment for irrigation improvements in Palo Verde Irrigation District, payment for irrigation improvements in Imperial Irrigation District, purchase of water rights within the Colorado River Basin that will be held in reserve, and/or BLM's Tamarisk Removal Program or other proposed mitigation activities acceptable to the CPM." (Draft Supplemental EIS, page C-111)

The Bureau of Land Management published a Record of Decision for the "Desert Harvest Solar Project and Amendment to the California Desert Conservation Area Land Use Management Plan" in March 2013. (Draft Supplemental EIS, page 4.1-21) Appendix 3 to that Record of Decision contains the "Full Text of Mitigation Measures and Applicant Measures".

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(http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/palmsprings/desert_harvest_solar.Par.71528.File.dat/Appendix3_DesertHarvest_ROD.pdf) The Desert Harvest Solar Project is to be located northwest of the Palen Solar Electric Generating System, and is further away from the Colorado River. Appendix 3 to that Record of Decision includes the following mitigation measure, MM WAT-7, for the Desert Harvest Solar Project:

> **"Colorado River Water Supply Plan"** Prior to the onset of water-consuming construction activities, the project owner shall prepare a Colorado River Water Supply Plan (Plan) and submit this Plan to the BLM and the Colorado River Basin Regional Water Quality Control Board (RWQCB) for review and approval, and to the Metropolitan Water District of Southern California (MWD) for review and comment. The Plan shall identify measures that will be taken to replace water on an acre-foot to acre-foot basis, if the project results in consumption of any water from below the Colorado River Accounting Surface, towards the purpose of ensuring that no allocated water from the Colorado River is consumed without entitlement to that water.
>
> The Plan shall describe that groundwater monitoring activities and quarterly data reports required in compliance with MM WAT-3 (Groundwater Drawdown Monitoring and Reporting Plan) will be closely reviewed for depth to groundwater information, and proximity of the depth of project-related groundwater pumping to the Colorado River Accounting Surface of 234 feet amsl. The Plan shall further describe that if project-related groundwater pumping draws water from below 234 feet amsl, the following shall occur:
>
> 1) All groundwater pumping shall immediately cease,
>
> 2) Based on groundwater monitoring data, the quantity of groundwater pumped from below 234 feet amsl shall be recorded, and
>
> 3) The project owner shall implement water conservation/offset activities to replace Colorado River water on an acre-foot by acre-foot basis.
>
> In order to effectively implement item (3) above, the Plan shall include the following information:
>
> - Identification of water conservation / offset activities to "replace" the quantity of water diverted from the Colorado River;
> - Identification of any required permits or approvals and compliance of conservation / offset activities with CEQA and NEPA;
> - An estimated schedule of completion for each identified activity;
> - Performance measures that would be used to evaluate the amount of water replaced by each identified activity; and
> - Monitoring and reporting protocol to ensure that water conservation / offset activities are effectively implemented and achieve the intended purpose of replacing Colorado River water diversions.

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The project owner shall collaborate with the BLM, the Colorado River RWQCB, and/or the MWD, as appropriate, in order to identify acceptable water conservation / offset activities for the purposes of the Plan, with "acceptable" activities being those that are considered environmentally, physically, and economically feasible, while also effectively resulting in the replacement of Colorado River water. A number of water conservation / offset activities that have been considered and determined to not be viable and therefore may not be identified in the Plan include the following:

- Irrigation improvements in the Palo Verde Irrigation District (water unused by the PVID becomes available to MWD per the 2003 Colorado River Water Delivery Agreement executed by MWD, the Secretary of the Interior, Imperial Irrigation District, Coachella Valley Water District, and San Diego County Water Authority);
- Purchase of water allotments allocated by the Department of the Interior (all Colorado River water available to California in shortage, normal, or Intentionally Created Surplus conditions is already allocated and its use is limited to each entity's service area under executed water delivery contracts);
- Implementation of conservation programs in floodplain communities (all water unused by holders of higher priorities becomes available to MWD per the water delivery contracts which have been executed by the Department of the Interior); and
- Participation in the BLM's Tamarisk Removal Program (use of Colorado River water by phreatophytes such as tamarisk is not charged as a use of water for U.S. Supreme Court Decree accounting purposes by the U.S. Bureau of Reclamation).

If the project owner has filed an application to the U.S. Bureau of Reclamation (USBR) to obtain an allocation of water from the Colorado River and such allocation is granted, it may be used to satisfy some or all of the water conservation offsets on an acre-foot per acre-foot basis. However, the filing of an application for allocation of Colorado River water does not guarantee that such an allocation will be issued. In addition, all of California's apportionment to use of Colorado River water during shortage, normal, and Intentionally Created Surplus conditions has already been allocated by the Department of the Interior. Therefore, unless the project owner currently holds entitlement to the use of Colorado River water, it shall not be assumed that an allocation will be granted.

If the project does not result in diversion of Colorado River water (via pumping from near (within +/-0.84 feet at the 95-percent confidence level), equal to, or below 234 feet amsl) it will not be necessary to implement the water conservation/offset activities identified in the Colorado River Water Supply Plan. However, the Plan must be approved by the BLM prior to project-related groundwater pumping is initiated so that if at any time during the project it is determined that groundwater is being produced from below the Colorado River Accounting Surface of 234 feet amsl, the requirements described in this measure shall be immediately implemented, starting with the cessation of groundwater pumping.

The Colorado River Water Supply Plan is separate from the Groundwater Drawdown Monitoring and Reporting Plan required per MM WAT-3 and the Drought Water Management and Water Conservation Education Programs required per MM WAT-6.

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Therefore, this Plan must be developed, reviewed, approved of, and implemented as a separate, stand-alone document. Compliance with this measure shall be verified by the Environmental Monitor."

Metropolitan requests that BLM substitute all of the provisions of MM-WAT 7 from Appendix 3 of the Desert Harvest Solar Project Record of Decision for Applicant's Proposed Measure, "Soil&Water-14, Mitigation of Impacts to the Palo Verde Mesa Groundwater Basin".

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 Team\Completed Folders\June 2011\Job No. 2011060901)

Attachments: Comment Letter on Palen Solar Power Plant DEIS dated June 15, 2010
Comment Letter on Palen Solar Power Plant FEIS dated June 9, 2011

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

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Scoping Comment A2 – U.S. Environmental Protection Agency

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

AUG 3 1 2016

Jennifer Whyte, Project Manager
Bureau of Land Management
Palm Springs South Coast Field Office
1201 Bird Center Drive
Palm Springs, California 92262

Subject: Opportunity to provide input on the preparation of a Draft Supplemental Environmental Impac Statement for the Proposed Palen Photovoltaic Solar Project, Riverside County, California

Dear Ms. Whyte:

The U.S. Environmental Protection Agency would like to thank you for the opportunity to provide comments on the proposed Palen Photovoltaic Solar Project. On December 11, 2009, the EPA submitte scoping comments on the Palen Solar Power Project (PSPP), initially proposed as a 484-megawatt parabolic trough facility. The EPA also reviewed and prepared comments on the Draft Environmental Impact Statement and the Final Environmental Impact Statement for the PSPP Project on July 12, 2010 and June 13, 2011, respectively. On November 14, 2013 we submitted comments on the Draft Supplemental Environmental Impact Statement for the Palen Solar Electric Generating System, a 500-MW power- tower facility. We rated the DSEIS as *Environmental Concerns - Insufficient Information (EC-2)* due to concerns about potential impacts to site hydrology, groundwater, air quality, cultural resources, and biological species, including the desert tortoise and avian species. In addition, we expressed concern about the cumulative impacts associated with the rapid development of energy and transportation projects in the Chuckwalla Valley.

After reviewing this notice, we have identified several issues for your attention in the preparation of thi DSEIS. We are most concerned about potential impacts to site hydrology, air quality, and biological resources, as well as the cumulative impacts associated with the influx of projects in the Riverside East Solar Energy Zone. The analyses of key resources, consultation with tribal governments, and the identification of compensatory mitigation lands should be completed as soon as possible to determine the project's viability and avoid potential project delays.

Since the Chuckwalla Valley provides rich habitat and supports a diversity of mammals, birds, and reptiles, we recommend that the Applicant and the Bureau of Land Management continue to work with the U.S. Fish and Wildlife Service to protect habitat connectivity for the desert tortoise and other sensitive species and to identify appropriate lands for habitat compensation. We encourage the avoidance of on-site drainages to the maximum extent possible. In addition, we recommend that the DSEIS describe and estimate direct and indirect impacts of project components and fencing on the stabilized and partially stabilized dunes, sand transport corridor, and the supporting ecosystem.

We appreciate the opportunity to provide comments and are available to discuss our attached detailed comments. Please send one hard copy of the DSEIS 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 Anne Ardillo, the lead reviewer for this project. Ms. Ardillo can be reached at (415) 947-4257 or ardillo.anne@epa.gov.

Sincerely,

Ann McPherson
Environmental Review Section

Enclosure: EPA's Detailed Comments

U.S. EPA DETAILED COMMENTS ON THE PREPARATION OF A DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED PALEN PHOTOVOLTAIC SOLAR PROJECT, RIVERSIDE COUNTY, CALIFORNIA, AUGUST 31, 2016

Purpose and Need

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

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

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

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

Alternatives Analysis

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

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

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

The DSEIS should clearly describe the rationale used to determine whether impacts of an alternative are significant or not and the reasons for eliminating alternatives which are not

evaluated in detail. Thresholds of significance should be determined by considering the context and intensity of an action and its effects (40 CFR 1508.27).

The DSEIS should identify and analyze an *environmentally preferred alternative.* This alternative should consider options such as reducing the size of the proposed project and/or relocating sections/components of the project to other areas to avoid or reduce environmental impacts.

The alternatives analysis should include a discussion of reduced acreage, reduced MWs, and modified footprint alternatives, as well as alternative sites. The EPA recommends consideration of a "*desert or ephemeral wash avoidance*" alternative for full evaluation in the DSEIS.

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

The California DRECP is intended to advance state and federal conservation goals in desert regions of seven California counties (Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego), while also facilitating the timely permitting of renewable energy projects. The Solar Programmatic EIS was developed by the BLM and the Department of Energy and applies to utility-scale solar energy projects sited on BLM-administered public lands in six southwestern states. The Palen Photovoltaic Solar Project is located in the DRECP planning area and in the Riverside East Solar Energy Zone, as identified in the Solar PEIS.

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

Water Resources

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

If a Section 404 permit is required, the EPA may review the project for compliance with Section 404(b)(1) Guidelines. Pursuant to 40 CFR 230, any permitted discharge into WOUS must be the *least environmentally damaging practicable alternative* available to achieve the project purpose. If needed,

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

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

Drainages, Ephemeral Washes, and Floodplains
The DSEIS 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 DSEIS should consider the upstream and downstream reach of waters and their importance in this landscape. Natural washes perform a diversity of hydrologic, biochemical, and geochemical functions that directly affect the integrity and functional condition of higher-order waters downstream. Healthy ephemeral waters with characteristic plant communities control rates of sediment deposition and dissipate the energy associated with flood flows. Ephemeral washes also provide habitat for breeding, shelter, foraging and movement of wildlife. Many plant populations are dependent on these aquatic ecosystems and adapted to their unique conditions.

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

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

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

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

- Consider mounting PV panels at sufficient height above ground to maintain natural vegetation.

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

Water Supply and Water Quality
The DSEIS 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 DSEIS should clearly depict reasonably foreseeable direct, indirect, and cumulative impacts to this resource. If groundwater is to be used, the potentially-affected groundwater basin should be identified and any potential for subsidence and impacts to springs or other open water bodies and biologic resources should be analyzed.

Recommendations:
The DSEIS should include:

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

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

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

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

Air Quality

The DSEIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards, criteria pollutant nonattainment areas, and

potential air quality impacts of the proposed project (including cumulative and indirect impacts). Such an evaluation is necessary to assure compliance with State and Federal air quality regulations, and to disclose the potential impacts from temporary or cumulative degradation of air quality.

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

Recommendations:

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

- *Quantify Emissions* – The DSEIS 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 DSEIS should describe and estimate emissions from potential construction activities, as well as proposed mitigation measures to minimize these emissions.

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

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

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

  Mobile and Stationary Source Controls:
  - Minimize use, trips, and unnecessary idling of heavy equipment.
  - Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies.
  - Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent

with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which should be employed (http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm).

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

Administrative controls:

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

Biological Resources and Habitat

The DSEIS 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 describe how impacts to these species will be mitigated. Emphasis should be placed on the protection

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

and recovery of species due to their status or potential status under the Endangered Species Act. For this project, the EPA is concerned regarding potential impacts to foraging and nesting habitat for a variety of species including, but not limited to, desert tortoise, fringe-toed lizards, burrowing owls, migratory birds and raptors. We recommend ensuring best practices are utilized to survey and adequately protect desert tortoises.

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

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

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

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

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

The EPA is concerned about habitat fragmentation and obstructions for wildlife movement resulting from the proposed project. 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. The EPA is also aware that shade from the PV panels could impact vegetation and/or species in the project area.

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

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

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

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

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

Recommendations:
Incorporate, into the DSEIS, 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 DSEIS, available lands for compensatory habitat mitigation for this project, as well as reasonably foreseeable projects in the Riverside East SEZ. Specify, in the DSEIS, provisions that will ensure habitat selected for compensatory mitigation will be protected in perpetuity.

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

Sand Transport Corridors and Sand Dunes
The proposed project is located within and adjacent to the Chuckwalla-Palen Lake sand transport corridor, a regionally significant geomorphic feature. Previous analysis determined that project development at this locale will have direct and indirect impacts to the sand dunes, sand dune ecosystems and the existing sand transport system. Mojave fringe-toed lizards and sand dune vegetation may also be affected by loss of habitat, alteration of sand dunes, invasive plants and direct collisions with construction vehicles. USFWS studies have demonstrated that stabilization of dunes by wind breaks and by non-native plants limits the replenishment of "blowsand" habitat, which the lizard relies on for long-term survival.

Recommendations:
Discuss and quantify in the DSEIS the potential direct impacts to the sand dunes, its supporting ecosystem and the sand transport corridor. Direct impacts include permanent loss of the sand dunes from construction and grading and accidental impacts from construction and operation.

Discuss and quantify in the DSEIS the potential indirect impacts to the sand dunes, its supporting ecosystem, and the sand transport corridor. Indirect impacts include: disruption of sand transport from fencing, the solar panels, their support structures and facilities; potential alteration of the site hydrology; dust palliatives; and introduction of invasive plants.

Include in the DSEIS analysis of the potential downwind impacts to any adjacent sand dune habitat and the possible creation of sand shadow that could cut off sand transport to dunes downwind which may result in degraded habitat. If a sand transport model was used to determine impacts, discuss the model parameters and its limitations

Include in the DSEIS avoidance and mitigation measures to limit direct and indirect impacts to the Mojave fringe-toed lizard.

Avian Mortality

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

Recommendations:

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

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

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 DSEIS should describe how the project will meet the requirements of Executive Order 13112.

Recommendations:

The DSEIS should include the Invasive Plant Management Plan used to monitor and control noxious weeds. If herbicides or pesticides will be used to manage vegetation, the DSEIS should disclose the projected quantities and types of chemicals. The Invasive Plant Management Plan should identify methods that can be used to limit the introduction and spread of invasive species during and post-construction. These measures can include marking and avoidance of invasives, timing construction activities during periods that would minimize their spread, proper cleaning of equipment, and proper disposal of woody material removed from the Right-of-Way.

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

Cumulative and Indirect Impacts

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

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

The DSEIS should describe the methodology used to assess cumulative project impacts and include the delineation of temporal and geographic boundaries[3] for analyzing the cumulative impacts on all resources of concern.

Climate Change

On August 1, 2016, the Council on Environmental Quality issued final guidance on considering greenhouse gas (GHG) emissions and climate change in NEPA reviews. Fundamental to this guidance are the recommendations that when addressing climate change, agencies should consider: (1) The potential effects of a proposed action on climate change as indicated by assessing GHG emissions (e.g.,

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

to include, where applicable, carbon sequestration); and, (2) The effects of climate change on a proposed action and its environmental impacts.

Recommendations:
The EPA recommends that BLM assess the impacts of climate change on the project, as well as the effects (adverse and beneficial) of the project on climate change and GHG emissions. In addition, there may be important design considerations to accommodate future anticipated effects due to climate change. EPA recommends that BLM consider the US National Climate Assessment [4] and the CEQ's Revised Final Guidance for Greenhouse Gas Emissions and Climate Change Impacts[5] as information sources to help with analysis of impacts and consideration of design standards to mitigate any effects.

Hazardous Materials/Hazardous Waste/Solid Waste

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

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

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

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

[4] Available at: http://nca2014.globalchange.gov/downloads
[5] Available at: https://www.whitehouse.gov/administration/eop/ceq/initiatives/nepa/ghg-guidance

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

Coordination with Tribal Governments

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

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

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

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

Recommendation:
The DSEIS 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 DSEIS 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 DSEIS should include an evaluation of environmental justice populations within the geographic scope of the projects. If such populations exist, the DSEIS 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 DSEIS should describe outreach conducted to all other communities that could be affected by the project, since rural communities may be among the most vulnerable to health risks associated with the project.

Visual Impacts – Glint and Glare

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

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

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

[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.

Valley Fever

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

Recommendation:
Disclose, in the DSEIS, whether any ground-disturbing activities associated with the proposed project are planned that may result in dispersal of *Coccidioides* spores and include measures to prevent or minimize exposure to workers and local residents.

[7] California Department of Public Health. Epidemiologic Summaries of Selected Communicable Diseases in California, 2001-2010.
[8] California Department of Public Health. Coccidioidomycosis yearly summary report 2011.

Scoping Comment A3 – Joshua Tree National Park

United States Department of the Interior

Joshua Tree National Park
74485 National Park Drive
Twentynine Palms, CA 92277-3597

IN REPLY REFER TO:
1.A.2 (JOTR-R)

Memorandum

To: Vicki Woods, Field Manager, BLM Palm Springs Field Office

From: David Smith, Superintendent

Subject: NPS Comments on the Scope and Content of the Proposed Supplemental EIS and Supplemental EIR for the Palen Solar PV Project

The National Park Service (NPS) appreciates the opportunity to provide input regarding the scope and content of the proposed Supplemental Environmental Impact Statement (SEIS) and Supplemental Impact Report (SEIR) for the Palen Solar PV Project as outlined in the Bureau of Land Management's (BLM) letter dated July 18, 2016. NPS supports renewable energy projects when such projects can be constructed and operated in an environmentally responsible manner that serves the public interest, protects natural resources, and protects our treasured landscapes. It is the role of NPS to contribute to the process and the analysis of renewable energy projects to help insure that they meet the Secretary's goal that such projects on public lands are "Smart from the Start." Our goal is to provide expertise and practical and specific feedback in order to best protect the Congressionally designated trust resources of NPS units. As requested in BLM's August 3rd letter to Joshua Tree National Park, the NPS does agree to serve as a Cooperating Agency for the SEIS.

NPS anticipates that there will be adverse impacts to the visual resources of Joshua Tree National Park and nearby Wilderness Areas should this project be approved. Additionally, impacts resulting from the presence of utility-scale facilities, multiple solar panels, and related electric transmission infrastructure could adversely affect natural and cultural resources, such as sacred and traditional sites, including burial sites, rock art, traditional trails and routes, and natural features; traditionally used plant and animal resources; and water use and quality.

The resources associated with Joshua Tree National Park are considered unique and are so identified in the California Desert Protection Act (CDPA). Although this project is not immediately adjacent to Joshua Tree National Park, the CDPA's stated policy is to *protect and preserve historical and cultural values of the California desert associated with ancient Indian cultures, patterns of western exploration and settlement, and sites exemplifying the mining, ranching and railroading history of the Old West.* (CDPA Sec 2. (b)(1)(C))

As a Consulting Party under Section 106 of the National Historic Preservation Act (NHPA) for the project, for which the BLM is the lead permitting agency, the NPS is concerned about the potential impacts to historic properties within Joshua Tree National Park. NPS has a mandate to preserve and protect cultural resources associated with park units. Often, the context for cultural continuity expands beyond park boundaries. In addition to archaeologically identified resources

within the cultural landscape, many eligible, listed, and nationally or locally designated historic sites exhibit no currently visible surface archaeological manifestations. With no tangible surface remains, non-feature sites must exhibit a high degree of integrity in location, setting, feeling, and location. Any undertaking that diminishes the integrity of a site, directly or indirectly, must be considered as an adverse effect. The NPS is concerned about the landscape scale effects upon Traditional Cultural Places and the cultural landscape, and encourages the BLM to engage NHPA Consulting Parties in a landscape-scale discussion.

Also, Joshua Tree National Park is concerned about project impacts to wildlife, including the desert tortoise, listed as a threatened species under the Federal Endangered Species Act (ESA). The project is proposed in a remote area where the desert tortoise occurs and human populations are small. Due to the location of the project, associated infrastructure, and the increase in human activities that will occur if the project is approved, a corresponding increase in common raven (*Corvus corax*) presence and predation on desert tortoises (*Gopherus agassizii*) is anticipated throughout the area. During the past few decades, the population of the common raven has increased substantially in the California desert, primarily in response to human-provided subsidies of food, water, and nest sites. The CDCA, as amended, established that all new projects with the potential to increase raven populations would be required to implement mitigation measures to reduce or eliminate the opportunity for proliferation of ravens.

The NPS appreciates the opportunity to provide comments regarding the scope and content of the SEIS/SEIR and looks forward to future opportunities to provide input on this and other renewable energy projects. Addressing potential impacts to NPS lands and resources helps us to provide protection of Congressionally designated resources and the visitor experience. If you have any questions regarding our comments or questions, or if you need additional information, please contact Barb Graves at barb_graves@nps.gov or (702) 293-8645.

cc: Jennifer Whyte, BLM Project Manager
George Kline, BLM Archaeologist
Barb Graves, NPS External Renewable Energy Specialist, Lake Mead NRA
Sarah Quinn, NPS External Renewable Energy Program Coordinator, WASO
Lara Rozzell, NPS Renewable Energy Coordinator, PWR
Elizabeth Gordon, NPS Section 106 Coordinator, PWR
David Smith, Superintendent, Joshua Tree National Park
Jason Theuer, Cultural Resources Branch Chief, Joshua Tree National Park
Luke Sabala, Physical Sciences Branch Chief, Joshua Tree National Park

Scoping Comment A4 – California Department of Transportation

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
COMMUNITY & REGIONAL PLANNING (MS 725)
464 WEST 4th STREET, 6th FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
TTY 711
www.dot.ca.gov/dist8

Serious Drought. Help save water!

August 4, 2016

Ms. Jennifer Whyte
BLM Project Manager
1201 Bird Center Drive
Palm Springs, CA 92262

Dear Ms. Whyte:

Palen Solar PV Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report Public Meeting– SCH2011054002

The California Department of Transportation District 8 Staff attended one of the Public Meetings for the revised Palen Solar Project. The new proposal by EDF Renewable Energy will construct a 500 MW solar photovoltaic electric generating facility with associated infrastructure on approximately 4,200 acres.

According to the Public Meeting Notice the Supplemental EIS/EIR will incorporate and update various environmental topics including but not limited to Transportation and Public Access. At such time the Supplemental EIS/EIR is available, please forward a copy to this Office for further review and comments.

If you have any questions regarding this letter, please contact Rebecca Forbes at (909) 388-7139 or me at (909) 383-4557.

Sincerely,

MARK ROBERTS
Office Chief
Community and Regional Planning

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"