

US EPA ARCHIVE DOCUMENT



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

May 16, 2012

Mr. Lane Cowger
BLM-Arizona State Office
Attn: Restoration Design Energy Project
One North Central Avenue, Suite 800
Phoenix, Arizona 85004-4427

Subject: Draft Environmental Impact Statement for the Restoration Design Energy Project, Arizona
(CEQ# 20120033)

Dear Mr. Cowger:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement (DEIS) for the Restoration Design Energy Project (RDEP) pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The EPA strongly supports the objectives of the RDEP. Over the last three years, we have reviewed numerous environmental impact statements for renewable energy projects proposed at sites in the deserts of southern California, Nevada, and Arizona. From these reviews, as well as field visits to proposed and completed projects with scientists, project proponents, and BLM staff, we have observed the challenges, and limitations, of attempting to avoid, minimize, and mitigate adverse impacts on a project-to-project basis. We commend the BLM for the foresight and vision exhibited in the RDEP, a statewide planning effort that will attempt to avoid past project pitfalls by proactively identifying those areas in Arizona best suited for renewable energy production.

Based on our review of the DEIS, we have rated the preferred alternative and the document as LO-1, Lack of Objections – Adequate (see enclosed EPA Rating Definitions). We believe that the RDEP, with its focus on disturbed sites and lands with low resource sensitivity and few environmental conflicts, is a model that should inform future BLM state and regional planning efforts; and that the preferred alternative is a thoughtful blend of the best components of the other alternatives that will result in renewable energy projects that have been screened for environmental impacts, are close to transmission and load centers, and include design features and mitigation measures to protect sensitive resources.

We recommend that the BLM take particular care when siting projects within the proposed Agua Caliente Solar Energy Zone (SEZ). We acknowledge the time and effort expended to identify the SEZ, and commend the BLM for proposing a SEZ to complement those proposed in the Solar Programmatic Environmental Impact Statement. The topography of the SEZ, however, may present challenges for siting solar energy projects. The DEIS describes the proposed SEZ land surface as “scoured by a braided series of washes and ephemeral streams,” and including “at least six wide ephemeral washes on site and a network of minor braided streams that discharge into the ephemeral washes” (p. 3-173). The DEIS goes on to state that although National Wetland Inventory maps do not “identify mapped wetlands within the proposed SEZ analysis area,” the area “likely has jurisdictional ephemeral waters of the U.S.” Although cognizant of the BLM’s commitment to avoid “surface waters, wetlands, streams, and

floodplains” (a commitment demonstrated by reducing the size of the proposed SEZ, in part, to avoid braided channel floodplains), and supportive of the strong design features and best management practices in the DEIS to protect water resources, we feel there is potential for solar energy projects to affect ephemeral streams, and thereby the natural drainage patterns, within the proposed SEZ. We recommend that the BLM work with the Army Corps of Engineers to identify and avoid all jurisdictional ephemeral waters.

We also recommend that the BLM provide additional information, in the FEIS, on the procedures for evaluating renewable energy applications submitted to the BLM. The DEIS describes the protocol for processing applications for new projects, including new projects proposed outside of a renewable energy development area (REDA) or SEZ; but it is unclear how existing project applications are to be handled (e.g., whether they will be given a lower priority than projects proposed in a REDA or SEZ), and whether they will be subject to the design features and BMPs included in the RDEP.

We appreciate the opportunity to review this DEIS, and are available to discuss our comments. When the FEIS is released for public review, please send one hard copy and one CD-ROM to the address above (Mail Code: CED-2). If you have any questions, please contact me at 415-972-3521, or contact Jason Gerdes, the lead reviewer for this project. Jason can be reached at 415-947-4221 or gerdes.jason@epa.gov.

Sincerely,

/s/

Kathleen Martyn Goforth, Manager
Environmental Review Office

Enclosure: Summary of the EPA Rating System