

US EPA ARCHIVE DOCUMENT



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

March 17, 2014

Mr. Garry Cantley
Bureau of Indian Affairs
Western Regional Office
2600 North Central Avenue, 4th floor
Phoenix, Arizona 85004-3008

Subject: Final Environmental Impact Statement for the Proposed Moapa Solar Energy Center, Clark County, Nevada (CEQ #20140036)

Dear Mr. Cantley:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement (EIS) for the Proposed Moapa Solar Energy Center. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

EPA continues to support tribal government interests in renewable energy as a means to help meet tribal economic development goals and help the nation's transition to cleaner energy. We are a cooperating agency for this 200-megawatt photovoltaic solar project and provided comments throughout the development of the EIS. EPA reviewed the Draft EIS and provided comments to the Bureau of Indian Affairs on November 12, 2013, rating the document *Environmental Concerns – Insufficient Information* (EC-2). Our concerns regarded the project's potential impacts to site hydrology, air quality, and endangered species, as well as the project's possible cumulative impacts when considering the additional energy and residential developments proposed in the area. Our recommendations following our review of the Draft EIS included protecting on-site drainages, reducing erosion, and mitigating impacts to water use and air quality.

We commend BIA for extensive agency coordination on this project and appreciate the additional information and mitigation measures in the Final EIS in response to our comments. The Final EIS identifies specific on-site drainages that will be targeted for avoidance and integrates the maintenance of vegetated buffers to protect drainages and address erosion concerns. It includes an improved assessment of cumulative impacts to groundwater, and commits to minimizing grading and demonstrating that downstream flows will not be adversely impacted by the project. In addition, the Final EIS incorporates the use of additional construction-phase air quality mitigation measures. We recommend that these, and all mitigation measures, be included in both the Record of Decision and as conditions in construction contracts and other approvals, as appropriate.

EPA appreciates the opportunity to review this Final EIS. If you have any questions, please contact Tom Plenys, the lead reviewer for this project, at 415-972-3238 or plenys.thomas@epa.gov.

Sincerely,

/s/

Kathleen H. Johnson, Director
Enforcement Division

cc: Paul Schlafly, Natural Resource Officer, Bureau of Indian Affairs
Kellie Youngbear, Superintendent, Bureau of Indian Affairs
Darren Daboda, Environmental Director, Moapa Band of Paiutes
Alethe Tom, Acting Chairwoman, Moapa Band of Paiutes
Gregory Helseth, Bureau of Land Management
Susan Cooper, U.S. Fish and Wildlife Service
Amee Howard, National Park Service