

Thank you for your comment, Patrick Donnelly-Shores.

The comment tracking number that has been assigned to your comment is SEDDSupp20110.

Comment Date: January 27, 2012 11:22:11AM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20110

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Comment Submitted:

This is an addendum to the paper I submitted as my comment to the original Draft PEIS, summarizing a critique of the Supplement. In summary: the SEZPA is the correct one to adopt. Especially given the flexibility built in by the potential of adopting new SEZs, there is no reason to chose the SEDPA. Please do not.

The Supplement shows BLM clearly responding to the huge outpouring of interest from the public to the PEIS. However, it isn't clear that truly substantive changes were made to the PEIS as a whole. Some of the most politically troublesome lands were eliminated from consideration, be they SEZs in particularly vulnerable or remote areas, or SEDPA lands which were the most sensitive and had attracted the most attention. And certain procedures such as Variances and SEZ-identification were enhanced, if for no other reason than to clarify National BLM priorities to a disparate group of state offices. Despite these improvements, however, BLM still kept the SEDPA as its preferred alternative, declaring over 20 million acres of Public Land open to solar development, against the wishes of almost every commenter at the Sacramento public meeting referenced above, and at other public meetings, transcripts of which were made available on the Solar PEIS website. Estimates in the PEIS indicate that more than enough capacity would be available within the SEZs to meet the RFDS. It remains unclear as to why BLM continues to prefer the SEDPA, given the flexibility that has been built into the PEIS, and the fact that the document is not the exclusive authority governing the permitting of solar projects.

Thank you for your comment, Nada Culver.

The comment tracking number that has been assigned to your comment is SEDDSupp20111.

Comment Date: January 27, 2012 11:26:35AM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20111

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Attachment: TWS et al Comments on Supplement to Solar DPEIS 1-17-12.pdf

Comment Submitted:

This is the second of our two submissions. Thank you for your consideration.

January 27, 2012

Solar Energy Draft PEIS
Argonne National Laboratory
9700 S. Cass Avenue
EVS/240
Argonne, IL 60439

Re: Comments on Supplement to Draft Solar PEIS

To Whom It May Concern:

Please accept these comments on the Supplement to the Draft Solar Programmatic Environmental Impact Statement (PEIS). We appreciate the Bureau of Land Management providing this additional information and an opportunity for public comment.

At the outset, we want to express our appreciation that the Supplement includes: (1) a revised preferred alternative that is zone-based and sets out a more comprehensive program; (2) a commitment to completing the PEIS in 2012; and (3) an acknowledgment of BLM's and the Department of Interior's authority and discretion to deny applications for rights-of-way on the public lands. We believe these elements will help the Department implement a responsible solar energy program in a timely manner.

The detailed comments set out below represent our best effort to improve the proposed framework in the Draft PEIS and Supplement, as well as to support generation of solar energy in the right places on the public lands.

BLM should add critical exclusion areas in the Final PEIS.

We appreciate the set of proposed exclusion areas set out in the Draft PEIS and the Supplement that will limit impacts to sensitive natural and cultural resources; clear exclusion areas are a key element of avoiding and reducing both environmental consequences and opposition. The additional exclusion areas included in the Supplement will further help limit impacts and controversy, and facilitate responsible solar development. **However, the list of exclusion areas (Table 2.2-1) should be modified to include additional sensitive resources, especially citizen-proposed wilderness and all BLM-identified lands with wilderness characteristics, including those that the BLM is not currently managing to protect those characteristics.** BLM's current guidance on inventory and management of lands with wilderness characteristics, Instruction Memorandum (IM) 2011-154, reiterates the agency's obligations under FLPMA "to conduct and maintain inventories" and "to consider identified lands with wilderness characteristics in land use plans and when analyzing project-specific solar applications under the National Environmental Policy Act," as well as providing guidance on considering alternatives to protect wilderness characteristics. IM 2011-154

was issued in July, 2011, after issuance of the Draft PEIS. The Final PEIS should both exclude these areas and acknowledge the new guidance.¹

The Final PEIS should also include **desert tortoise connectivity areas², BLM Sonoran desert tortoise Category I and Category II management units³ and Habitat Management Areas** (also referred to as Wildlife Habitat Management Areas) in the list of areas excluded from development and incorporate additional sensitive resources in the specific to states in the exclusion areas, such as those found in parts of the California Desert Conservation Area. These resources are identified and discussed in detail in separate, state-specific comments being submitted on the Supplement by some of our organizations. We also note that the BLM should incorporate data generated through the various interagency state and regional Crucial Habitat Assessment Tool development processes that are being managed by the Western Governors Association, which will assist in identifying crucial habitat and wildlife corridors, both of which are subject to protection under this PEIS⁴.

Program and policy elements should be explicitly incorporated into RMP Amendments through the Solar PEIS ROD.

We appreciate that Appendix E to the Supplement reiterates that land use plans will be amended to identify exclusion areas, SEZs, and variance areas, and will also incorporate design features that mitigate impacts on environmental and cultural resources. We also support the agency's commitment to evaluating land use plans currently undergoing revision or amendment to address inconsistencies with the Solar PEIS. Pursuant to BLM's Land Use Planning Handbook, amendments are appropriate for incorporating new or revised policies that change terms, conditions or decisions from the existing plan. H-1601-1.VII.B.

In the Solar PEIS ROD, BLM should fully incorporate the changes in land use allocations and terms for approving solar energy development into the amendments, so that the **land use plan amendments include:**

- Language of the current instruction memoranda, especially those issued in fiscal year 2011 IMs; and

¹ Additional detailed rationales for excluding these areas from solar development and maps and GIS data of their locations were included in our May 1, 2011 comment letter on the Draft PEIS, and are incorporated herein by reference.

² The BLM's proposed connectivity habitats shown on Figure 2.2-2 (SPEIS at p. 2-36) should be replaced with the connectivity (or "linkage") habitats recommended by the FWS in its comments on the Draft PEIS. See comments of U.S. Fish and Wildlife Service, Draft PEIS, May 6, 2011, Figure B-2. It is important to understand that agency's recommendations identified lands to be included in a "...*minimum linkage design necessary for the conservation and recovery of the Mojave population of the desert tortoise...*" FWS DPEIS comments, Figure B-2 (emphasis added).

³ Identified in: Bureau of Land Management. 1990. Strategy for desert tortoise habitat management on public lands in Arizona. Arizona State Office, Bureau of Land Management, Department of the Interior.

⁴ See also Instruction Memorandum No. 2012-039, which instructs land managers to use prioritized wildlife and habitat information and data developed through state- and regional-level CHATs as a principal source to inform land use planning, as well as related natural resource decisions on public lands.

- The policy elements discussed in Appendix III to our comments on the Draft PEIS.⁵

BLM should not rely on IMs to implement policy, since IMs are explicitly intended to be temporary and do not clearly amend the terms of all RMPs, but rather should fully incorporate terms for approving solar energy development into land use plans through amendments.

In addition, the Solar PEIS ROD should incorporate a **process for updating affected plans through ongoing amendments and issuing interim guidance** pending completion of those amendments, including:

- Clarifying current statements in the Supplement that the BLM will continue to refine exclusions (*See*, Supplement, p. 2-13, noting that modifications to exclusion areas will result from adaptive management and monitoring and be incorporated into the Solar Energy Program) and that additions to exclusion categories can be made by state and field offices (Supplement, Table 2.2-1, Item #29, p. 2-17). The Final PEIS should provide that changes or additions to exclusion areas will be evaluated and incorporated through amendments to applicable land use plans instead of the general references to “appropriate” processes (Supplement, p. 2-13); and
- Identifying specific policies expected to be developed and describing the anticipated path forward for incorporating these into affected land use plans (again, the agency should not rely on IMs as a long-term source for guidance).

Requirements for ongoing and project-specific NEPA analysis should be elaborated.

The NEPA analysis set out in the Draft Solar PEIS regarding cumulative and landscape-level impacts, mitigation measures, changes to design features, and further assessment of SEZs, including natural and cultural resources, visual impacts, water use and transmission, has generally not been expanded in the Supplement. Appendix J has been expanded to include analysis of impacts on special status species that was conducted for the land within SEZs in the Draft PEIS, which will provide better information for tiering as this data is incorporated into the additional analyses deferred to the Final PEIS. As discussed in detail in Section II.A of our comments on the Draft Solar PEIS (incorporated herein by reference), the NEPA analysis conducted to date will support important elements of the BLM’s solar energy development program as set out in the Draft PEIS and Supplement, including tiering to analysis from the PEIS and shorter timeframes for processing applications in SEZs.

Nonetheless, additional analysis is needed to successfully implement the program and approve individual project-specific solar applications. Based on information presented in the Supplement, we have concerns with seeming disincentives for completing project-specific environmental impact statements (EISs) and with continued deferral of data

⁵ Comment letter of The Wilderness Society et. al on the Draft PEIS submitted on our May 1, 2011.

collection and analysis of other key elements of the program. Accordingly, we recommend the following **specific changes and provisions regarding NEPA analysis**:

- The Final PEIS should not require Director’s Office concurrence *only* when an authorized officer determines that an EIS should be prepared to analyze a project within a zone. *See*, Supplement, pp. 2-20 – 2-21. Both the BLM and the Council on Environmental Quality have issued guidance regarding when an EIS or environmental assessment (EA) is appropriate. The Final PEIS should provide that the BLM will provide more specific considerations for determining when an EA or EIS is appropriate (to supplement existing guidance) and that employees may, as always, seek advice from the Director’s Office in making decisions about using an EIS or EA for project-specific solar applications within a zone. We are not taking the position that an EA will never be appropriate, but the current process sets out an apparent disincentive for BLM staff to use EISs even though EISs will often be the appropriate NEPA document.
- The Final PEIS should provide guidance on issues to be developed in NEPA analysis for specific solar applications within a zone, whether in an EA or EIS, including:
 - Identifying specific elements of analysis – simply stating (as the Supplement does) that “further evaluation will be required for future projects based on actual location, technology, POD, and so forth” (Supplement, p. 2-20) is not sufficient guidance. The Final PEIS should require that analysis of individual applications will address, at a minimum, features and resources of the actual location, technology, a reasonable range of alternatives, plan of development, cumulative impacts for affected landscape, and mitigation measures, and provide opportunities for public comment through scoping, preliminary alternatives, and draft NEPA document;
 - Specifying that robust public involvement is required, including requiring a comment period, even if using an EA, and emphasizing the benefits of early and ongoing public involvement, such as through providing preliminary alternatives for public comment;
 - Requiring cumulative impact analysis to address ongoing projects and stressors in the area, which cannot be accomplished through tiering;
- Preparation of regional mitigation plans is an important addition that could provide helpful information for tiering analysis of project-specific solar applications within those regions, including the much-needed cumulative impact analysis. The Final PEIS should include a clearer definition of the scope of these plans and a commitment and timetable for their completion⁶;
- Because the adaptive management and monitoring plans will not be prepared until the Final PEIS, additional NEPA analysis in that document will be required to evaluate their effect on expected impacts;
- Changes to design features and additional analysis of SEZs, including natural and cultural resources, visual impacts, water use and transmission, are also deferred to the Final PEIS. Consequently, the agency will need to provide an opportunity for

⁶ This is discussed in further detail in comments submitted by Defenders of Wildlife.

meaningful public comment on this analysis and respond to such comments in order to comply with NEPA⁷.

The variance process should be clarified.

The variance process outlined in the Supplement is a new addition to the solar program and was not recommended by the conservation community in our comments on the Draft PEIS.⁸ Nonetheless, we support the inclusion of a variance process because there are likely to be situations where development of projects outside of SEZs will be appropriate and will advance the goal of increasing sustainable generation of and access to appropriate solar energy resource areas (for example, when there is no room in existing zones in the near term, where a project with disturbed private lands can be expanded on similarly disturbed adjacent public lands, or where a project in a low conflict area is also in close proximity to existing transmission). *See* Supplement, p. 2-33.

However, it is crucial that this exception – i.e., authorizing new utility scale projects outside SEZs – does not become the rule – i.e., guiding development of these projects to SEZs in order to minimize environmental impacts. The variance process proposed in the Supplement was designed to “ensure that only those applications that can demonstrate that environmental impacts are minimized will be processed by the BLM.” Supplement, p. 2-65. A few additional improvements, set out below, will provide even clearer guidance for developers evaluating potential sites outside SEZs and will reinforce Deputy Secretary Hayes’ and BLM’s commitments to locating utility-scale solar energy development in zones.

The Final PEIS should incorporate the following recommended improvements:

- State clearly that the burden is on the applicant to show that the proposed project-specific variance application is clearly appropriate; having committed to a zone-based program the BLM should not focus its limited resources on trying to “fix” proposals that are inappropriate;
- Provide that no applications will be accepted in areas identified as “high conflict” areas in IM 2011-061;
- Clarify that variance applications will be further screened to permit BLM to focus on proposed variance applications which appear to have the highest likelihood of success⁹ (rather than using a “first in line” approach) and to give the lowest priority to applications that would affect sensitive or controversial resources (i.e., sage-grouse and desert tortoise habitats);
- For desert tortoise, employ special variance application requirements (rejecting Option 1 set out in the Supplement). *See* Supplement, pp. 2-35 – 2-36. Strengthen

⁷ Since BLM regulations require a 30-day protest period and a concurrent 60-day governor consistency review of land use plan amendments (40 C.F.R. §§ 1610.5-2; 1610.5-3), the agency can provide an additional comment period during these same timeframes.

⁸ Several of the groups submitting these comments did endorse the variance idea in comments that they submitted as members of the California Desert Renewable Energy Working Group (CDREWG).

⁹ Ongoing processes such as Arizona’s Restoration Design Energy Project and California’s Desert Renewable Energy Conservation Plan could identify projects likely to succeed.

these requirements beyond those set out as Option 2 in the Supplement in order to address habitat quality in addition to numbers of tortoises. For applications in variance areas that are within the range of desert tortoise but outside of proposed connectivity areas (as modified by our recommendations above), the applicant must provide documentation of the following:

- Project area has less than or equal to 2 tortoises (>160 mm Midline Carapace Length) per square mile; and
- Where Habitat Potential Index Value is 0.7 or greater, verification that the habitat condition is “highly converted.” This verification should be provided through application of science-based models of land conditions through field inspection¹⁰;
- Adopt project-specific requirements for use in evaluating sites that include habitat for desert tortoise and/or greater sage-grouse. Species issues, and tortoise issues in particular, have proven to be the most problematic issues involved in the kind of ad hoc solar development process that is now underway. Without the kind of specific detail that is incorporated in Option 2 (Supplement, pp. 2-35 – 2-38), neither the BLM nor developers nor investors will have the kind of guidance that experience has shown that they need – i.e., specific standards that will help identify potential sites outside of SEZs that are appropriate; and
- Prior to accepting applications, the BLM should be required to consult with local municipalities affected to ensure applications are not in direct conflict with local land use plans such as comprehensive land use plans, open space plans, pending or adopted conservation plans or other officially adopted plans and policies.

Adherence to existing wildlife management policies should be affirmed:

The Solar PEIS should explicitly affirm that BLM land management policies, except where specifically modified in accordance with the Solar PEIS, will continue to guide land management and planning decisions. In particular, we point to current policies guiding the management of wildlife policies on public lands reflected in:

- Manual 6840 on Special Status Species Management for “sensitive” species – i.e., those at-risk, but not yet listed – which directs the BLM to “improve the condition of the species’ habitat” or “minimize or eliminate threats affecting the status of the species”;
- Manual 6500 on Wildlife and Fisheries Management which focuses on policy to “manage habitat with emphasis on ecosystems to ensure self-sustaining populations and a natural abundance and diversity of wildlife, fish, and plant resources on public lands” and further calls for the agency to “increase the amount and quality of habitat available”; and
- Handbook 4180 on BLM Rangeland Health Standards which states that “[h]abitats are, or are making significant progress towards being restored or maintained for Federal threatened and endangered species, Federal Proposed, Category 1 and 2 Federal candidate and other special status species.”

¹⁰ More detailed discussion of the scientific basis for these recommendations is provided in state-specific comments for California and Nevada.

In all these cases, the BLM's existing wildlife policy requires more than maintenance of the status quo. As such, these same policies apply to decisions affecting the siting, permitting, and development of solar projects on public lands; and **the Solar PEIS should reiterate the importance of complying with agency wildlife management policies.**

Thank you for your consideration of these comments. We look forward to seeing them addressed in the Final PEIS.

Sincerely yours,

The Wilderness Society

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Thank you for your comment, Donald Krouse.

The comment tracking number that has been assigned to your comment is SEDDSupp20112.

Comment Date: January 27, 2012 11:38:14AM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20112

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Comment Submitted:

It would seem reasonable to ask for an extension of time to review this 582 document so, therefore, I do so request at least a 90 day extension.

Thank you.

Thank you for your comment, Alan Bea'ls.

The comment tracking number that has been assigned to your comment is SEDDSupp20113.

Comment Date: January 27, 2012 12:36:58PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20113

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Comment Submitted:

Please stay with the "preferred solar zone" alternative with regard to solar energy production. We need to save as many pristine environments as possible.

Thank you for your comment, Bill Harper.

The comment tracking number that has been assigned to your comment is SEDDSupp20114.

Comment Date: January 27, 2012 12:47:48PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20114

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Comment Submitted:

The PEIS facilitates fast tracking for a very marginal industry in very precious Public Land. Industrial solar with its transmission costs are unsustainable. Since the PEIS process has begun rooftop solar prices have dropped by more than half.

To say that these arguments are outside the scope of the PEIS is disingenuous if you are REALLY considering the economic and cultural aspects.

To say that what the BLM and the DOE is doing has nothing to do with other governments subsidies is absurd. Especially since the DOE is handing out those subsidies.

The PEIS are also facilitating Secret contracts with Public power providers. Where is the energy security in such an arrangement?

How can we make sustainable energy decisions with such arrangements?

The solar monitors at Rice Valley showed a week this September with only with 30 percent insolation due to monsoon storms from Baja while LA enjoyed sunshine. No help during peak demand.

The current and future drought and resulting fire and dust is only going to further reduce insolation.

We have had once a century weather events the times this decade on the east coast. Hurricane and tornado season is longer than ever. The wind will blow much harder more often than in the past in the southwest. Damaged panels are not being replaced at current facilities (see Google Earth; Kramer Junction, California).

I am sure that many of these facilities will last less than 10 years.

Banning Solar power on public lands would give us cheaper power with security.

Are we going to make the same mistakes again or, are we going to "Man Up"?

Sincerely, Bill Harper

Thank you for your comment, Jan Bodendorf.

The comment tracking number that has been assigned to your comment is SEDDSupp20115.

Comment Date: January 27, 2012 13:07:36PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20115

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Comment Submitted:

I am against large-scale industrial development of Solar power in the San Luis valley or anywhere else, do to the many and obvious adverse effects on wildlife, plants, and people.
I wholeheartedly support the development of small-scale, locally controlled solar projects. If something is worth doing it is worth doing well, and large scale corporate controlled installations would do more harm than good on so very many levels. Emphatically not the right way to proceed! Let's take a cue from Hippocrates- first, do no harm.

Thank you for your comment, Dawn Meidinger.

The comment tracking number that has been assigned to your comment is SEDDSupp20116.

Comment Date: January 27, 2012 13:15:43PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20116

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Attachment: BNSF comments re SDPEIS.pdf

Comment Submitted:

Comments being submitted on behalf of BNSF Railway Company are attached.

FENNEMORE CRAIG, P.C.

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January 27, 2012

***Via Electronic Posting (<http://solareis.anl.gov/involve/comments/index.cfm>)
and Priority Mail***

Solar Energy Draft PEIS
Argonne National Laboratory
9700 S. Cass Avenue – EVS/240
Argonne, Illinois 60439

Re: Bureau of Land Management (“BLM”) - Supplement to the Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States (“SDPEIS”), 76 Fed. Reg. 66958 (Oct. 28, 2011); Draft Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States (“DPEIS”), 75 Fed. Reg. 78980 (Dec. 17, 2010)

Dear Sir/Madam:

On behalf of BNSF Railway Company (“BNSF”), please consider the comments submitted herein regarding the SDPEIS, and by implication, the DPEIS. BNSF is submitting these comments because of the increased emphasis in the SDPEIS on the variance process rather than pre-designated solar energy zones (“SEZ”). The more flexible variance approach increases the likelihood that solar generation facilities will be located near BNSF tracks. These comments are intended to highlight the areas where advance screening and planning would be beneficial in the site selection and variance approval process.

I. BACKGROUND.

BNSF provides long-haul rail freight service throughout the United States, including in the six southwestern states of Arizona, California, Colorado, Nevada, New Mexico and Utah, on more than 23,000 miles of track. Portions of this system of track are operated as transcontinental main lines, which are critical freight arteries between the eastern United States and west coast ports. BNSF and its predecessors have been operating these lines since the 1880s. Traffic on

FENNEMORE CRAIG, P.C.

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Argonne National Laboratory
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some of these lines has exceeded 100 trains per day during peak periods, moving at speeds up to 70 miles per hour for freight trains, and 90 miles per hour for Amtrak trains.

II. BNSF AUTHORITY.

The authorities under which BNSF operates its system of track and to which these comments relate include the following:

- A. BNSF owns many of its rights of way through federal land by virtue of federal grants to its predecessors under, *inter alia*, the Act of July 27, 1866, 14 Stat. 292, the Act of March 3, 1871, 16 Stat. 573, and the Act of March 3, 1875, 18 Stat. 482.
- B. The Federal Land Policy and Management Act of 1976 ("FLPMA") does not authorize Bureau of Land Management ("BLM") to terminate, restrict or impede the rights of a holder of a pre-FLPMA right of way. 43 U.S.C. § 1769; *City and County of Denver v. Bergland*, 695 F.2d 465 (10th Cir. 1982).
- C. Under FLPMA, a right of way issued by BLM must contain terms and conditions that "protect Federal ... economic interests ... and protect the other lawful users of the lands adjacent to and traversed by such right of way." 43 U.S.C. § 1765.
- D. The Interstate Commerce Commission Termination Act of 1995 preempts any state law or legal action that interferes with rail operations or facilities, and lodges exclusive jurisdiction to regulate railroad operations and facilities with the Surface Transportation Board. 49 U.S.C. §§ 10501, *et seq.*
- E. The Federal Railroad Administration ("FRA") has jurisdiction over railroad signaling and other rail safety regulations in accordance with the Federal Rail Safety Act ("FRSA"), the Railway Safety Improvement Act ("RSIA"), and other provisions of Title 49 U.S.C. and Title 49 C.F.R.

III. INDUSTRY COORDINATION.

The SDPEIS sets forth a process whereby BLM may consider a variance for the siting of a solar development project outside of a SEZ (*see* SDPEIS, Section 2.2.2.3, pages 2-33 through 2-40). The variance process contemplates BLM coordinating and consulting with various federal, state, local and tribal entities, as well as communicating with any potentially affected grazing permittee/lessee, and with the owner of any federal mining claims and/or mineral leases located within the boundaries of the proposed solar development project area. Unfortunately, the

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SDPEIS variance process fails to adequately provide for the consideration of potential effects to railroad rights of way and railroad operations.

BNSF strongly recommends that at a minimum, the SDPEIS variance process specifically state that BLM must communicate with and give due consideration to the concerns of any potentially affected railroad right of way holder that maintains rights, facilities or operations near the boundaries of a proposed solar development project subject to the variance process. In addition to the issues noted above, issues unique to a particular solar development site under consideration for a variance should be identified early in the variance process. BLM will not be able to adequately identify such issues without input from railroad right of way holders, such as BNSF.

To the extent BLM personnel share the erroneous view reflected in the DPEIS that solar installations will not have a significant impact on railroads, BLM personnel may not include railroads among the potentially affected parties receiving notice under 43 CFR 2807.14. Because BLM is required to deny any variance that has the effect of terminating, restricting or impeding the operations of railroad right of way holders as a matter of law, identifying conflicts at an early stage of planning will benefit all participants in the process.

IV. SPECIFIC IMPACTS REQUIRING CONSIDERATION.

Interestingly, the DPEIS states in Section 5.19.1.1 that:

“[u]tility-scale solar energy projects are expected to have an insignificant impact on railroad operations.”

This cursory conclusion is unsupported and should be substantially revised in the final PEIS. In so doing, the BLM can look to the recently proposed Calico Solar Project near Barstow, California (CACA 49537) (“Calico Project”) and the many issues that arose in the context of siting that project near the BNSF right of way.

As a result of the Calico Project, BNSF has developed a specific list of concerns relating to effects in the areas immediately surrounding its rights of way and track. These effects generally fall into six broad categories: (a) glint and glare; (b) stormwater runoff, hydrologic behavior and sedimentation; (c) right of way crossings; (d) transmission line safety and nuisance (e) hazardous materials management; and (f) emergency access. BNSF wants to ensure that these effects are adequately addressed and analyzed for any project considered for a variance outside of a SEZ. SDPEIS Section 2.2.1.3 indicates that the Design Features listed in Appendix A, Section A.2.2 of the DPEIS will be incorporated into the application process, so BNSF’s comments are keyed to the applicable Design Features.

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A. Glint and Glare.

Table A.2-1 in Appendix A of the DPEIS requires a Glint and Glare Assessment, Mitigation and Monitoring Plan, but the subsequent specifications do not adequately address potential railroad issues. For example, the last bullet point in Section A.2.2.1 indicates that “glare from reflective surfaces shall be evaluated through coordination with local airport operators,” but does not address railroads. Similarly, Section A.2.2.13.1 under the subheading “Glint and Glare” recognizes the potential impact on “roadway users” but not railroads. The third bullet point of Section A.2.2.22.2 also fails to identify the public safety impact of glint and glare on nearby railroads. These examples suggest that BLM has dramatically underestimated the potential impact of glint and glare on railroads.

To the contrary, BNSF is very concerned that glint and glare from solar arrays installed in the vicinity of BNSF rights of way may interfere with critical safety and operational functions, including signaling and the ability of train crews to see potential safety hazards. Intense glint and glare from solar arrays installed near BNSF rights of way could cause the following serious impacts on transportation and public safety: (i) flash blindness or other visual effects preventing the crews from perceiving obstructions on the tracks or other safety hazards; (ii) blindness, veiling reflections or distractions preventing crews from maintaining visual contact with critical signals; and (iii) technology effects such as phantom signals caused by low-angle reflections on the signal equipment. Signaling and train safety are regulated by FRA, not BLM.

Glint and glare impacts have a very high potential to cause catastrophic crossing accidents or derailments. Even in the absence of catastrophic accidents, glint and glare impacts could cause major transportation delays because train crews must stop the trains on an emergency basis if they are not able to see the signals. When a train has been stopped through an emergency application of the brakes, BNSF General Code of Operating Rule 6.23 requires the engineer to inspect all cars, units, equipment and track. Trains on the main line exceed a mile in length and run approximately every 15 minutes, so it is not difficult to see that every emergency stop has the potential to cause significant delays with ramifications reaching from the ports of Los Angeles and Long Beach to Chicago and beyond.

BNSF recommends that, at a minimum, the SDPEIS include railroads in each instance where glint and glare impacts are to be assessed, and require any future solar development projects to analyze the effects of glint and glare on any affected railroad operators. Adequate analysis would require a site-specific and technology-specific study analyzing the effect of glint and glare on railroad signaling technology as well as on the visual perception of railroad personnel. Any such study must address the unique angles and field of vision experienced by railroad personnel traveling along the tracks near the project area. This type of modeling is feasible using available simulation technology and should be required for any project located anywhere near a rail line.

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To the extent that glint and glare are identified as a safety concern, BLM should require the proponent to include adequate setbacks and/or shielding in the project plans prior to the approval of any solar development project. The above requirements should be incorporated at the programmatic level, and not simply addressed on a case-by-case basis, so as to ensure uniformity in application across all future solar developments projects.

B. Stormwater Runoff, Hydrologic Behavior and Sedimentation.

Table A.2-1 in Appendix A of the DPEIS requires both a Stormwater Management Plan and a Drainage, Erosion and Sediment Control Plan. The requirements associated with these plans are extensive, but based on BNSF's experience with the Calico Project, there is a danger that solar developers will seek to minimize the impacts of their projects on surrounding rail lines. Most of BNSF's main line tracks in this region have been in place for over 100 years, and BNSF has extensive experience dealing with geomorphic and hydrologic issues such as flooding, sedimentation, infiltration and subsidence. Much of the southwestern desert region is prone to flash flooding, with potentially catastrophic effects on BNSF's track structure. Large scale solar generation projects can be expected to have significant impacts on local hydrologic systems.

For example, the proposed Calico Project is located on natural "desert pavement" within an active alluvial fan sloping down toward BNSF's right of way. This situation is likely to recur as gently southward sloping alluvial fans may be considered attractive locations for solar development in a basin and range desert environment. Desert pavement is a crust consisting of coarser materials from which finer sediment has been removed by wind or water erosion. Alluvial fans are very large broad based flat lying geologic land surface structures resulting from very long periods of water and wind erosion. Active alluvial fans are by nature unstable, and disturbance of large areas of alluvial fans and desert pavement associated with solar project development will affect the stormwater runoff, hydrologic behavior, and sedimentation on the project area as well as on all down gradient areas.

Disturbance of alluvial fans and desert pavement will occur during construction and operation of a solar development project through several mechanisms. For instance, during the construction phase on the photovoltaic arrays currently proposed at the Calico Project, vertical steel posts will be driven five to six feet into the ground every 12 to 15 feet. Such construction requires heavy equipment to traverse virtually every square foot of a solar development project site, and will generate intense vibration, pulverizing, displacing and completely destroying the desert pavement crust throughout the entire project area. After construction, ongoing operation and maintenance activities will require the continual use of a system of unimproved access roads that are spaced on every other solar array, which will potentially amount to many hundreds, if not thousands of miles of roads. Use of the roads will create ruts and channels, which will in turn become erosion pathways for pulverized desert pavement during storm events, being fed by the parallel running drip lines of the solar arrays.

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BNSF is very concerned that any future solar development project up-gradient from its rights of way or other railroad facilities may be impacted from such disturbance, potentially leading to subsidence, flooding, infiltration, fouling of track ballast and/or sedimentation of critical culverts and bridge structures under the tracks. BNSF strongly recommends that at a minimum, the SDPEIS address the unique issues associated with the disturbance of hydrologic systems, particularly desert pavement and alluvial fans, during the construction, operation and maintenance activities of a solar development project. BLM should be especially skeptical of claims that solar construction will have a minimal impact on these types of hydrologic systems. BLM should require any future solar development project to adequately analyze the effects of such activities as they relate to stormwater runoff, hydrologic behavior and sedimentation on down gradient railroad facilities. To the extent that effects are identified, BLM should require the construction of adequate runoff structures and/or implementation of controls prior to approval of any solar development project. The above requirements should be incorporated at the programmatic level, and not simply addressed on a case-by-case basis, so as to ensure uniformity in application across all future solar development projects.

C. Right of Way Crossings.

Table A.2-1 in Appendix A of the DPEIS requires an Access Road Siting and Management Plan. Access roads are addressed within the subsequent specifications for construction, operation, and in relation to adjacent realty, but specific issues associated with railroad crossings are not addressed. To the extent that a solar development project is sited adjacent to or on both sides of a BNSF right of way, it is likely that the solar project will require a right of way crossing for access. In addition, crossings for electric lines, water pipelines or for other purposes may also be necessary. The project proponent may desire to locate such crossings in areas that are not presently authorized by BNSF, FRA or the state regulatory agencies. BNSF is very concerned that in such circumstances, a solar development project proponent, and BLM, will simply assume that rights for additional crossings may be acquired without any input from the underlying right of way holder.

BNSF strongly recommends that the DPEIS and SDPEIS address potential right of way crossing issues, and require solar development project proponents to identify and acquire necessary rights for crossings prior to BLM giving consideration to projects that are adjacent to or straddle railroad rights of way. The above requirements should be incorporated at the programmatic level, and not simply addressed on a case-by-case basis, so as to ensure uniformity in application across all future solar development projects.

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D. Transmission Line Safety and Nuisance.

Transmission lines are addressed throughout the DPEIS and the SDPEIS, but transmission planning does not appear to be addressed in any of the specific Design Features in Table A.2-1. Transmission lines close to railroad tracks can result in electrical induction on the rail. Electrical induction is a commonly overlooked effect of transmission lines, and it may result in significant health risks, including death by electrical shock. Electrical induction also has the potential for significant adverse impact on rail operations, including equipment and signal malfunction. Without addressing site specific issues, electrical induction problems can generally be avoided by maintaining at least a 300 foot setback from the outside edge of BNSF's right of way for parallel transmission lines, and requiring transmission lines to cross the tracks at a 90-degree angle. BNSF strongly recommends that BLM clarify where transmission lines fit into the early Design Feature deliverables, and include railroad setback requirements in the bullet point lists of issue to be addressed.

E. Hazardous Materials Management.

Table A.2-1 in Appendix A of the DPEIS requires a Hazardous Materials and Waste Management Plan. Utility scale solar electric generation facilities may involve the production, use and transportation of hazardous materials such as hydrogen. These concerns are site-specific and technology-specific, but any such material should generally be located away from the railroad right of way, and the need for either vehicular or pipeline crossings should be minimized. BNSF strongly recommends that BLM incorporate these requirements into the Design Features for Hazardous Materials and Waste in Section A.2.2.21 of the DPEIS.

F. Emergency Access.

Any project located along a significant stretch of railroad track should be required to ensure continued access to the adjacent rail by the rail operator in the event of a derailment or other emergency. Security concerns and biological mitigation plans may require installation of fencing or other facilities that could interfere with emergency access to BNSF's right of way. Project proponents should be required to plan for emergency access, including the possibility that BNSF may need to temporarily remove features such as fences. BNSF strongly recommends that BLM incorporate these requirements into the Design Features for Transportation Impacts, Design Features for Hazardous Materials and Waste, and Design Features to Ensure Health and Safety, in Sections A.2.2.20, A.2.2.21 and A.2.2.22, respectively, of the DPEIS.

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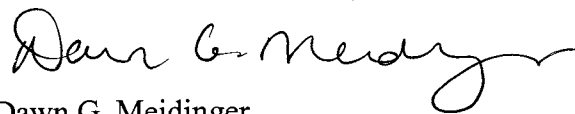
V. RESOURCE MANAGEMENT PLAN AMENDMENT DEFICIENCIES.

Federal regulations require BLM to strictly follow and adhere to a planning process when making amendments to resource management plans. *See* 43 C.F.R. § 1610.5-5 (b) (process for amendments mirrors process for developing a new plan); *see also* 43 C.F.R. Subpart 1610. The objective of the planning process as set forth in the regulations is to ensure that BLM follows a sequence of steps resulting in meaningful participation in and comment on the preparation of an amendment. This process involves issue identification, the development of planning criteria and public comment thereon, as well as the development of alternatives and an assessment of effects of those alternatives.

As noted above, BNSF contends that important issues relating to railroad rights of way have not been identified or adequately addressed during the process of amending the many resource management plans identified in the SPDEIS and DPEIS. Further, BNSF notes that neither the SDPEIS nor the DPEIS set forth the proposed amendments to these resource management plans in an easily accessible or understandable format, and no alternatives (or related assessment of impacts) appear to have been provided by the agency. Because of these deficiencies, BNSF remains concerned that BLM has not met its burden under the applicable regulations, and that the entire resource management plan amendment process utilized by BLM in the SPDEIS and DPEIS may be legally deficient.

BNSF is hopeful that the identified deficiencies in the SDPEIS, and DPEIS by implication, will be adequately addressed in the Final PEIS. In addition, BNSF encourages BLM to coordinate with BNSF very early in the process regarding any future variance determination that may affect BNSF rights of ways and/or railroad operations. Thank you for your consideration of these comments.

Sincerely,



Dawn G. Meidinger

Thank you for your comment, Johnney Coon.

The comment tracking number that has been assigned to your comment is SEDDSupp20117.

Comment Date: January 27, 2012 13:46:25PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20117

First Name: Johnney
Middle Initial:
Last Name: Coon
Organization:
Address: P.O. Box 436
Address 2:
Address 3:
City: Desert Center
State: CA
Zip: 92239
Country: USA
Privacy Preference: Don't withhold name or address from public record
Attachment:

Comment Submitted:

I'm writing to comment on the Solar SPEIS. I've been a resident of Desert Center for over 35 years. I'm a landowner and former grape farmer. This land I love, if the government continues on this ill-advised course, will be scraped clean of the native old growth vegetation and then solar panels will take its place. The wildlife that survives the graders will then be run off their land, their homes and food sources destroyed. There are many of us who call the desert home, recreate here, respect and enjoy the subtle beauty, peace and quiet nature of these wild desert lands.

It makes me very angry that this administration, whom I pay my taxes to and who supposedly works for the people will not even consider as an alternative, distributed generation. This administration unlike any other is leading the way towards the wholesale destruction of the southwestern deserts. I do not appreciate my tax dollars being used to destroy our pristine public desert lands. And it is pristine wilderness. These are public lands that have never been cleared. Once cleared, they are forever changed and degraded.

Much is at stake here. From our decreasing water table that may not be able to continue to sustain us, to the eutrophication of the desert that would have a profoundly negative impact on the desert flora and fauna. The release of arsenic that occurs naturally in desert soils, but when this soil is disturbed this carcinogen will be released for both humans and animals to breathe in. Our clean non-polluted bright blue skies currently free from airborne particulates, at least prior to the current construction now in progress, to our very dark night skies perfect for viewing the stars, planets and the milky way. The desert wildlife including the threatened desert tortoise, our health and well-being are all in peril.

This is bad policy, bad for the people and particularly bad for the environment and the animals that depend on it. We owe future generations an intact desert ecosystem, not one that has been abused and degraded for corporate profit and short-sighted greed.
Sincerely,

Johnney Coon

Thank you for your comment, Donald Forman.

The comment tracking number that has been assigned to your comment is SEDDSupp20118.

Comment Date: January 27, 2012 13:47:01PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20118

First Name: Donald
Middle Initial:
Last Name: Forman
Organization:
Address: 2438 Byron St.
Address 2:
Address 3:
City: Berkeley
State: CA
Zip: 94702
Country: USA
Privacy Preference: Don't withhold name or address from public record
Attachment:

Comment Submitted:

I support the preferred solar-zone alternative for solar-development applications.

“Variances” for solar development outside of solar-energy zones should be carefully limited to areas with low resource conflicts, and only when solar-energy zones contain insufficient land. Variance applications should be processed in accordance with IM No. 2011-061.

Additional exclusion areas should be added to include additional environmentally sensitive areas and those areas important to the survival of wildlife species such as wildlife-habitat management areas, golden-eagle foraging and nesting habitat, the entire Ivanpah Valley in both Nevada and California, Citizens Wilderness Proposals, lands acquired by the BLM for conservation purposes, and the entire Pisgah Valley.

Thank you for your comment, Freddie Romero.

The comment tracking number that has been assigned to your comment is SEDDSupp20119.

Comment Date: January 27, 2012 13:52:57PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20119

First Name: Freddie
Middle Initial: R
Last Name: Romero
Organization:
Address: 100 Via Jauna
Address 2:
Address 3:
City: Santa Ynez
State: CA
Zip: 93460
Country: USA
Privacy Preference: Don't withhold name or address from public record
Attachment:

Comment Submitted:

We can't continue to destroy lands and think that they will be of no effect to the environment.

Although the search for alternative energy and the implementation are noble and a worthy effort, we can't afford to do this at the cost valuable eco-systems that are the responsibility of those who hve been given the stewardship over.

When it comes to the installation of solar power, we need to give serious consideration for all alternatives to it's placement. With the millions and millions of square feet of rooftops that we have in this country, they do represent a viable alternative.

Lets not destory our deserts becuase they are there, but let's be a responsible nation to the stewardship of our natural resources.

Thank you for your comment, Andrea Guajardo.

The comment tracking number that has been assigned to your comment is SEDDSupp20120.

Comment Date: January 27, 2012 13:58:40PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20120

First Name: Andrea
Middle Initial: T
Last Name: Guajardo
Organization: Conejos County Clean Water, Inc.
Address: P.O. Box 153
Address 2:
Address 3:
City: Antonito
State: CO
Zip: 81120
Country: USA
Privacy Preference: Don't withhold name or address from public record
Attachment: Comment Supplement DPEIS SEZ .pdf

Comment Submitted:

Delivered online via project website



Attn: Linda Resseguie
Argonne National Laboratory
9700 S. Cass Avenue
EVS/240
Argonne, IL 60439

RE: Public Comment for the Supplement to the Draft Programmatic Environmental Impact Statement (PEIS) for Solar Energy Development in Six Southwestern States

January 27, 2012

Dear Ms. Linda Resseguie:

Conejos County Clean Water, Inc. (CCCW) thanks the Bureau of Land Management (BLM) and Department of Energy (DOE) for the opportunity to comment on the Supplement to the Draft PEIS (Supplement) for Solar Energy Development in Six Southwestern States.

Please accept this as a formal statement of concerns and recommendations from CCCW related to the Supplement specifically pertaining to the two sites proposed for Solar Energy Zone (SEZ) designation located in Conejos County, Colorado: Los Mogotes East, and Antonito Southeast. CCCW is a 501(c)(3) non-profit citizens' group, based in Antonito, Colorado, that is incorporated under the laws of the State of Colorado.

CCCW submitted a comment in April of 2011 with regard to the Draft PEIS for Solar Energy Development in six southwestern states. Please accept this comment as an update to that [comment](#).

Since then, CCCW has attended various discussions throughout the state of Colorado regarding generation, transmission, and energy related policy. As a result, CCCW encourages conversations on energy use, especially on renewable energy and how it can be structured to offer a clean, affordable, sustainable, and environmentally friendly alternative to carbon and nuclear-based fuels.

CCCW recognizes the unique and valuable aspects Conejos County holds on our private and public lands in terms of resource value for the country's potential solar production. There is a history in Conejos County of supporting solar energy on a distributed scale to power center-pivot sprinklers, schools, and homes. CCCW encourages the development of renewable energy strategies that promote long-term public health, environmental health, water conservation, and the cultural preservation of Conejos County. CCCW respectfully requests that the DOE and BLM take a comprehensive, holistic, and sustainable view, and not compromise Conejos County's unique history, culture and environment in the process of implementing utility-scale solar development plans.

CCCW hosted a public forum with technical facilitation by Grand Environmental Services and Rebecca English & Associates on January 14, 2012 in Conejos, Colorado. The purpose of the forum was to provide an overview of the Supplement to community members unable to attend meetings in Alamosa County, and to encourage the community to submit comments to the BLM and DOE by January 27, 2012. CCCW gathered community concerns and recommendations, which CCCW tried to encompass in the following comment. As CCCW's executive director, I have observed there is a lot of confusion in our community as to the exact nature of a programmatic effort; there are segments of both strong support and strong opposition to the program. As a result, CCCW synthesized the reasons people support and oppose the program into concerns and recommendations. Thank you for providing the idea behind some powerful community discussions. Moving forward, we hope the BLM and DOE can be more present in the community to ensure that confusion is at a minimum. Thank you to BLM's Andrew Archuleta for participating in a portion of the community forum, his presence was very helpful. Please consider the comments on behalf of CCCW with appropriate gravitas.

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Background of CCCW and Relationship to the Affected Environment

Conejos County Clean Water, Inc.'s (CCCW) relationship to the affected environment remains largely unchanged since its original comments on the SEZs made in April 2011. In June of 2010, concerned citizens incorporated into a Colorado non-profit organization called Conejos County Clean Water, Inc. (CCCW). CCCW incorporated in order to promote awareness around health and environmental issues that affect residents in Conejos County, as a vehicle for protecting public health, and to responsibly manage natural resources. CCCW is comprised of ranchers, teachers, small business owners, and concerned citizens. CCCW has eleven Board members, who also serve as the organization's Steering Committee, and 402 general members.

The San Luis Valley (SLV; the Valley) in south central Colorado is one of the largest sub-alpine Valleys in the world, encompassing over 8,100 square miles. Hemmed in on the west by the San Juan Mountains, and on the east by the Sangre de Cristo Mountains, the SLV ranges in elevation from 7,000 to over 14,000 feet, and contains the headwaters of the Rio Grande River. The Rio Grande River rises in the San Juan Mountains to the west of the SLV, flows south into New Mexico and Texas and empties into the Gulf of Mexico.

The SLV has many unique biological features, including areas identified as Natural Heritage areas, and is home to six endemic insect species.

The SLV is 122 miles long and 74 miles wide. This largely agrarian and ranching community has a relatively stable population. Many of the residents are eighth-generation. The oldest Catholic parish in Colorado, Nuestra Señora de Guadalupe (Our Lady of Guadalupe) lies at the southern end of Conejos County. Conejos County is part of the Sangre de Cristo National Heritage Area (NHA). About sixty percent (60%) of Conejos County's population is minority, and pride in the Hispanic heritage is evident in everything from the names of the rivers, mountains, and towns, to the local Spanish/English radio station. The median household income is less than half the national average at \$24,744, and 38 percent of the children live in poverty (US Census 2000).

The SLV is known for its potatoes and alfalfa, and also grows barley, lettuce, wheat, peas, and spring grains. It has been a farming and ranching community for over 150 years, and many of the residents work in agriculture, following in the footsteps of their parents and grandparents. Many of the farmers and ranchers still practice traditional methods. The SLV is the highest irrigated mountain plateau in the world, with about 7000 high capacity wells, over half of which are irrigation wells.

The SLV contains over 5 million acres, of which 3.1 million acres – about 59 percent – are publicly owned (Forest Service, BLM, Fish & Wildlife Service, National Park Service, or state). Conejos County contains over 825,000 acres, of which 561,000 acres – about 68 percent – are publicly owned (Forest Service, BLM, Bureau of Reclamation, or state). This land control configuration creates an important relationship between the public and private sectors with regard to air and water quality issues, and water and groundwater quantity issues, in the SLV and Conejos County.

There are 18 incorporated towns in the SLV, many of which are located along the Rio Grande or its many tributaries. Six counties lie within this large geographical boundary: Alamosa, Rio Grande, Saguache, Mineral, Costilla, and Conejos. There are 21 villages and five incorporated towns in Conejos County. Conejos County is among the poorest counties in the country, and unemployment levels run above the state and national averages (Conejos County 10.5%; as of 2008 – not including the chronically unemployed).

SEZ sites Los Mogotes East and Antonito Southeast are located in SLV's populated Conejos County near the incorporated towns of Romeo and Antonito respectively.

Supplement to the Draft Solar PEIS Document
(Supplement page 1-5)

CCCW recognizes this is a National Environmental Policy Act (NEPA) programmatic effort and understands the Supplement to the Draft Solar PEIS aims primarily to decide:

- 1) Which BLM lands are not suitable for solar development
- 2) Which BLM lands are suitable for:
 - Solar Energy Zones (SEZ) = smaller area acres all in the SLV
 - Zones Plus = larger area acres in SLV and elsewhere in Colorado. This includes a variance process to identify and designate new SEZs in the Zones Plus areas.
 - Under “No Action” almost all BLM lands would remain open to solar development, absent direct conflicts
- 3) Under what conditions BLM and DOE should decide to proceed into the next round of NEPA.

Many citizens of Conejos County speak Spanish only, or Spanish as their first language, and it would be helpful to provide project information in the regional colloquial Spanish. Thank you for the detailed and thorough preparation of the

Supplement. The document was very large and expensive to print out. Of our 402 members, only 70 have access to email and Internet.

CCCW respectfully recommends:

- 1) that BLM create the following materials in both English and Spanish for optimal public review and understanding, and for reference at public meetings:
 - a. One-page summary documents for each state,
 - b. Comparative tables summarizing the proposal, and
 - c. A document enumerating impacts for SLV only.
- 2) that printed project documents in both English and Spanish be placed in libraries and post offices in Conejos County, due to extremely limited Internet access.

Purpose and Need

(Supplement pages 1-6 through 1-16 and Supplement page 2-2 through 2-10)

CCCW understands that the Supplement promotes a utility-scale (greater than 20 MW) development model. Various executive orders drive this choice of development scale: Executive Order (E.O.) 13212 (“Actions to Expedite Energy-Related Projects,” Federal Register, volume 66, page 28357, May 22, 2011), and Secretarial Order 3285A1 (Secretary of the Interior 2010), federal policy mandates, Energy Policy Act of 2005, and the Renewable Portfolio Standards (RPS) of the states in the study area.¹

We observe that this effort to streamline a permitting process for the utility-scale solar industry is policy-driven in consideration of scientific data regarding the necessity to achieve a clean energy future for the United States. We hope that this programmatic effort will lead to a clean energy future, but at this time it is speculative as to how this effort to streamline a permitting process on public land will shape our energy future in Conejos County, the SLV, the state and the nation. There is information and belief that the state of Colorado is meeting its renewable portfolio standard (RPS) prior to the 2020 deadline, meaning that there is 30% renewable energy already hard-wired in Colorado’s largest investor-owned utility service territory (Xcel’s Public Service Company territory).

Please accept as resource material the following data-driven policy planning guide to a carbon and nuclear free energy infrastructure with economic growth, *Carbon-*

¹ See Supplement page 1-3, Line 32 “the BLM has identified a need to respond in a more efficient and effective manner to the high interest in siting utility-scale solar”

Free and Nuclear-Free: A Roadmap for U.S. Energy Policy by Arjun Makhijani, Ph.D.² CCCW recognizes that the PEIS has been an enormous and time-consuming effort for the BLM and DOE, undertaken at the same time during which both entities are charged with driving the United State to a clean energy future. However, the primary goal of a clean energy future does not appear to be an objective or a purpose, nor is it a need described in the PEIS documentation shared with the public to date.

At the same time, promoting utility scale development in Conejos County communities may devalue local efforts, and promote boom-bust energy cycles that incidentally create:

- **Maximum environmental impacts** by enforcing accelerated project schedules,³
- **Least local benefits** since there is not a legal revenue sharing mechanism due to the Federal Lands Management Policy Act of 1976, and⁴
- **A push for additional transmission** since there is only a 69kV line feeding Conejos County, which dead-ends in the incorporated municipality of Antonito.

Some local citizens speculate that this programmatic effort will remove a coal plant from the central grid, claiming that the additional central-scale solar developments will reduce dependency on fossil fuels. CCCW views these observations as a linear trade-off of a utility scale intermittent generation source for a continuous utility scale base load generation such as coal and nuclear, and notes these to be a false comparison. Listening to technical experts across the state of Colorado, CCCW understands that coal and nuclear provide continuous base load power on the central grid, and that natural gas buffers the intermittency created by the renewable energy load on the central grid.⁵

² Makhijani, *A Roadmap for U.S. Energy Policy*

³ See Supplement page 2-10 Line 39 – “that construction must be completed within the time frames in the approved POD, but no later than 24 months after start of construction unless the project has been approved for phased development as described below,” and Supplement page 2-10 Line 44 “the BLM will not authorize more than three development phases for any solar energy ROW authorization”

⁴ See “Supplement page 2-Line 8 – ROW Authorizations – applications for utility-scale solar energy facilities will be authorized ROWs under Title V of FLPMA and 43 CFR Part 2800,” Line 19 – “the term “ROW” as defined by FLPMA includes and easement, lease, permit, or license to occupy, use, or traverse public lands,” and page 2-3 Line 22 “FLPMA does not provide existing or current authorities for the collection of royalties,”

⁵ U.S. DOE/EIA-0383 (2011), *Annual Energy Outlook 2011 with Projections to 2035*, online at: [http://www.eia.gov/forecasts/aeo/pdf/0383\(2011\).pdf](http://www.eia.gov/forecasts/aeo/pdf/0383(2011).pdf)

CCCW respectfully recommends:

- 3) that the Final PEIS include the distributed generation (DG) model for solar development as a viable approach in the SLV, and that BLM and DOE recognize that locally based generation and use is a way to promote reliability and redundancy. We request that BLM and DOE evaluate regional business models that make DG difficult to integrate into the central grid.
- 4) incorporation of the recommendations made in *Carbon-Free and Nuclear-Free: A Roadmap for U.S. Energy Policy* by Arjun Makhijani, Ph.D. into the Final PEIS.
- 5) that prior to an application for solar development being accepted on public land in Conejos County, private land according to the SLV siting map⁶ be investigated. Development on private land allows local control of project schedule and size, allows for revenue sharing, and may eliminate the need for additional transmission.
- 6) that transmission and associated impacts be identified. There is a 69kV line to the town of Antonito (3 miles north of the Antonito Southeast proposed SEZ), but no plans to upgrade lines.⁷ The Colorado Public Utilities Commission has not approved a plan for transmission south of Antonito.
- 7) that the Final PEIS clearly quantify how this programmatic effort will remove coal plants from the central-grid and reduce dependency on fossil fuels.

Array of Alternatives

(BLM - Supplement pages 2-1 through 2-82, DOE – Supplement pages 3-1 through 3-9)

The action alternatives proposed in the Supplement to the Draft Solar PEIS do not have adequate transmission for either the Los Mogotes East proposed SEZ or the Antonito Southeast proposed SEZ. CCCW notices that both transmission and storage need to be upgraded.^{8,9}

This BLM and DOE programmatic effort targets the following for Colorado BLM: 2,194 MWs on 19,746 acres, Non-BLM: 731 MWs on 6,579 acres. We understand that BLM and DOE want to incentivize solar development by simplifying the process for developers. However, we are deeply concerned that we see no incentives for the local

⁶ Siting map online at: http://slvec.org/images/stories/docs/6.23.10.SLVWPCEC_solarsensitiveresources_17x11_6162010.pdf

⁷ Public Service Company of Colorado 2014 Renewable Energy Standard Compliance Plan online at: [http://www.xcelenergy.com/staticfiles/xcel/Regulatory/Regulatory PDFs/CO_11A-XXE_2012_RES_Vol. 2.pdf](http://www.xcelenergy.com/staticfiles/xcel/Regulatory/Regulatory%20PDFs/CO_11A-XXE_2012_RES_Vol.2.pdf).

⁸ See page 1-8 of Supplement

⁹ See Supplement page 2-26 “Encourage Solar Development on Appropriate Nonfederal Lands Line 3 - The DOI will encourage development of renewable energy on appropriate nonfederal lands. For projects proposed jointly on SEZ lands and adjacent private, state, Tribal, or U.S. DOD withdrawn lands, DOI’s permitting incentives as described for SEZs would apply to the entire project”.

community. Examples of such communities that benefit from such incentives can be witnessed in communities such as Elko, Nevada, which thrives around mining areas, as well as communities near Carlsbad, New Mexico which thrive around Oil & Gas.

We recognize we are proposing a breaking of revolutionary ground with the concept of recommending a bridge between the two paradigms – BLM and DOE SEZ-paradigm, and the local community DG paradigm -- regarding desired SEZ developer DG subsidy, infrastructure impacts compensation, or gifts to communities, but please bear in mind the SLV has all four proposed SEZs for the state of Colorado in one watershed, and the Antonito Southeast proposed SEZ, in Conejos County, carries the majority of the acreage. In proposing to develop a new utility scale renewable energy industry, without a legal revenue sharing mechanism would be an exacerbation of the aforementioned socioeconomic and employment issues; please consider our recommendations as a feasible and necessary alternative to the current incentive program.

CCCW respectfully recommends:

- 8) That BLM and DOE consider another alternative in their analysis: Cap the total power generation goal in the SLV from renewable energy sources to equal the amount needed locally plus the amount that can reasonably be transmitted out of the SLV over Poncha Pass. This new proposed alternative does not force the development of new transmission corridors. Consider the following:
- SLV has a peak load of 150 MW locally, and Valley distributed generation providers can transmit 550 MW out of the SLV over Poncha Pass with reasonable transmission upgrades; the SLV cap should be 700 MW of generation. The San Luis Valley Solar/Transmission Working Group calculates a higher number for the total SLV solar power cap at 950 MW, including 150 MW local load and 800 MW exportable power across Poncha Pass with Transmission upgrades.^{10,11}
 - Emphasize efficiency, conservation, and “smart grid” technologies.
 - Consider small hydro and other technologies to round out the energy portfolio.
 - Add energy storage at all substations.
 - Phase in energy development to promote long-term jobs and revenue.
 - Work with the Governor’s Energy Office and DOE to better understand options.
 - Use zoning, annexation, and other incentives to motivate energy-related companies to locate offices, assembly, and warehouse facilities in incorporated municipalities, rather than in construction trailers on county or federal lands.

¹⁰ Brubaker and Associates, Inc. Alternatives to the San Luis Valley-Calumet Portion of the San Luis Valley Calumet-Commanche Transmission Project, dated October 28, 2009, p.4

¹¹ San Luis Valley Solar/Transmission Line Alternatives and Redundancy Recommendations, also know as the “Solar Position Paper” compiled by San Luis Valley Ecosystem Council in cooperation with the Citizens for San Luis Valley Water Protection Coalition, dated June 7, 2010 updated January 14, 2012

- Use incentives to motivate energy-related companies to hire local staff and construction workers. Encourage companies to prioritize hiring workers in local families who live in the towns of Romeo and Antonito rather than importing workers who live in “man-camps.”
- Schedule energy construction work to avoid planting and harvest seasons to expand opportunities for local workers.
- Perform any new or existing infrastructure upgrades in a way that eliminates the exposure of Conejos County residents to harmful electromagnetic frequencies.

Please see Attachment A for adjacent non-federal sites identified at a Colorado Renewable Energy Workshop held in Monte Vista, Colorado at which the town of Antonito was a case study. The town of Antonito is strategically positioned at the end of the grid to monitor concentrated load and distribution to the agriculture community.

Infrastructure

(Supplement page 1-3, page 1-6 through 1-7, page 2-30 and page C-79 line 16)

CCCW raises the concern that there is inadequate existing transmission infrastructure to accommodate the large-scale utility development if any of the three action alternatives is selected in the Final PEIS. All action alternatives result in designating Los Mogotes East as an SEZ and designating Antonito Southeast as an SEZ. We observe that the Supplement has identified existing transmission corridors near proposed SEZ sites. To reiterate: there is just a 69kV line that feeds both the incorporated towns of Romeo and dead-ends in Antonito, approximately three miles north of the proposed Antonito Southeast SEZ. We understand this 69kV line will not export of power from a 20 MW project, which is the minimum size of project application eligible in the Supplement.¹² SEZ development therefore requires significant upgrade of transmission to be viable, confirming the Colorado Governor’s Energy Office (2009) identification of the greater SLV as transmission-limited by the Renewable Energy Development Infrastructure (REDI). We have no major electricity load centers near Romeo or Antonito or transmission corridors approved south of Antonito into New Mexico, and there are no plans to upgrade lines. Upgrade of the lines over Poncha Pass is proposed in the year 2016. The Public Utilities Commission has not considered a plan for approval of a new corridor for transmission south out of Antonito, nor has it considered a transmission loop inside the Valley. In addition, in November of 2011, Xcel dropped its plan for a new transmission corridor to carry solar-generated electrons north to the front range population centers over La Veta Pass.¹³

¹² See Supplement page 1-3, Line 13 – “Comment from solar industry – sufficient acreage to accommodate projected levels of development, the identified SEZs might not be located in the right places for meeting market demand.”

¹³ Public Service Company of Colorado 2014 Renewable Energy Standard Compliance Plan online at: [http://www.xcelenergy.com/staticfiles/xcel/Regulatory/Regulatory PDFs/CO_11A-XXE_2012_RES_Vol. 2.pdf](http://www.xcelenergy.com/staticfiles/xcel/Regulatory/Regulatory%20PDFs/CO_11A-XXE_2012_RES_Vol.2.pdf).

While the above focuses on electrical generation and transmission, parallel arguments can be said for other infrastructure including transportation and municipal, health/safety, workforce, and education services.

CCCW understands that Congress enacted NEPA to “promote efforts which will prevent or eliminate damage to the environment.” 42 U.S.C. § 4331. CCCW also understands the cornerstone of NEPA is the environmental impact statement (EIS) that federal agencies must prepare and circulate for public review and comment. An EIS is required for all “major Federal actions significantly affecting the quality of the human environment.” 42 U.S.C. § 4332 (2)(C); 40 C.F.R. § 1501.4 “Major Federal actions” include those undertaken or financed by federal agencies. 40 C.F.R. § 1508.18 (a). Federal agencies must prepare an EIS prior to initiating any major federal action so that environmental impacts can be considered and disclosed to the public during the decision-making process. 40 C.F.R. §§ 1501.2, 1502.5. In this document, the federal agency must identify direct, indirect, and cumulative impacts of the proposed and any connected actions, consider alternative actions and their impacts, and identify all irreversible and irretrievable commitments of resources associated with the action. 42 U.S.C. § 4332(2). This requirement is commonly referred to as the agency’s duty to take a “hard look” at the environmental impacts of its proposed action. The federal agency must also identify and evaluate the effectiveness and feasibility of any mitigation measures for alleviating identified impacts from the proposed action. 40 C.F.R. §§ 1502.14(f), 1502.15(h).

CCCW does not feel it is in the nature of a “hard look” to push transmission impact analysis to a site-specific NEPA analysis for specific projects. The reasoning is three-fold:

- (1) If any of the action alternatives is selected in the Final PEIS, the percentage of public lands available for utility-scale solar development is reduced. Incentives limit developers to designated SEZs, forcing as yet unplanned transmission with unknown environmental and social impacts to accommodate utility scale developments.
- (2) SEZs designated for development in the Final PEIS should be located near load centers and existing transmission to accommodate and ensure that programmatic efforts are developed in compliance with NEPA guidelines for minimizing impacts.
- (3) Based on the existing infrastructure, approved transmission corridors, and location of the proposed Los Mogotes East SEZ and the proposed Antonito Southeast SEZ, it is imperative that transmission solutions and corresponding impacts are identified in the Final PEIS, should any of the action alternatives be deemed worthy of consideration.

NEPA requires agencies to address connected actions in the same impact statement. 40 C.F.R. § 1508.25(a)(1). As the Tenth Circuit has stated: A connected action is defined as being closely related to other actions and is identified based on three factors:

- (i) Automatically trigger other actions, which may require environmental impact statements.
- (ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.
- (iii) Are interdependent parts of a larger action and depend on the larger action for their justification. 40 C.F.R. § 1508.25(a)(1).

CCCW respectfully recommends:

- 9) that transmission impacts are given a “hard look” in the Final PEIS as a connected action to this major federal action. BLM and DOE must explain why SEZ designations would be chosen in light of cumulative impacts from transmission development.¹⁴
- 10) that the BLM consider additional Zones Plus designations near the City of Pueblo and Colorado Springs on public lands near existing load centers and near adequate transmission.¹⁵
- 11) that the BLM and DOE identify and evaluate different infrastructure layouts in the SLV comparing: 1) large utility scale solar development and 2) locally based DG combined with BLM-supported DG capped at Poncha Pass transmission potential, and power storage at all substations.
- 12) that BLM and DOE require analysis of transportation access for the proposed SEZ designations. The San Luis & Rio Grande rail line ends south of the town of Antonito, approximately 2 miles north of the proposed Antonito Southeast SEZ, and within 250 feet of the Rio San Antonio (The San Antonio River). Riparian impacts of transportation would need to be assessed.

¹⁴ San Luis Valley Solar/Transmission Line Alternatives and Redundancy Recommendations, also know as the “Solar Position Paper” compiled by San Luis Valley Ecosystem Council in cooperation with the Citizens for San Luis Valley Water Protection Coalition, dated June 7, 2010 updated January 14, 2012

¹⁵ See Supplement page 1-4, Line 17 – “Optimizing existing transmission infrastructure and corridors,” and page 2-30 Line 17 – “In addition, the BLM will encourage local land use planning efforts to consider the need for, and identify as appropriate, new SEZs as part of ongoing land use plan revisions.”

Environmental Justice/ Socioeconomics

(Supplement page 2-1 page 2-3 through 2-4, page C-79, C-82, and page C-97)

Conejos County is an environmental justice community. The proposed SEZs in Conejos County are in environmental justice communities. Approximately sixty percent (60%) of Conejos County's population is minority, and pride in the Hispanic heritage is evident in everything from the names of the rivers, mountains, and towns, to the oldest church in Colorado, Nuestra Señora de Guadalupe, to the first Hispanic labor union in the United States, Sociedad Proteccion Mutua de Trabajadores Unidos (SPMDTU). The median household income is less than half the national average at \$24,744, and 38 percent of the children live in poverty (US Census 2000). Conejos County is among the poorest counties in the country, and unemployment levels run above the state and national averages (Conejos County 10.5%; as of 2008 – not including the chronically unemployed).

It is the unfortunate plight of many poor, socioeconomically depressed communities to be forced to choose between their livelihood, sustenance and basic survival and the many intrinsic factors that make them human, such as their culture, heritage and local history. In a more Edenic context, the proposed Antonito Southeast and Los Mogotes East SEZs, in and around poor communities, would provide a means of meaningful, lasting and mutually beneficial revenue sharing, while still being cognizant of cultural landmarks, rich interwoven place and family histories, and the overall identity of the communities being affected.

Put another way, the current proposed Antonito Southeast and Los Mogotes East SEZs in Conejos County, have little in the way of long term or even medium range opportunity for the community. This is true in spite of the program's asking the locals to "give up" their public lands and in some instances their livelihood, i.e. longstanding ranching and grazing on BLM lands, so that a segment of the community can find fleeting relief from the manacles of poverty only to be cast back into the very same financial desperation once the projects on the proposed SEZs end. This proposal creates no infrastructure to sustain meaningful, sustained economic advancement or development. In addition, the proposed sites and their accompanying documents make no mention of cultural artifacts, or historical significance, in and around the proposed Antonito Southeast SEZ. In fact, the cultural and historical value of the area – which has deep and longstanding cultural and historic value for local communities – has not been closely examined.

We request that the DOE, BLM and the corporations considered for development put into motion a sustainable plan for revenue sharing and continued growth. Without such a plan, the development in the proposed SEZs will be, for all intents and purposes, asking the local citizenry to choose between two mutually

exclusive propositions, and will perpetuate and intensify environmental justice concerns.

Fortunately, for environmental justice communities, there is protection under Executive Order 12898 of February 11, 1994, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. BLM and DOE are responsible for identifying and addressing potential disproportionately high and adverse human health and environmental impacts on minority or low-income populations. Minority persons include those who identify themselves as Hispanic or Latino, (race designated as a minority race under Council on Environmental Quality Guidelines [CEQ 1997]). Persons whose income is below the Federal poverty threshold are designated as low income.

Several concerns have been raised that fall under environmental justice consideration with regard to the programmatic effort. There was not an effort for meaningful involvement for residents in Conejos County for the Scoping Comments, Draft, or Supplement; instead, all such public involvement occurred in Alamosa County in Alamosa, Colorado, which is approximately 30 miles north of Antonito. Some community members in Conejos County work out of town during the week, and are too tired or unable to drive all the way to Alamosa. Programmatic documentation was inaccessible to the majority of residents in Conejos County. Again, CCCW has 402 general members, only 70 of whom having Web access. For those with access to the Internet, the documentation was large and expensive to print out.

Other environmental justice issues include:

- Federal incentivizing of multi-national corporations to develop on nearby public lands,
- Requiring bonding in the customary minimum amount of the project cost,
- Requiring utilization of only vendors proven in the BLM supply chain rather than local vendors who may be capable of fulfilling actual requirements,
- Neglecting to provide a tangible revenue-sharing mechanism to the County and local municipalities.

The programmatic effort disallows the involvement of local contractors and vendors, and puts a burden on County infrastructure such as water, roads, and bridges without offering ways for local communities to recover costs associated with enduring the nearby projects, and ways to sustain or grow local economies.

A final environmental justice issue we raise is the SEZ project impact of minimizing historical, cultural use of the land such as grazing. Conejos County is

composed of 68% public lands; grazing permits on all public lands have been integrated into the way of life in Conejos County for over 150 years.¹⁶

CCCW recognizes that the people in Conejos County who welcome large-scale utility solar development on public lands do so in anticipation of the socioeconomic benefits the potential projects could bring to Conejos County. Conversely, those who are opposed to large scale solar development on nearby public land do so because the cumulative impacts to culture and environment are not completely understood, and there is an element of historic distrust for federal agencies and for agency actions. This programmatic effort has caused fragmentation in our community, with approximately 15% of people excited about jobs, and others (about 20%) upset about impacts to infrastructure, culture, community, and the lack of access to a meaningful means for sustainable economic growth, further others (approximately 15%) that feel both ways want jobs, but also fear impacts. The remaining 50% seem not to want to weigh in either way for fear of upsetting any segment, or for lack of awareness about the effort

CCCW raises a few concerns regarding impacts to existing industry and sources of revenue to Conejos County, and raises some concerns as to how the actions proposed in the Supplement will impact the economy in Conejos County.

The Cumbres and Toltec Scenic Railroad (C&TS RR) has been designated an Area of Critical and Environmental Concern (ACEC), and is a large employer in the area surrounding the proposed Antonito Southeast SEZ. The ACEC is encompassed in the area proposed in the Antonito Southeast SEZ, including the area East of San Antonio Mountain. The C&TS RR ACEC embraces the area from Ortiz, Colorado to the Colorado / New Mexico border because of the high-value hills with flat open range for wildlife grazing, piñon, juniper, and ponderosa pine forests.

The proposed Los Mogotes East SEZ is also near a designated ACEC: approximately five miles from the proposed Los Mogotes East SEZ. This ACEC is located eight miles southwest of La Jara, where the Conejos River forms its southern boundary. This area was designed as an ACEC due to the critical winter range for big game species. Mountain plover, a BLM sensitive species, nests in this area. The area is characterized by wind sweep, gorgeous views of the Sangre de Cristo mountain range, and a traditional hunting area long cherished by Antonito and Capulin residents.

CCCW observes that development on public lands in proposed SEZs targets multi-national corporations, and leaves minimal room for local contractors and local vendors. The accelerated project schedule promoted by BLM and DOE promotes

¹⁶ See Supplement page 2-5 Line 35 – “Notification to Livestock Grazing Operators”, and Line 37 – “BLM authorized office will send a certified letter to the permittee/lessee to serve as the 2-year notification of the BLM’s potential decision to cancel the permit/lease, in whole or in part, and devote the public land to a public purpose that may preclude livestock grazing.”

minimal local involvement. CCCW recognizes that the Supplement addressed the concern of leasing and phasing, but the root concern remains unaddressed. CCCW proposes that projects on public lands be structured as joint leases with municipalities, using local contractors to the full extent possible, and that the development is spread over 10-20 years to promote sustainable economic growth.¹⁷

Additionally, CCCW notes that the services, which municipalities of Conejos County would need to provide for, the proposed SEZs are in different parts of Conejos County and would thus strain various parts of the local service infrastructure differently. These differential impacts include schools, health/clinics including emergency services, road and bridge, and other municipal management all without a programmatic legal revenue sharing mechanism in place for local economies. Please note that BLM and DOE should not properly refer to Senate Bill 1775 introduced into the 112th Congress during the first session to promote the development of renewable energy on public lands and for other purposes, as a viable solution to answer revenue sharing questions to the local community. Senate Bill 1775 is not approved, and its future is uncertain.

Tourism, hunting and grazing are critical to the economic development and social stability of our region. People come to Conejos County for the peace and quiet it offers. If development of either of the SEZs occurs, CCCW requests that the following measures be put into effect to protect our already struggling economy.

CCCW respectfully recommends:

- 13) that DOE and BLM modify the proposed Antonito Southeast SEZ to conform to the final SLV BLM Travel Management Plan (TMP) Environmental Assessment (EA) and objectives which include: strict conformance to Visual Resource Management class objectives, protection of historical and visual values, and protection of National Register eligible cultural resources for C&TS RR.
- 14) that the Final PEIS SEZ designations not displace traditional hunting areas for local residents of Antonito and Capulin. Hunting offsets costs for food in the winter months.
- 15) cautious phasing of any solar development on SLV BLM lands, which would promote long-term, locally based jobs in Conejos County. CCCW recommends that BLM lands be developed over a period of 10-20 years.

¹⁷ See Supplement page 2-3 Line 25 - "International or domestic experience with solar projects on federal or nonfederal land.", Line 27 - "sufficient capitalization to carry out development", Line 31 - "supply contracts with credible third-party vendors for the manufacture and/or supply of key components for solar project facilities," page 2-4 Line 6 - "...the financial and technical capability of the applicant to construct, operate, maintain and decommission the project," Line 19 - "Performance and Reclamation Bond", and Line 22- "The BLM will require a Performance and Reclamation bond for all solar energy projects to ensure compliance with the terms and conditions of the ROW authorization."

- 16) that BLM and DOE discuss local job multipliers in considerable detail, and what other local economic multipliers could be expected in Conejos County.
- 17) that BLM and DOE discuss the economic effects of solar materials created or assembled in the SLV versus those imported from elsewhere.
- 18) that BLM and DOE consider that local firefighters, first responders, and the La Jara hospital would need to be equipped with the proper gear and training to handle additional general risk and potential hazardous materials incidents, and require that developers offset the associated costs.
- 19) that BLM and DOE will change the contracting approach to allow for more equitable and appropriate revenue sharing with communities near the SEZs.
- 20) that BLM and DOE will offer guidance to local communities regarding potentially successful revenue sharing approaches.
- 21) that BLM and DOE will analyze and report on the socioeconomic impacts of the practice of not allowing local contractors to partner on leasing contracts, and provide analysis of ways to increase local contracting and lease partnerships.
- 22) that BLM and DOE will discuss what happens to the Payment in Lieu of Taxes (PILT) to Conejos County. PILT are Federal payments to local governments that help offset losses in property taxes due to nontaxable Federal lands within their boundaries. Conejos County received \$964,140 in 2011.
- 23) that BLM and DOE discuss phasing and revenue sharing for the benefit of Conejos County as discussed above, offering guidance on upgrading community services particular to the solar industry.
- 24) that BLM and DOE consider emphasizing that developers must fund DG projects that would generate abundant power in smaller increments (less than 20MW) on sites on smaller pieces of ground that fit better into existing land use such as irrigation corners (SLV potential 2,500 MW), and sites that are already disturbed, as well as BLM lands. Also, please include smaller sites owned by towns, Conejos County, and school districts that can help reduce electrical costs. See Attachment A for sites identified in Conejos County during a Colorado Renewable Energy Society Workshop in Monte Vista, Colorado November 2011.

- 25) a phased approach of 10-30 MW per year for 10-20 years, in order to avoid boom-bust cycles and to promote permanent jobs and revenues for Conejos County residents.
- 26) that BLM and DOE aim first to improve local efficiencies and generate enough power to satisfy local needs, and then build generation up to the total amount that can be transmitted out of the SLV over Poncha Pass.
- 27) that BLM and DOE encourage formation of a local power authority that can manage and tax power generation, so SLV is not beholden to regional power companies.

That BLM and DOE develop proactive revenue sharing methods so that reasonable funding can go to: Conejos County school districts K-12 and technical training at local colleges; conservation of water, soil, and wildlife habitat; health and human services; and road and bridge mitigations and improvements in Conejos County.

- 28) that BLM and DOE ensure that all contractors and vendors in Conejos County are trained and registered in the Central Contract Registration (CCR) database, the primary supplier database for the U.S. Federal government, and the Dun and Bradstreet (DUNS) database.
- 29) that BLM and DOE ensure that all contractors and vendors in Conejos County are engaged in a meaningful way in any site-specific NEPA processes.

Natural Resources

CCCW appreciates the BLM and DOE siting effort that places the proposed SEZs on land with relatively low ecological value to mainstream majority cultures. However, every acre identified in the proposed Los Mogotes East site and the proposed Antonito Southeast site are still part of the greater Conejos County and SLV ecosystem. Every intact acre indicating a healthy ecosystem has high cultural, heritage, and public health value for the people who live in our area.

Geology and Soils

(Supplement page C-85, line 29-31)

CCCW would like to let the BLM and DOE know that soils in the area are shallow. Some residents who have already experienced large scale solar development in the SLV report that there is more sand and dust blowing around near the solar development.

CCCW respectfully recommends:

- 30) that BLM and DOE prohibit a loss of remaining soil structure by using advanced soil mitigation techniques including carbon-capture mechanisms.
- 31) that BLM and DOE prohibit typical over-lot grading (100% soil disturbance) and promote conservation of intact patches, stabilizing disturbances immediately, and conserving and reusing all topsoil materials immediately.
- 32) that BLM and DOE study the patterns of wind, sand and dust deposits in Conejos County and assess the negative impacts that large-scale development would impose on the agrarian community.

Water

(Supplement page C-85 through C-86)

CCCW recognizes that water is the most precious natural resource in Conejos County and the SLV. Unfortunately, proposed SEZs such as the Antonito Southeast site and the Los Mogotes East site at the headwaters of the Rio Grande are already dealing with intense competition among potential water users for over-appropriated water supplies, Rio Grande Compact obligations to downstream users, and agricultural water use in the Valley. The biggest question and concern in the largely agrarian community remains: Where will the water come from for any proposed utility scale solar development, whether that development is on private or public land? Local renewable energy planning efforts are focused on center pivot sprinkler irrigation corners and on lands that are going out of agriculture rotation due to state water augmentation laws.¹⁸

There is a longstanding history of effort at the federal, state and local levels to protect and conserve water interests in the SLV, including:

- The Great Sand Dunes National Park and Preserve Act of 2000,
- CCCW as catalyst for halting a proposal to transfer from truck to rail radioactive, hazardous and toxic waste within 250 feet of the Rio San Antonio (San Antonio River), and
- the Valley's successful legal thwarting of a proposal by American Water Development Incorporated (AWDI) for the right to pump 200,000-acre ft. of water per year from the confined aquifer.

The large scale utility projects that would be developed on designated SEZs raise particular concerns for residents in Conejos County, especially any large scale solar

¹⁸ Finley, "Water worries in Colorado's San Luis Valley come to surface." Online at: http://www.denverpost.com/news/ci_19756115#ixzz1jKypI57G.

thermal proposals with regard to the introduction of heavy oils for heat transfer; the introduction of ethylene glycol to stop water from freezing, and other types of potential spillage associated with development, including eutectic salts used in Concentrated Solar Power (CSP) technology.

CCCW's final concern regarding water availability leads to questions about converting an Agricultural water right into Municipal and Industrial (M &I) use, which could be the case with utility scale solar development. Once that change in water right occurs, it will remain in use for industrial scale purposes because it will no longer be economically feasible for it to return to agriculture. In viewing this scenario long term, it's important for BLM and DOE to understand that such designations essentially remove water from SLV's traditional water cycle usages in perpetuity.

CCCW agrees with BLM's and DOE's proposed call for low-water use facilities only, and thank the BLM and DOE for avoiding wetlands and open water.

CCCW respectfully recommends:

33) the Final PEIS develop water-wise guidelines for solar development, so that the agency and the concerned public can see the tradeoffs involved in proposed use of limited fresh water. It is imperative that the BLM be cautious about protecting these groundwater systems, so that they'll remain intact for traditional agricultural and cultural use for future generations.

34) that the BLM and DOE ensure that all renewable energy development in Conejos County:

- does not put at risk our critically important aquifer, wetlands and other water sources that support migratory waterfowl, diverse ecosystems, historical and vital water-intensive agricultural uses;
- does not in particular deplete the extensive but fragile aquifers that support these values, which CCCW and the citizens of the SLV have worked long and hard to protect.

35) that DOE and BLM quantify the impact of the future use of converted M & I water rights, especially where technological changes will occur that render these utility scale solar facilities obsolete.

Vegetation/Landscape/Reclamation
(Supplement pages C-86 through C-90)

It is very difficult to xeriscape in Conejos County and the SLV, which is a sub-alpine desert with fragile native and introduced vegetation. Preservation of the following native vegetation is important: piñon-juniper shrublands, ponderosa pine (higher elevation-near Forest BLM boundary). Reclamation was a concern raised at the forum CCCW hosted on January 14, 2012. Dust, sand and air quality are major issues of concern to communities in Conejos County and the SLV.

CCCW respectfully recommends:

36) that BLM and DOE develop conservation guidelines that include native buffer strips and shrub windrows. It's important to maintain native vegetation along solar-panel drip lines.

Air Quality
(Supplement page C-90)

CCCW respectfully recommends:

37) that BLM and DOE prohibit over-lot grading, promote conservation of existing soils and vegetation, use dust inhibitors on open ground, and evaluate potential wildfire impacts of burning solar equipment on air quality.

38) that BLM and DOE furnish and install AIRNET air monitoring stations in the incorporated municipalities of Antonito, Romeo, Manassa, Sanford, and La Jara; collect particulate matter data; and monitor associated public health metrics with regard to the impact on asthma and other respiratory diseases in Conejos County.

Wildlife
(Supplement page C-85, C-87 through C-89)

Conejos County has enormous wildlife values that should not be reduced or degraded. Both SEZs in Conejos County would impact open range for large mammal movement. Solar development should be coordinated with wildlife conservation.

The Conejos County region is known for its game animal hunting grounds, and CCCW appreciates that the BLM and DOE assess any impacts to game animals, such as disruptions to elk rut and calving. These sensitive cycles for the elk population are so

significant, widely appreciated, and well-known that particular roads are closed throughout Colorado during certain times of the year, particularly in the Spring, specifically to protect the calving areas, as tranquility during this time is critical for their survival.

The proposed Antonito Southeast site contains a plethora of wildlife resources including; Elk Overall Range, Elk Winter Range, Elk Severe Winter Range, Gunnison's Prairie Dog Colonies, Gunnison's Prairie Dog Overall Range, Mountain Lion Overall Range, Mule Deer Overall Range, Mule Deer Winter Range, Pronghorn Overall Range, Pronghorn Winter Range, Wildlife Linkage Corridor, Bald Eagle Winter, Bald Eagle Winter Range, and Black Bear Overall Range. The Los Mogotes East site includes; Elk Overall Range, Elk Winter Range, Elk Severe Winter Range, Gunnison's Prairie Dog Colonies, Gunnison's Prairie Dog Overall Range, Mountain Lion Overall Range, Mule Deer Overall Range, Mule Deer Winter Range, Pronghorn Overall Range, Pronghorn Winter Range, Wildlife Linkage Corridor, Bald Eagle Winter, Bald Eagle Winter Range, and Black Bear Overall Range. CCCW supports preservation of the winter wildlife range, mating grounds, and birthing grounds.¹⁹

CCCW respectfully recommends:

- 39) that BLM and DOE consider restricting the size and siting of the proposed Los Mogotes East and Antonito Southeast SEZs to preserve the winter wildlife range, mating grounds, and birthing grounds.
- 40) that BLM and DOE develop a conservation design to promote continuous wildlife movement across SEZs, maintain pods of conservation habitat within solar facilities, and evaluate impacts of high-flying waterfowl mistaking solar facilities as water bodies, along with a mitigation plan if impacts are identified.

Natural History and Cultural Resources Management

(Supplement page 2-7, page 2-13, page 2-17, page 2-20, page 2-23, and pages C-96 through C-97)

Conejos County has enormous natural history values including being part of the Sangre de Cristo NHA, and long human use. The mission of the NHA is to promote, preserve, protect and interpret profound historical, religious, environmental, geographic, geologic, cultural and linguistic resources. These efforts will contribute to the overall national story, engender a spirit of pride and self-reliance in local

¹⁹ Attachment B - Species Data focus on 4 Solar Study Areas in the San Luis Valley totaling Approx. 22,000 acres, Areas include: **Detilla Gulch**-1520 acres, **Four Mile East**-3,878 acres, **Los Mogotes East**-5,905 acres and **Antonito South East**- 9,591 acres compiled by San Luis Valley Ecosystem County for the Draft Solar PEIS.

communities, and create a legacy in the Colorado counties of Alamosa, Conejos, and Costilla.

The geologic resources found in the NHA are directly associated with human habitation. The layered water systems first brought in game that attracted many Native tribes to the area over 12,000 years ago.

Hispanic settlers from the south were enticed to raise crops and sheep through land grants under Mexican communal law, a practice that was adopted under Spanish reign and continued when Mexico won its independence from Spain, to settle the region the NHA presently encompasses. When the Mexican-American war ended in 1848 and the territory was ceded to the United States with the signing of the Treaty of Guadalupe Hidalgo, the Conejos Land Grant (which includes present day Conejos County, Rio Grande County and portions of Alamosa County and Saguache County) was the only land grant that was petitioned for a patent and denied in its entirety.²⁰

Subsequently, homesteading that began in 1861 brought Anglo influence to the area, and largely changed the trade and barter system to a currency economy. Hispanic and Anglo ranchers and farmers raised cattle and wheat, and have progressed to present-day crops of alfalfa, potatoes, and lettuce. The geographic isolation of the area has essentially preserved cultural identity of these rural communities.

This NHA includes the oldest Catholic parish in Colorado (Nuestra Señora de Guadalupe) in Conejos County, and the water with the oldest water rights in Colorado. To ensure the preservation of culture of the Conejos County population, it is important to capture the story of the land that is encompassed in the proposed Antonito Southeast SEZ and the proposed Los Mogotes East SEZ. It is important that the area be surveyed and ethnographically studied prior to final SEZ designation.

Recently, the National Park Service under the U.S. Department of the Interior convened with Colorado elected officials in Alamosa, Colorado. A study was proposed to determine the cultural resource value in several Counties in the SLV for a National Park designation. The counties named included Conejos County.²¹

The proposed Antonito Southeast site has traditional uses that follow the wildlife corridor's hunting, grazing and fuel gathering uses by people of Conejos County for more than 150 years. A CCCW group member shared pictures for the purpose of bringing awareness to the BLM about the cultural resource value that exists within the proposed Antonito SEZ, which is within the vicinity of the historic Old Spanish Trail.

²⁰ McCourt, "The Conejos Land Grant Southern Colorado", Colorado Magazine, Vol. 52 (1975): 36-51.

²¹ San Luis Valley and Central Sangre de Cristo Mountains Reconnaissance Survey Report December 2011, online at: <http://parkplanning.nps.gov/document.cfm?parkID=73&projectID=39991&documentID=44749>

Please see Attachment C for cultural resource value and note the BLM is amenable to moving any sort of development five miles away from historical trails.²²

CCCW respectfully requests:

- 41) that BLM and DOE acknowledge the area is part of a Mexican Land Grant: Los Conejos.
- 42) that BLM's and DOE's efforts assure that all development is done with respect to natural history and cultural values by performing complete cultural surveys and ethnographic studies of the proposed Antonito SEZ prior to SEZ designation, including utilizing local cultural authors and artists to capture the story. There are deep community concerns with accelerated project schedules and qualitative analysis completed to date which lack important documentation of natural resource and historic value.²³
- 43) that BLM and DOE make concerted efforts to conserve areas of moderate to high probability of natural and cultural resources such as the proposed Antonito SEZ, including utilization of local artists and cultural authors to capture the story.²⁴
- 44) that SEZ designations or developments not displace any historic grazing on BLM lands.
- 45) that BLM's Resource Management Plan (RMP) for the SLV meticulously honors the five-mile radius surrounding historic trails.
- 46) that SEZ designation not conflict with the *San Luis Valley and Central Sangre de Cristo Mountains Reconnaissance Survey Report, December 2011*.²⁵

²² Dubois, "BLM to expand buffer around historic trails from a quarter-mile to five miles", The Westerner, online at: <http://thewesterner.blogspot.com/2012/01/blm-to-expand-buffer-around-historic.html>

²³ See Supplement page 2-17 "**#21 Areas with important cultural and archaeological resources, such as traditional cultural properties and Native American sacred sites, as identified through consultation and recognized by the BLM.**", page 2-20 Line 18 – "...future reviews of applications within SEZs can tier to that NEPA analysis, thereby limiting the required scope and effort of additional project-specific NEPA analyses. Tiering is defined as using the coverage of general matters in broader NEPA documents in subsequent, narrower NEPA documents. This allows the tiered NEPA document to concentrate solely on the issues not already addressed.", Line 24 – "The extend of this tiering, however, will vary from project to project, as will the necessary level of NEPA documentation.", page 2-23 Line 1 – "SWCA Environmental Consultants to produce an ethnographic overview of six Tribes within the Great Basin region with cultural and historic ties to SEZs in Nevada and Utah.", page 2-23 Facilitate Faster and Easier Permitting in SEZs Line 41 – "The BLM will adhere internally to strict schedules for the completion of environmental reviews for applications in SEZs...."

²⁴ See Supplement page 2-7 Line 39 – "the BLM may also require bond coverage for all expenses tied to cultural resources identification, protection, and mitigation. This may include, but is not limited to, costs associated with ethnographic studies, inventory, testing, geomorphological studies, data recovery, compensatory mitigation...", page 2-13 Line - 27 "... recognizing that data regarding the actual impacts of solar energy development on various resources are still limited...will develop and incorporate into its Solar Energy Program an adaptive management and monitoring plan to ensure that data and lessons learned about the impacts of solar energy projects will be collected, reviewed, and, as appropriate, incorporated into the BLM's Solar Energy Program in the future."

²⁵ San Luis Valley and Central Sangre de Cristo Mountains Reconnaissance Survey Report December 2011, online at: <http://parkplanning.nps.gov/document.cfm?parkID=73&projectID=39991&documentID=44749>

Visual Impacts
(Supplement pages C-90 through C-91)

CCCW supports the BLM’s and DOE’s decision to avoid high-visual-profile “power tower” type technologies. Please see ***Environmental Justice/Socioeconomics*** on pages 13-18 of this comment for a distribution of *Visual Impacts* to the C&TS RR, and Conejos County’s local economy.

Cumulative Impact Considerations/Public Health
(Supplement page 2-20, 2-23 page C-97)

CCCW respectfully requests that any SEZ development adequately address the health impacts from exposure to electromagnetic frequencies and hazardous materials incidents (including from CSP), by including protective buffers around facilities and transmission lines, by developing proper guidelines for distances from homes, schools, etc., by defining potential transmission corridors that avoid homes, schools, etc., and by developing guidelines for community zoning to properly maintain protections. There are widespread concerns about accelerated project schedules and qualitative analysis completed to date, which precluded the importance of promoting meaningful public involvement in the environmental justice community of Conejos County.²⁶

CCCW respectfully requests:

47) that BLM and DOE not adhere to strict accelerated SEZ development schedules in environmental justice communities such as Conejos County; rather, the priority should be to focus on meaningful community involvement and engagement in our rural community, coordinated through Andrew Archuleta, BLM SLV Field Manager.

Conclusions

CCCW respectfully requests that a representative from the Town of Antonito (Mayor Mike Trujillo, townofantonito@hotmail.com, 719.376.2012), the Town of Romeo (Mayor Don Martinez, romeo@centurytel.net, 719.843.5785), the Town of Manassa (Mayor Joe Mestas, townofmanassa@gmail.com, 719.843.5207), and the Conejos County Board of Commissioners (County Administrator Tresessa Martinez, 719.376.5772) be invited to be cooperating agency officials for either further NEPA

²⁶ See Supplement page 2-20 Line 18 – “...future reviews of applications within SEZs can tier to that NEPA analysis, thereby limiting the required scope and effort of additional project-specific NEPA analyses. Tiering is defined as using the coverage of general matters in broader NEPA documents in subsequent, narrower NEPA documents. This allows the tiered NEPA document to concentrate solely on the issues not already addressed.”, Line 24 – “The extend of this tiering, however, will vary from project to project, as will the necessary level of NEPA documentation”, page 2-23 Facilitate Faster and Easier Permitting in SEZs Line 41 – “The BLM will adhere internally to strict schedules for the completion of environmental reviews for applications in SEZs....”

analysis for SEZs or site-specific projects within any SEZ designation in Conejos County. CCCW understands it is BLM's internal policy to invite elected officials to participate in NEPA as a cooperating agency.

Thank you for your careful consideration of CCCW's concerns and recommendations. Please keep us informed of any upcoming public meetings in the SLV and Conejos County, and use us as a resource to connect you to resources in Conejos County. We can be reached via email at info@conejoscountycleanwater.org or via phone at 720-939-9948.

Respectfully submitted,



Andrea T. Guajardo, CCCW Director

Cc:

Gail Schwartz – State Senator

Ed Vigil – State Representative

Erin Minks – Representative for U.S. Senator Mark Udall

Brenda Felmlee – Representative for U.S. Congressman Scott Tipton

Charlotte Bobicki – Representative for U.S. Senator Michael Bennet

Steve McCarroll – Conejos County Commissioner

Mike Trujillo – Antonito Town Mayor

Don Martinez – Romeo Town Mayor

Joe Mestas – Manassa Town Mayor

Alicia Beat- BLM Archaeologist

Andrew Archuleta – BLM

Joe Vieira – BLM

Attachment A

Renewable Energy Planning – Colorado Renewable Energy Society (CRES)



- The Town of Antonito was a case study in November 2011 for a Colorado Renewable Energy Society (CRES) workshop in Monte Vista, Colorado.
- The sites in the following pages were discussed as well as a site adjacent to the proposed Antonito Southeast SEZ that is designated Sections 18 & 36 property, giving revenues to local schools.
- CCCW helped the Town of Antonito identify the sites for discussion at the workshop.

Proposed Renewable Energy Park – site (1) - Antonito Wastewater Treatment Facility



Photo credit: Mike Trujillo

- Identified as a good site for mixed use DG renewable energy development.
- The site is approximately 40 acres.
- The Antonito substation is directly across the street to the west.
- This site is approximately one mile north of the proposed Antonito Southeast SEZ.
- First project is a Community Solar Garden under the state of Colorado policy signed in 2010.

Proposed Renewable Energy Park – site (1) - Antonito Wastewater Treatment Facility



Photo credit: Mike Trujillo

- This is the substation that is at the end of existing transmission in the SLV.
- The transmission feeding this substation is 69kV.
- This substation is approximately 3 miles north of the proposed Antonito Southeast SEZ.
- This substation is directly across the street from the Antonito wastewater treatment facility.

Renewable Energy Planning – site (2) – Valle Escondido Ranch

- Case study – Valle Escondido Ranch
- Identified as a good site for small utility scale solar during CRES workshop (8 MW).
- Approximately 80 acres is presently for sale.
- This site is approximately one mile north of the proposed Antonito Southeast SEZ.



Photo credit: Mike Trujillo

Renewable Energy Planning – site (3) – Abeyta Ranch Center Pivot Sprinkler corners



Photo credit: Mike Trujillo

- Identified for future solar development to offset demand charges on corners while agriculture use remains.
- Approximately two miles north of the proposed Antonito Southeast SEZ.
- Corner capacity in the SLV has been identified by Colorado Harvesting Energy Network to have a 2,500 MW resource value.

Renewable Energy Planning – site (4) – South Conejos School District

- Case study – South Conejos School District
- Lot was identified as a great location to elevate panels above parking.
- Create shade for a summer farmers' market.
- Approximately four miles north of proposed Antonito Southeast SEZ.

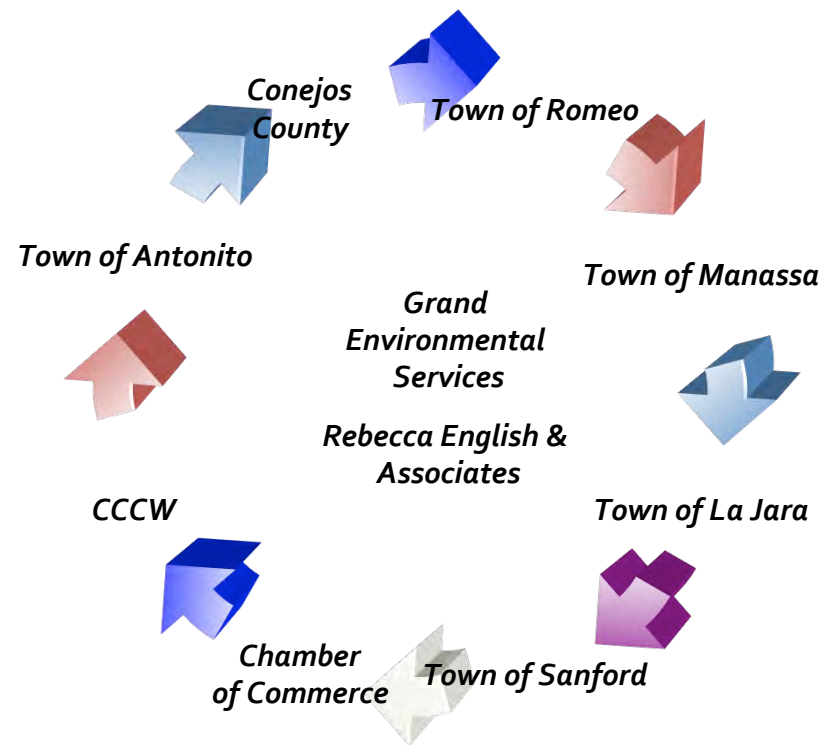


Photo credit: Mike Trujillo

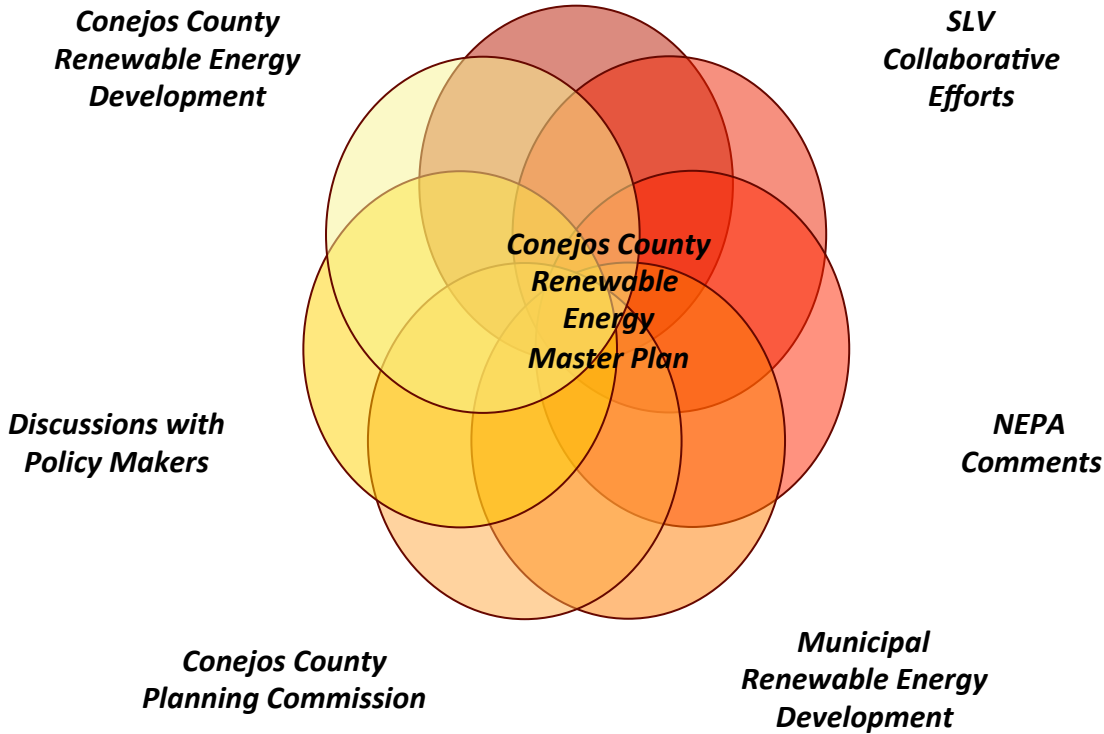
CCCW Would like to initiate the following collaborative planning effort in Conejos County during 2012

Potential Key Stakeholders:

- Town of Antonito
- Town of Romeo
- Town of Manassa
- Town of La Jara
- Town of Sanford
- Conejos County Chamber of Commerce
- Conejos County CCCW



Potential Utilization of Conejos County Renewable Energy Working Group Information

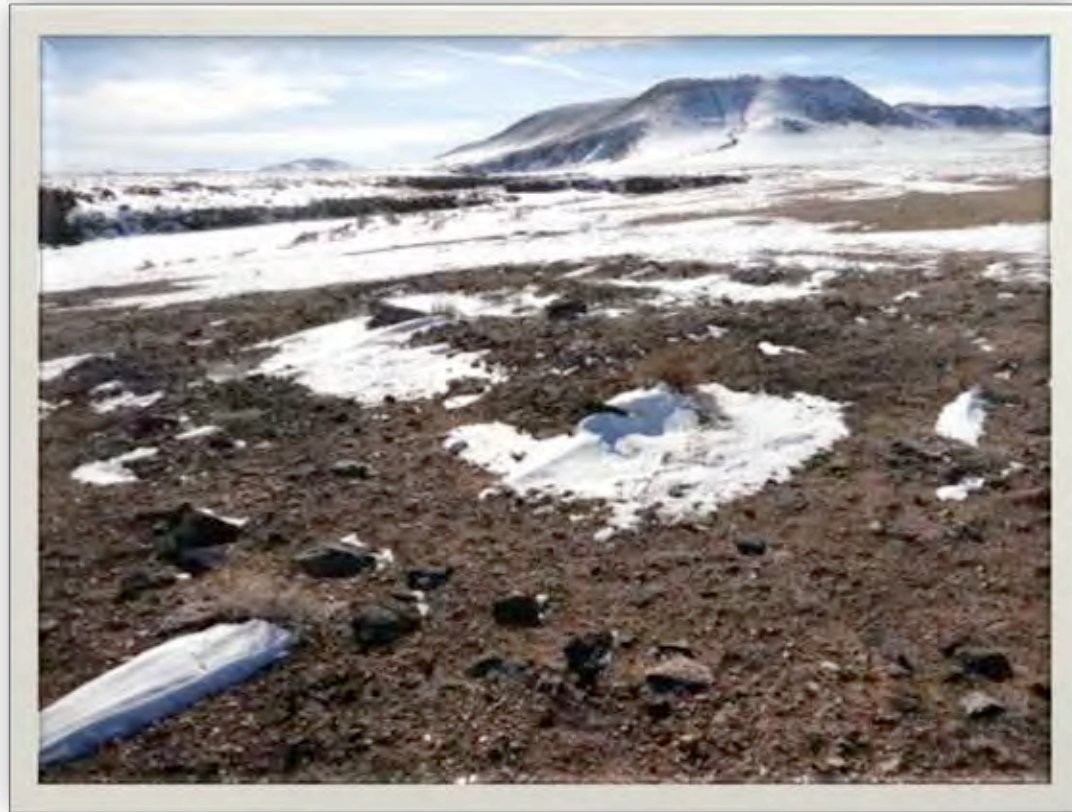


Attachment B

Species Data focus on 4 Solar Study Areas in the San Luis Valley totaling Approx. 22,000 acres, Areas include: **Detilla Gulch**-1520 acres, **Four Mile East**-3,878 acres, **Los Mogotes East**-5,905 acres and **Antonito South East**- 9,591 acres

Species	Detilla Gulch	Four Mile East	Los Mogotes East	Antonito Southeast	Miles in Length/Width
Elk Overall Range	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
Elk Winter Range	496 Acres Along Hwy 285 2.75 mi	None	Entire Study Area 5,737 acres	5,442 Acres Western Half- 3.47 miles	
Elk Severe Winter Range	Same Area as winter range above	None	Entire Study Area	Same area as Winter range above	
Elk Summer Range	None	213 Acres NE Quadrant	None		.60 miles long .98 miles width
Gunnison's Prairie Dog Colonies	2 Areas 1. Along Hwy 285 2.05 Miles long, .23 miWidth, 2. entire eastern boundary .47 mi Length-.87 Width	1,016 Acres, 2.42 Mile long, 1.6 mi width Southern Quadrant	518 Acres 2.82 Mile length, .43 mi width Upper left Quadrant	9.48 acres Along western border .42 Mi length .05 mi width	
Gunnison's Prairie Dog Overall Range	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
Mtn Lion Overall Range	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
Mule Deer Overall Range	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
Mule Deer Winter Range	1,127 acres Along Hwy 285 2.73 mi length, .81 width	None	134 acres 1.94 mi length, .15 mi width Western border of Study area	None	
Pronghorn Overall Range	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
Pronghorn Winter Range	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
Wildlife Linkage Corridor	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
Bald Eagle Winter Forage	None	None	None	Entire Study Area	
Bald Eagle Winter Range	746 acres, Eastern border Parcel, 3 mi radius	Entire Study Area	Entire Study Area	Entire Study Area	
Black Bear Overall Range	Entire Study Area	Entire Study Area	Entire Study Area	Entire Study Area	
CNHP Potential CA's	Entire northern portion of study area 1.57 mi width 1.91 mile length	None	None	None	

Attachment C



Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates



Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates: Going into Costilla County from Conejos County's County Road G and bearing 1.5 miles East of Kiowa Hill, which is situated at North 37 degrees 05.202'; West 105 degrees 48.337' at elevation of

7754. Structures are said to have been USA Military-built structures built originally to house Japanese Prisoners of War (POW) in the 1940s



Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates

Signal Hill ¼ mile due East and North from N 37 degrees 05.202'; S 105 degrees 48.337' at Elevation 7754 feet.



Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates

At a point approximately 2.5 miles due South from North 37 degrees 02.550'; West 105 degrees 55.671' at elevation of 7777 feet.



Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates :

Possible Native American, Spanish, and/or Mexican symbols depicting some type of information is located on the "Picuris Trail" - East of present day La Florida, CO and bears South approximately 2 miles from North 37 degrees 02.550'; West 105 degrees 55.671' at elevation of 7777 feet.



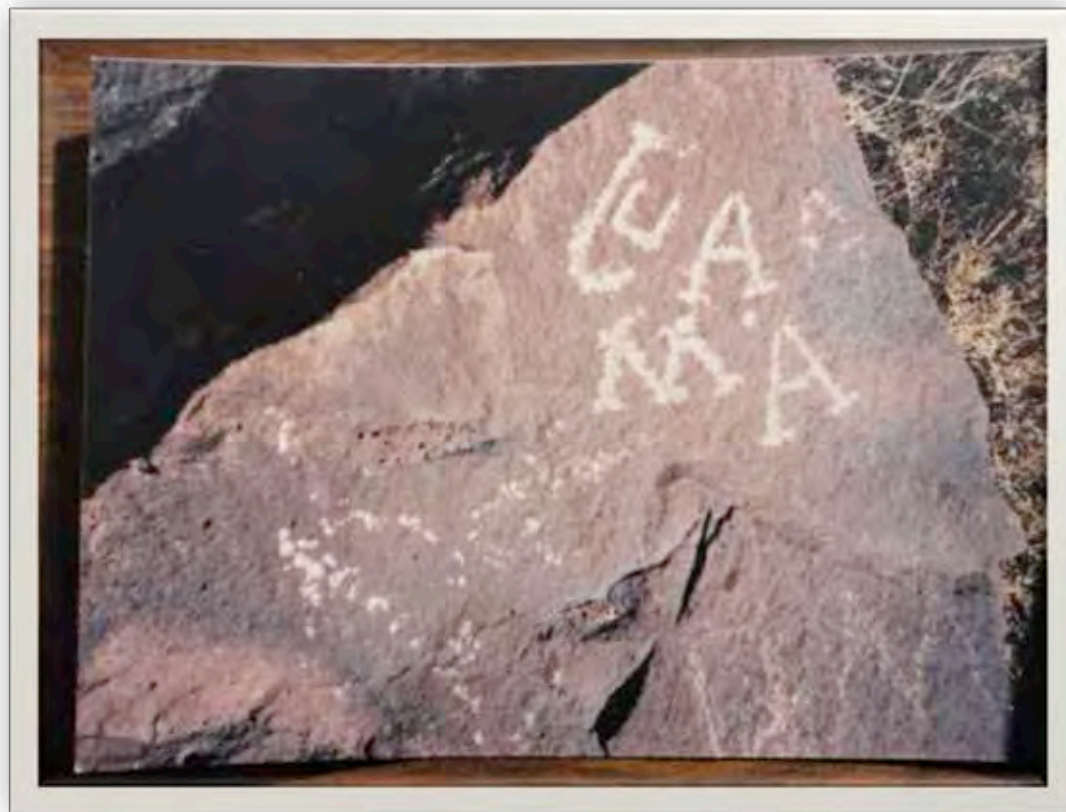
Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates: Approximately 2 miles from N 37 degrees 02.550'; West 105 degrees 55.671' at elevation of 7777 feet.



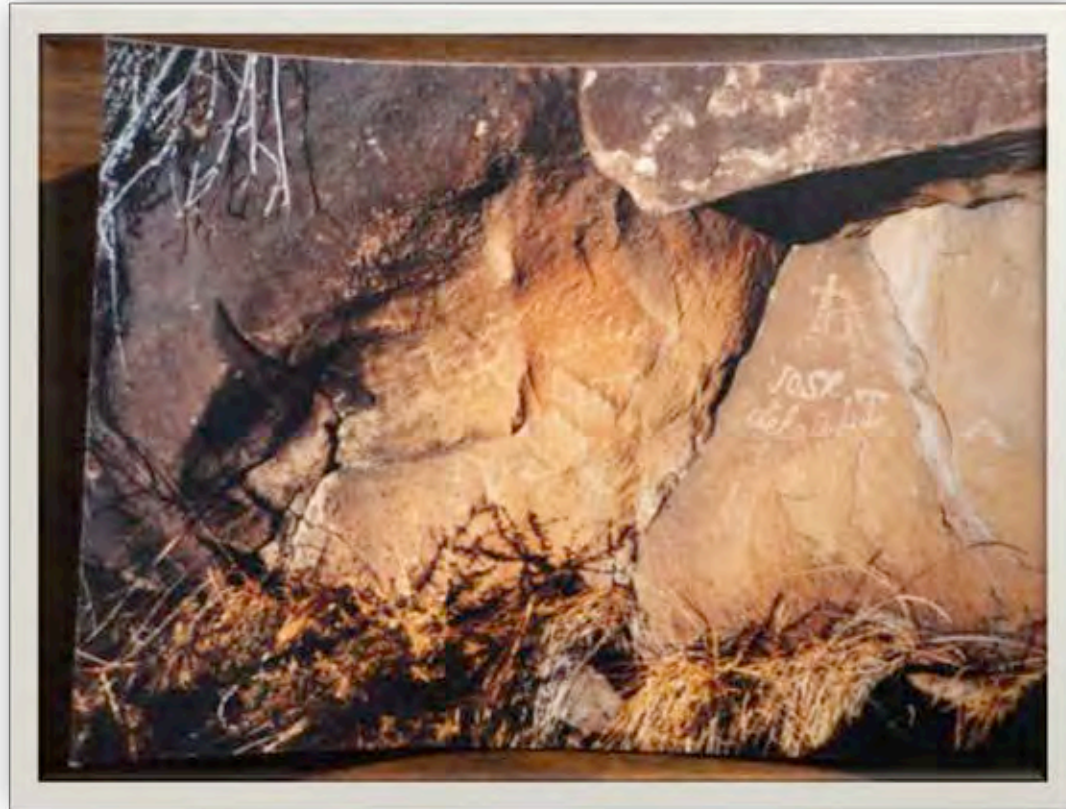
Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates: rock fissures situated in vicinity of North 37 degrees 05.202'; West 105 degrees 48.337' at 7754 elevation.



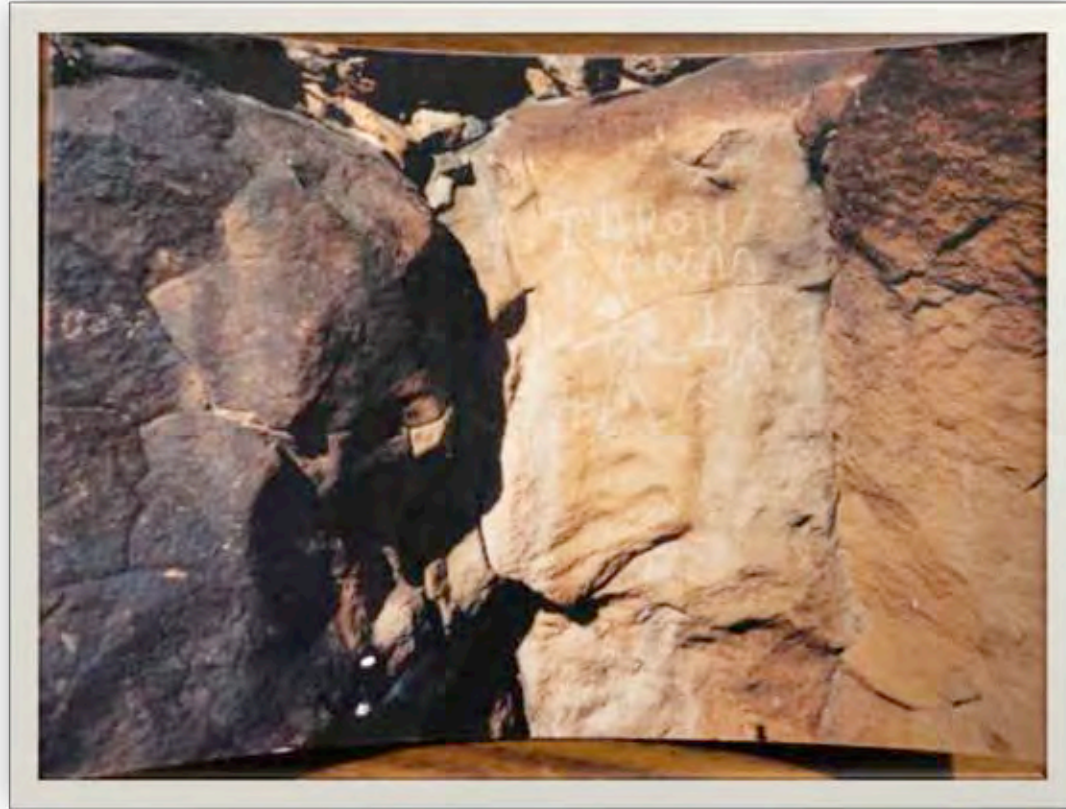
Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates: situated approximately at North 37 degrees 05.202' ; West 105 degrees 48.337".



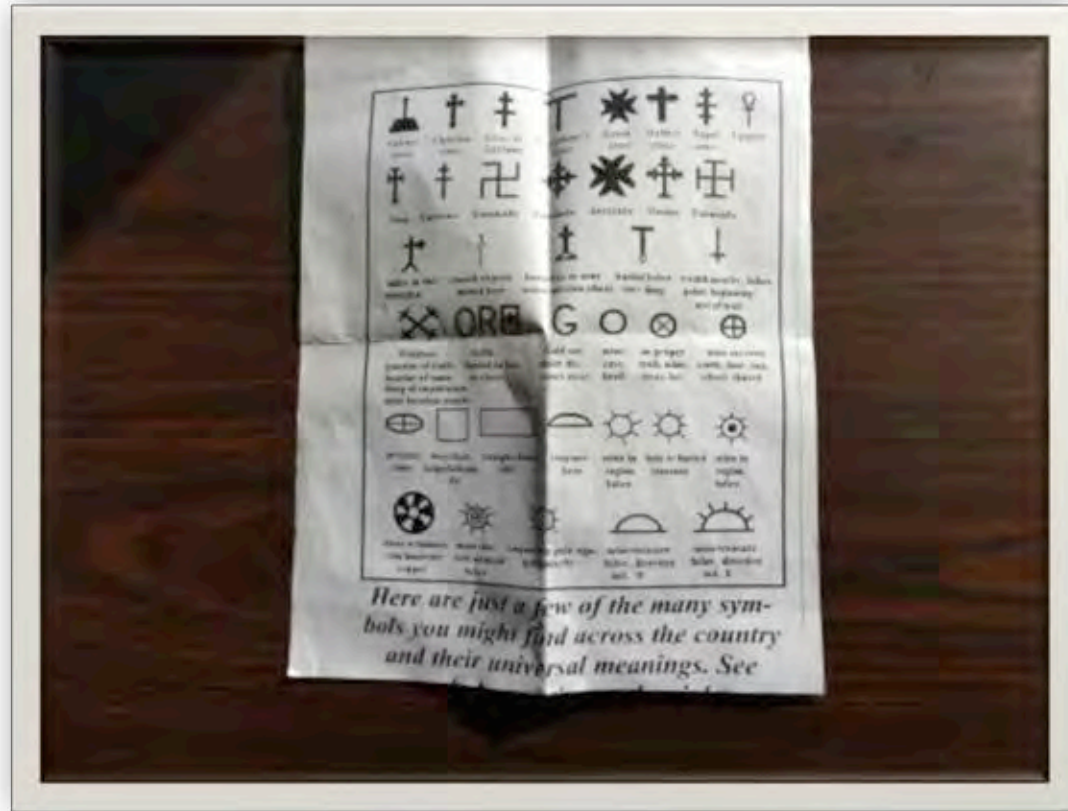
Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates: North 37 degrees 05.202' ; West 105 degrees 48.337' at 7754 elevation.



Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates: at Picuris Trail approximately 2 miles from North 37 degrees 02.550'; West 105 degrees 55.671' at 7777 elevation.



Vicinity of Proposed Antonito Southeast SEZ - GPS Coordinates: N 37 degrees 05.202' W 105 degrees 48.337" at 7754 elevation.



Symbol meaning

All photos are courtesy of CCCW.

Thank you for your comment, James Thoresen.

The comment tracking number that has been assigned to your comment is SEDDSupp20121.

Comment Date: January 27, 2012 14:06:47PM
Supplement to the Draft Solar PEIS
Comment ID: SEDDSupp20121

First Name: James
Middle Initial: A
Last Name: Thoresen
Organization:
Address: 3210 Brighton Street
Address 2:
Address 3:
City:
State: PA
Zip: 19149
Country: USA
Privacy Preference: Don't withhold name or address from public record
Attachment:

Comment Submitted:

The United States currently imports over 1 billion dollars per day in foreign oil. We need all of the energy that we can possibly produce domestically (especially renewables), therefore I support all solar / renewable energy that we can produce for our nation on our soils!

Thank you for your comment, Whitney Coombs.

The comment tracking number that has been assigned to your comment is SEDDSupp20122.

Comment Date: January 27, 2012 14:19:50PM

Supplement to the Draft Solar PEIS

Comment ID: SEDDSupp20122

First Name: Whitney

Middle Initial:

Last Name: Coombs

Organization: National Wildlife Federation

Address: [Withheld by requestor]

Address 2: [Withheld by requestor]

Address 3:

City: [Withheld by requestor]

State: [Withheld by requestor]

Zip: [Withheld by requestor]

Country: [Withheld by requestor]

Privacy Preference: Withhold address from public record

Attachment: Supplement_to_Draft_Solar_PEIS_Public_Comments.xls

Comment Submitted:

I am submitting these comments on the behalf of the National Wildlife Federation. They were given by our members in response to an action alert on the Supplement to the Draft Solar PEIS.

Representative Comment

Last_Name	First_Name	Street	City	State	ZIP	Response_Date	Comments
Robinson	Ronald	601 W Kings Hwy	Audubon	NJ	08106-2208	1/22/2012 16:48	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.
Lewis	Alan	340 Avenida De Las Rosas	Encinitas	CA	92024-4716	1/21/2012 12:41	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.
A	Sandy	Gopher	Saint Paul	MN	55128	1/21/2012 16:37	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.
A'Becket	Suzanne	21163 Patriot Way	Cupertino	CA	95014-5707	1/21/2012 13:50	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.
A'Harrah	Gayle	7-20 Aspen Way	Doylestown	PA	18901-2755	1/21/2012 13:21	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.
ABBEY	BEVERLEY	2246 Emerald Cir	Morro Bay	CA	93442-1588	1/21/2012 20:54	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.
ADAME	MIRIAM	373 Jamaica St	Aurora	CO	80010-4535	1/25/2012 12:57	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.
ADAMS	SPENCER	3707 Clarington Ave	Los Angeles	CA	90034-5843	1/21/2012 15:30	Thank you for supplementing the Bureau of Land Management's draft proposal for siting new large-scale solar projects on public lands in the West. Please improve and finalize this much-needed program and continue to work to establish wildlife-friendly and consistent rules for developing solar energy on our public lands. The Supplement clearly draws on the input received from conservationists and others. Significant improvements to the draft include the commitment to do more research on wildlife impacts, the pledge to make more sensitive areas off limits to development, and the inclusion of additional incentives to drive development to low-conflict solar energy zones. With some additional work to limit development outside the designated zones and provide adequate mitigation for habitat losses, the proposed solar zoning framework will serve as an effective, strategic roadmap to developing the most appropriate solar resources on public lands. The best path going forward will guide solar development to lands with the highest quality solar resource, where the power generated can be delivered easily to consumers, and where there is the lowest potential for conflict with fish, wildlife, access, and other values and uses.