

Thank you for your comment, Rebecca Schwendler.

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Solar Energy Development PEIS
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Comment Submitted:

September 14, 2009

VIA ELECTRONIC SUBMISSION
(<http://solareis.anl.gov/involve/comments/index.cfm>)

Solar Energy PEIS
Argonne National Laboratory
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Re: Scoping Comments on the Solar Energy Study Areas and the Solar Energy Programmatic Environmental Impact Statement

To Whom It May Concern:

The National Trust for Historic Preservation (National Trust) commends the efforts of the Bureau of Land Management (BLM) to identify the most appropriate areas for solar energy development while limiting impacts to significant cultural resources. We feel strongly that by incorporating the results of tribal consultation and previous cultural resources inventories into the development of the solar Programmatic Environmental Impact Statement (PEIS) and the specific Solar Energy Study Areas (SESAs), BLM can facilitate efficient and cost-effective renewable energy development while protecting the invaluable, significant cultural resources that are present on America's federal public lands. At the same time, we believe that efficiency and reduction of energy use at private and public scales should be a focus of current and future energy planning. Rather than simply producing and transmitting more energy, we should simultaneously work to reduce our energy needs.

In general, the National Trust supports BLM's development of the PEIS and identification of the specific SESAs. Specifically, we strongly applaud BLM's decision to exclude all units of the National Landscape Conservation System (NLCS) and other areas that contain significant cultural resources. However, we recommend that BLM define two key terms used in the Federal Register notice for the SESAs. We also recommend that BLM evaluate whether several specific resources should be excluded from the SESAs and, if not, whether BLM needs to develop site-specific avoidance or mitigation measures to ensure that solar energy development does not adversely affect those resources.

Interests of the National Trust

The National Trust is a private charitable, educational, non-profit corporation chartered by Congress in 1949 to protect and defend America's historic resources, to further the historic preservation policy of the United States and to facilitate public participation in the preservation of our nation's heritage. *See* 16 U.S.C. §§ 461, 468. With the strong support of 235,000 members nationwide, the National Trust works to bring people together to protect, enhance and enjoy the places that matter to them. By saving the places where great moments from history – and the important moments of everyday life – took place, the National Trust helps revitalize neighborhoods and communities, spark economic development, promote environmental sustainability and protect public lands. The National Trust, which is headquartered in Washington, D.C., has nine regional and field offices, 29 historic sites and partner organizations in all 50 states.

I. In the PEIS, BLM should define two key terms from the Federal Register notice for the SESAs.

The National Trust commends BLM on identifying “sensitive resource areas” to be excluded from solar energy development, including all units of the National Landscape Conservation System, “Areas of known Tribal concern” and “Areas of known high cultural site density.” *See* Notice of Availability of Maps and Additional Public Scoping for Programmatic Environmental Impact Statement To Develop and Implement Agency-Specific Programs for Solar Energy Development; Bureau of Land Management Approach for Processing Existing and Future Solar Applications, 74 Fed. Reg. 31,307, 31,308 (June 30, 2009). However, the National Trust feels that BLM should clearly define the latter two terms in the PEIS to ensure consistent usage and application.

II. BLM should ensure that SESAs do not adversely affect internal or adjacent significant cultural resources.

BLM should clarify whether any “sensitive resource areas” are located within the external boundaries of SESAs or whether SESAs were chosen because they did not intersect with any sensitive resource areas. If SESAs do surround excluded sensitive resource areas, BLM must ensure that those resources are adequately buffered from visual and other indirect impacts from solar energy development. Even if SESAs do not surround sensitive resource areas, SESAs may have the potential to visually and otherwise indirectly impact significant cultural resources that are located outside but adjacent to SESAs. Units of the NLCS contain many of the most stunning and awe-inspiring vistas within the United States. Long views uncluttered by modern human constructions are an essential aspect of the experiences sought by visitors to these federal public lands, and the views and visitors’ experiences of them must be protected in order to maintain the integrity of NLCS units.

Therefore, for example, protecting the ruts, swales, buildings, inscriptions and other artifacts directly associated with national historic trails is not enough to preserve the suite of historic and cultural resources that make national historic trails significant. Rather, preserving whole settings and viewsheds of national historic trails—and other units of the NLCS—is vital for enabling visitors to have authentic and high quality experiences of the historic events for which the cultural resources are purportedly preserved. In the National Trails System Act, as amended, “high potential historic sites and high potential route segments” are recognized as the very best sections of national scenic and historic trails that retain the highest historical and cultural integrity. The physical manifestations and viewsheds of these segments, at least, should be completely preserved. Similarly, BLM must thoroughly consider and work to avoid adverse impacts to sacred landscapes that are significant to tribes. As with national historic trails, the significance of these landscapes and of Native American traditional cultural properties goes far beyond their constituent features and artifacts; viewsheds and settings must be uninterrupted by modern constructions in order to maintain the sacred integrity of the landscapes.

BLM also should recognize that many significant cultural sites exist at low densities, and historic trails that are not part of the National Trails System (e.g., the Ehrenberg Road and the Phoenix Stage Road in western Arizona) may cross one or more SESAs. Adverse effects to these regionally important historic resources also should be avoided whenever possible even if the resources do not technically fall within any of the sensitive resource area categories. In addition, BLM should take steps to ensure that sensitive resource areas are not directly or indirectly impacted by construction roads and transmission lines.

III. BLM should compile complete records of all known cultural resources located within the SESAs.

All data available for cultural resources (e.g., location, temporal affiliation, condition, significance) should be gathered for each of the SESAs and incorporated into a single geographic information system database as part of the evaluation of SESA efficacy. Compiling information into one location will enable BLM to consistently identify which portions of SESAs have already been thoroughly inventoried and which have not. Then the latter locations should be inventoried for cultural resources, at least at a Class II sampling level. Furthermore, thorough tribal consultation should be performed for each of the SESAs as part of their evaluation, even if consultation has been done in nearby areas in the past. Knowing what cultural resources are present in SESAs, at least at a broad landscape level, will help to streamline solar energy development within them while assuring that impacts to significant resources and landscapes are avoided. A similar approach should be taken for areas outside SESAs that are likely to be developed for solar energy production, with developers directed towards locations that have already been inventoried for cultural resources and that contain few or no significant resources.

IV. BLM should evaluate whether to exclude additional cultural resources from SESAs and whether site-specific measures are necessary to avoid or mitigate adverse effects on cultural resources.

Potential impacts to all cultural resources—including prehistoric, historic and traditional sacred and cultural properties—located within SESAs and in proposed solar project areas outside SESAs should be considered in the NEPA and NHPA processes. In addition, we believe that BLM should evaluate whether the cultural resources mentioned below should be excluded from the SESAs in light of their significance and whether BLM should include site-specific measures in the PEIS in order to avoid or mitigate the potential adverse effects of solar energy development on those resources. For example, BLM has not yet defined management boundaries or areas around national scenic and historic trails, except in Wyoming. In that case, during oil and gas development, BLM defined a one-half mile wide special management corridor along the four National Historic Trails that cross the state. BLM severely limited energy development within the trails corridors and required stringent mitigation of visual and other impacts in areas along the trails outside the corridor. We recommend that BLM develop similar protections for trails and other visually sensitive resource areas in the face of solar energy development.

A. Arizona

The three SESAs in Arizona appear to have been well chosen in regard to archaeological sites, as they consist largely of previously disturbed lands. However, some Native American tribes have already expressed concern about impacts of the SESAs on sacred landscapes. Thus, BLM should thoroughly consult with concerned tribes to resolve potential conflicts now. In addition, many nationally and regionally significant historic trails cross the state and could be directly or indirectly impacted by solar energy development both within and outside the SESAs. Of particular concern are trails located in open areas of southwestern Arizona, including the Juan Bautista de Anza National Historic Trail (NHT), El Camino del Diablo, the Ehrenberg Road and the Phoenix Stage Roads. The latter two, in particular, appear to be located close to the Brenda and Gillespie SESAs. While the Federal Register notice states that BLM excluded national trails from the SESAs, BLM must still consider any visual and other types of indirect impacts, such as from increased public access during project construction, that solar energy development may have on the trails. To that end, BLM should develop stipulations for avoiding or mitigating indirect impacts to trails during solar energy development.

Comment [a1]: Which tribes? We should mention them by name.

B. California

The National Trust is concerned specifically with potential adverse effects to cultural resources within the Riverside East SESA. This area partially overlaps with the boundaries of historic Camp Rice, part of the World War II (WWII) Desert Training Center/ California–Arizona Maneuver Area that has been recommended eligible for the National Register of Historic Places (National Register). Camp Rice is part of an interconnected landscape of similar WWII camp sites in southern California and Arizona and is highly significant both for its association with General Patton and for its contribution to our understanding of how American soldiers were trained during WWII. Still visible at Camp Rice are roads and walkways lined with large pieces of basalt. BLM should modify the boundary of the Riverside East SESA to exclude Camp Rice and other sites within this important WWII cultural landscape.

C. Colorado

The National Trust is concerned about potential adverse effects to cultural resources located within the De Tilla Gulch and Fourmile East SESAs. Both contain rare Paleoindian archaeological sites whose eligibility for the National Register has generally not yet been determined. Because of Paleoindian sites' potential significance, BLM should develop specific mitigation measures to resolve adverse effects to them. Finally, the National Trust requests that BLM take a close look at the potential of the Fourmile East SESA to directly or indirectly affect the Old Spanish National Historic Trail and adjust the boundaries of the SESA to avoid any negative effects.

D. Nevada

The National Trust is concerned about potential adverse effects to prehistoric cultural resources in the Delamar Valley SESA. Two significant and large rock art sites in this SESA are "The Gathering," located along the Alamo Road off Hwy. 93 and "Rattlesnake Road," located approximately 2.5 miles farther east on the Alamo Road. Because the sites are located adjacent to the road, increased construction traffic could lead to increased visitation and inadvertent or purposeful damage by visitors. In addition, the National Trust requests that BLM take a close look at the potential of the Dry Lake SESA to directly or indirectly affect the Old Spanish National Historic Trail and adjust the boundaries of the SESA to avoid any such effects.

E. New Mexico

The National Trust has no specific concerns about cultural resources located within or near the proposed SESAs in New Mexico.

F. Utah

The National Trust requests that BLM take a close look at the potential of the Escalante Valley, Milford Flats South and Wah Wah Valley SESAs to directly or indirectly impact the Old Spanish NHT and adjust the boundaries of the SESAs to avoid negative impacts to the trail.

IV. Conclusion

While planning for solar energy development on federal public lands, BLM must prioritize the protection of outstanding historic and cultural resources, including significant concentrations of prehistoric and historic archaeological sites, historic trails and Native American traditional cultural properties and sacred sites. Accordingly, BLM should thoroughly evaluate the potential direct and indirect impacts of solar energy development on cultural resources both within and outside SESAs. Definition of the terms "Areas of known Tribal concern" and "Areas of known high cultural site density" will facilitate consistent avoidance of impacts to significant cultural areas, although significant resources are likely found outside those areas. Additionally, compilation of known data into a single GIS system will help BLM to identify and then inventory areas within SESAs whose cultural resources are not yet known. Thorough consultation with tribes, State Historic Preservation Officers, local communities and other interested parties will support this effort. Then, BLM should consult with the above parties to develop measures to avoid or, less ideally, minimize or mitigate adverse effects of solar energy development on significant historic and cultural resources.

Please include the National Trust on all announcements, as well as all notifications associated with the PEIS process. We appreciate the opportunity to provide these comments and we look forward to participating further in this process.

Sincerely,



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Barbara Pahl, Director
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