

Thank you for your comment, Dennis Ghiglieri.

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Solar Energy Development PEIS
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Comment Submitted:



Toiyabe Chapter
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September 11, 2009

Solar Energy PEIS - Solar Energy Study Areas
Argonne National Laboratory
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via email

Re: Scoping Comments on the Solar Energy Development PEIS

On behalf of the Toiyabe Chapter of the Sierra Club and its 5,500+ members in Nevada and the eastern Sierra, we are submitting scoping comments for the Solar Energy Development Programmatic Environmental Impact Statement (PEIS), specifically on Solar Energy Study Areas in Nevada. These are in addition to comments submitted by the national Sierra Club. Many of our members live near or recreate on these public lands. While the Sierra Club strongly supports our nation's move towards more renewable energy, we also highly value our public lands and public resources. We agree that renewable energy development and environmental protection are not mutually exclusive. Our comments are offered to improve the process of selecting and prioritizing SESAs in Nevada.

1. WATER: Water availability and impacts of water withdrawals for solar facility construction and operation are the most critical issues for renewable energy development on all of the proposed desert sites in Nevada.

- o Availability: Most of the surface and groundwater in our state has already been permitted for many beneficial uses. You can find the Nevada State Engineer's ruling of July 9 2009 on Dry Lake and Delamar Valleys at: <http://images.water.nv.gov/images/rulings/5875r.pdf>. You can find active water rights by basin on the State Engineer's website under water rights database. Since multiple solar developments are proposed in some of the SESAs, their cumulative impacts on limited water resources must be analyzed.

- o Water-dependent ecosystems and species: our scarce water resources, especially the deep carbonate aquifer, support fragile desert ecosystems, 20 federally listed species and up to 137 water-dependent endemic species in desert springs from Utah through Nevada to California. Additional water demand created by the construction and operation of solar plants in SESA's proposed in Amargosa, Dry Lake Valley North, and Delamar Valleys would threaten water-dependent resources in basins downflow from all 3 SESAs. The Amargosa Desert basin is closed to any new development because it is over-appropriated. You can see a recent State Engineer's ruling denying new applications in the Amargosa Desert basin at: <http://images.water.nv.gov/images/rulings/5992r.pdf>. If solar companies purchase or lease existing permitted water currently most commonly used in rural areas for agricultural irrigation or stockwater, the 24/7, 365 days industrial use may require much additional

water and cause greater cumulative impacts on water-dependent species.

o National parks, refuges, public lands, and wildlife areas and their water-dependent habitats, species, and recreational uses down the flow system from especially Amargosa Valley, Dry Lake Valley North, and Delamar Valley could be threatened by excessive water withdrawals for solar facilities. These include: Death Valley National Park, Ash Meadows National Wildlife Area, Pahrangat NWR, Muddy Springs NWR, Desert NWR, Lake Mead National Recreation Area, public lands in the Ely and Las Vegas BLM Districts. The State manages a number of wildlife management areas which could be impacted by development in the SESAs, including: The Key Pittman WMA, Wayne E. Kirch WMA, and the Overton WMA, as well as several state parks in Lincoln, Clark, and Nye Counties. Such impacts, including cumulative impacts of multiple solar developments in SESAs should be analyzed and unavoidable impacts mitigated.

RECOMMENDATION: In order to conserve our scarce but invaluable water resources and to avoid conflicts with water-dependent species and public resources, we strongly urge that only dry-cooled solar facilities be allowed on all Nevada sites and mitigation directed at protecting water-based resources should be required for unavoidable adverse impacts.

2. **WILDLIFE:** Endemic wildlife species occupy habitats on public lands proposed as SESAs. These include the threatened Desert Tortoise which occur on the Amargosa, Dry Lake Valley North and Delamar Valley SESAs and the Amargosa Toad in Amargosa Valley site. Greater Sage Grouse may be found in any of the valleys in the Great Basin Desert in Nevada, using valleys for lek sites and critical nesting areas. The Nevada Department of Wildlife, federal agencies and other stakeholders working together as the Governor's Sage Grouse Conservation Planning Team, have developed and are implementing the 2001 Nevada Sage Grouse Conservation Strategy. This strategic document provides much information on sage grouse habitat requirements, locations, and management actions needed to make listing under the Endangered Species Act unnecessary. The June 2006 Nevada Wildlife Action Plan provides a plan of action for state wildlife conservation and funding by targeting the species of greatest conservation need, the key habitats on which they depend, and lays out strategies for conserving wildlife in each of the key habitats. More information on other listed and sensitive species can be found on the website of the Nevada Natural Heritage Program: <http://heritage.nv.gov/>. And information on management and conservation of native bird species, with a priority on 46 species, including Sage Grouse, for 15 major habitat types in Nevada, including sagebrush and Mojave shrub sites proposed as SESAs. In addition, the Miller's SESA is proposed just north of the desert oasis of trees, water, and lawn at the Miller's Rest Stop on Hwy. 95, 12 miles from Tonopah, NV. This area is heavily used by migratory birds, both in the spring and the fall and offers excellent birdwatching opportunities. SESAs boundaries should be adjusted to avoid native wildlife conflicts, especially critical desert tortoise habitat and sage grouse breeding and nesting sites. Mitigation must be required for any unavoidable habitat loss.

3. **COMMUNITY IMPACTS:** Local communities in rural Nevada depend economically on the livestock grazing occurring especially in Dry Lake Valley North and Delamar Valley. Winter grazing permits depend on large areas of native white sage in both valleys which once disturbed, is difficult if not impossible to reestablish. Nearby communities include Alamo, Caliente, Pioche, and Panaca, all in Lincoln County, NV. SESA boundaries should be reconfigured to avoid significant impacts on white-sage-dependent uses of public lands in these valleys.

4. ROAD ACCESS: Dirt roads in some SESAs, especially Dry Lake Valley North and Delamar Valleys are primitive and nearly impassible when the surface is disturbed and churned up by a lot of vehicle traffic. Soils are very fine and disturbance results in billowing dust. When wet, roads become extremely muddy and vehicle access may be impossible. Such unstable soils should be evaluated and SESA boundaries adjusted to avoid any solar facility construction and traffic impacts on valley roads and unstable soils.

5. CRITERIA FOR PRIORITIZING SESA'S: SESA sites which are proposed for public lands which are already disturbed, void of vegetation, or adjacent to industrial uses should have the highest priority for the siting of solar facilities. SESA sites which are ecologically intact and are providing essential habitat for native species as well as significant socioeconomic benefits to rural communities and tribes should be rejected or given the lowest priority for future solar facility sites. In addition, greater priority should be given to solar development on sites with existing transmission facilities and with adequate water sources.

Thank you for considering our comments.

Sincerely,

ROSE STRICKLAND /s/

Rose Strickland, Chair
Public Lands Committee

JANE FELDMAN /s/

Jane Feldman, Chair
Energy Committee