UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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San Francisco, CA 94105-3901

SEP 2 0 2010

John Kalish
Field Manager
BLM Palm Springs-South Coast Field Office
Bureau of Land Management
1201 Bird Center Drive
Palm Springs, CA 92262

Subject: Final Environmental Impact Statement/Proposed Resource Plan-Amendment for the California Desert Conservation Area and Blythe Solar Power Project, Riverside County, California [CEQ#20100329]

Dear Mr. Kalish:

The U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the Blythe Solar Power Project in Riverside County, California. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

EPA reviewed the Joint Draft Environmental Impact Statement (DEIS) and Staff Assessment and provided comments to the California Energy Commission (CEC) and the Bureau of Land Management (BLM) on July 12, 2010. We rated the DEIS as *Environmental Concerns– Insufficient Information* (EC-2), primarily due to concerns regarding potential impacts to ephemeral washes, groundwater, and biological resources, as well as the need for reconsideration of the restrictive purpose and need statement in order to allow for evaluation of a full range of reasonable alternatives.

EPA appreciates BLM's thorough responses to our comments on the DEIS. We commend BLM for committing to include all mitigation commitments for biological, air, and water resources in the Record of Decision (ROD). EPA continues to have concerns, however, regarding drainage plans and groundwater mitigation. In our comments on the DEIS, we requested additional information regarding BLM's finalized drainage plans. We requested demonstration that downstream flows would not be disrupted due to the elimination of 592.4 acres of ephemeral drainages in order to create a flat, uniform, and vegetation-free project site. According to the FEIS, downstream flows will be disrupted, and the existing Drainage Report and Channel Maintenance Plan are incomplete, insufficient for final design, and do not adequately address the issue of collection of offsite flows (pgs. 4.19-7 through -11). Mitigation SOIL&WATER-11 indicates that a Drainage

Report shall be submitted 60 days before project implementation and will include the use of structures intended to "allow flow to spread out in a manner that mimics existing sheet flow conditions downstream of the BSPP" (pg. 4.19-7). EPA acknowledges that BLM will commit to this mitigation in the ROD, and continues to recommend that the Drainage reports and plans include designs to minimize impacts to habitat downstream as much as possible. Mitigation commitments should be structured to include adaptive management in order to minimize the possibility of mitigation failure. The ROD should include the response to be taken by BLM if a substantial mitigation failure is detected. This could include conditioning the right-of-way approval to require the applicant to restore any severely impacted watersheds that may result from mitigation failure.

Additionally, EPA remains concerned about mitigation concerning groundwater impacts in the Palo Verde Basin region. Specifically, the Blythe Project may induce groundwater withdrawals from the Colorado River, and cumulative effects from foreseeable projects in the region will "likely induce additional subsurface inflow from the Colorado River" (pg. 4.19-21). EPA commends BLM for implementing mitigation measures SOIL&WATER-2 through -6 to reduce impacts to groundwater in the region. Although we are pleased to see the commitment to mitigation monitoring, we remain concerned about the details regarding this mitigation. Specifically, BLM offers mitigation that will monitor and offset inflow from the Colorado River (SOIL&WATER-2), but does not provide details of how the applicant will know when it begins to reach this threshold of withdrawal nor what activities will be implemented to offset inflow. EPA recommends that a detailed plan be completed so as to reduce risk from inducing inflow, given that Colorado River water is already fully appropriated and other large solar projects that propose to withdraw groundwater are located in the same groundwater basin.

The Blythe Solar Power Project, as proposed, would have a footprint of 7,025 acres on currently undisturbed public land, and generate 1000 megawatts of electricity. EPA recognizes the value of this project's contribution to California's renewable energy goals. We note, however, that the Reduced Acreage Alternative would reduce the project footprint and megawatts by only 25%, while avoiding over 50% of the impacts, measured in acres, to ephemeral drainages, including the most valuable desert tortoise habitat and State waters on the site. These ephemeral washes provide many important ecosystem functions, including plant and animal habitat, wildlife connectivity, and flood control; and onsite impacts to these valuable resources can be expected to induce additional impacts far beyond the project footprint. We continue to encourage BLM to consider adopting the Reduced Acreage Alternative, which would protect the most valuable habitat on the project site, while still greatly advancing California's transition to renewable energy generation.

We are available to discuss all recommendations provided. Please send one hard copy and one CD ROM copy of the responses to FEIS comments and the ROD to us when they are filed with our Washington D.C. office. If you have any questions, please contact me at 415- 972-3521, or contact Stephanie Skophammer, the lead reviewer for this project. Stephanie can be reached at 415-972-3098 or skophammer.stephanie@epa.gov.

Sincerely,

Kathleen M. Goforth, Manager
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