



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105

APR 13 2012

Amy Heuslein  
Regional Environmental Protection Officer  
Bureau of Indian Affairs  
Western Regional Office  
2600 North Central Avenue, 4<sup>th</sup> floor  
Phoenix, AZ 85004-3008

Subject: Final Environmental Impact Statement (FEIS) for the Proposed K Road Moapa Solar Facility, Moapa River Indian Reservation, Clark County, Nevada (CEQ # 20120067)

Dear Ms. Heuslein:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document 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 Draft Environmental Impact Statement (DEIS) and provided comments to the Bureau of Indian Affairs on January 13, 2012, rating the document *Environmental Concerns - Insufficient Information* (EC-2). Our concerns regarded the predicted increases in erosion or sedimentation on and off-site during the construction and operational phases of the project. We requested additional information regarding the assessment of cumulative impacts to the threatened Mojave desert tortoise. We also provided recommendations to reduce erosion and mitigate impacts to water use and air quality.

We appreciate the additional information and mitigation measures in the FEIS in response to our comments. The FEIS identifies the use of vegetated buffers to address erosion concerns, recommends the use of additional construction-phase air quality mitigation measures, includes the use of water conservation features in project buildings, and improves the assessment of cumulative impacts to the Mojave desert tortoise. We recommend that all mitigation measures be included in the Record of Decision and as conditions in construction contracts and other approvals, as appropriate. We have no objections to the proposed project.

EPA appreciates the opportunity to review this FEIS. If you have any questions, please contact Karen Vitulano, the lead reviewer for this project, at 415-947-4178 or [vitulano.karen@epa.gov](mailto:vitulano.karen@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique Manzanilla".

Enrique Manzanilla, Director  
Communities and Ecosystems Division

cc: William Anderson, Chairman, Moapa Band of Paiutes  
Darren Daboda, Environmental Director, Moapa Band of Paiutes  
Michael Burroughs, U.S. Fish and Wildlife Service  
Tracey A. LeBeau, Director, U.S. Department of Energy, Office of Indian Energy Policy and Programs  
Crystal J. Jackson, Executive Director, Nevada Public Utilities Commission  
Steve Black, Counselor to Secretary of the Interior, U.S. Department of the Interior  
Janea Scott, Special Assistant to the Counselor, U.S. Department of the Interior