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UNITED STATES DEPARTMENT OF ENERGY AND BUREAU

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OF LAND MANAGEMENT

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SOLAR ENERGY DEVELOPMENT

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PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

9

(PEIS)

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PUBLIC SCOPING MEETING

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TUESDAY, FEBRUARY 15, 2011

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LAS VEGAS, NEVADA

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1 A P P E A R A N C E S

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3 Bureau of Land Management

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5 JANE SUMMERSON

6 U.S. Department of Energy

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1 P R O C E E D I N G S

2 LAS VEGAS, NEVADA, TUESDAY, FEBRUARY 15, 2011

3 7:30 P.M.

4

5 MS. HARTMANN: I'm just going to say now
6 if someone wants to speak tonight and you didn't get
7 around to registering online or at the registration
8 desk at the back, please just go give your name to
9 Ben, who's standing at the back of the room and
10 you'll have your chance to speak. The format is
11 that you will come up and state your name and
12 organization, if applicable, and please try to
13 speak, I hope I've been speaking close enough to the
14 mic, but when you come up, please speak close to the
15 mic so that our court reporter can get everyone's
16 comments accurately. This is Rene', everyone.
17 Thank you for recording for us.

18 And I'm going to be timing the comments.
19 We request that everyone stick to a five-minute
20 comment period. One way you will know when your
21 time is up, when you have spoken for four minutes
22 I'll be sitting right there and will show you this
23 yellow card, just to let you know you have one
24 minute left. And when you've reached five minutes,
25 I'll show you the red card. We have about 26 people

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1 registered to speak, I counted now, anyway, so I've
2 got 26 speakers. If you don't finish your comments
3 within the five-minute period, what we would request
4 is that you wrap it up and say, "I have more
5 comments and I'd like to come back after the rest of
6 the speakers have gone," and continue. So that just
7 makes sure that everyone can be heard initially and
8 then you'll get another chance.

9 And then my final request is before you
10 start to speak, if you wouldn't mind quickly writing
11 your name down. We have problems sometimes with
12 misspellings. So if you could it write for us, we
13 would appreciate it.

14 With that, I'm going to go ahead and call
15 the first speaker. I have to get my list. I'm just
16 going to turn this so that you can also speak to
17 Linda and Jane.

18 SUMMERSON: And when you write your name
19 down if you could print it for Rene', it would be
20 very helpful. Thank you.

21 MS. HARTMANN: Our first speaker is
22 Randall Hines with Solar Forces, Incorporated.
23 Randall, are you here? We'll come back to Randall,
24 if he comes. Okay. We have Ian Zabarte with
25 Western Shoshone Government.

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1 MR. ZABARTE: Thank you. Good evening.
2 My name is Ian Zabarte. I'm the Principal Man for
3 Foreign Affairs of the government of Newe Sogobia,
4 the land of people that has existed in the Great
5 Basin for thousands of years. Newe Sogobia is the
6 embodiment of the Western Shoshone people and land
7 as a distinct people. In 1863, the United States
8 government was engaged in a Civil War. The
9 government of Newe Sogobia allied itself with the
10 United States government to allow rights of passage
11 across Newe Sogobia to facilitate the transportation
12 of gold east. The Treaty of Ruby Valley, 18 Statute
13 689, was the instrument of International Law
14 employed as a purchase agreement for the rights
15 sought by the United States government. In Article
16 7 of the Treaty of Ruby Valley the United States
17 acknowledged and agreed to pay for the interests
18 owned by the government of Newe Sogobia. No other
19 rights, title or interests were sought or
20 acknowledged to be transferred to the United States
21 government. The United States has engaged in
22 policies, a systematic process intended to dismantle
23 the living culture of Newe Sogobia for the profit of
24 the American commercial interests to benefit the
25 United States government. The use of such methods

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1 in practice against the vulnerable Western Shoshone
2 people is a serious violation of International
3 Humanitarian Law and the Proxmire Act of 1987.

4 Newe Sogobia does not consent to the
5 inclusion of any part of Newe Sogobia into the
6 boundaries or jurisdiction of any state or
7 territory. Attached to these comments are a map of
8 28 pages listing of Western Shoshone Lands by state,
9 meridian, township and range for reference purposes
10 only and do not imply that the lands are actually a
11 part of any state or territory that conform to the
12 boundaries of Article 5 in the Treaty of Ruby
13 Valley. Any claim of right, title or interest by
14 the United States government that does not conform
15 to the supreme law of the land, vis-a-vis the
16 treaty, are not legitimate and a violation of the
17 organic law of the states involved; for example, the
18 12th Statute 209, which is the Nevada Organizing
19 Act, Federal statute.

20 Care should be given to review the laws
21 for potential political, legal, social, economic
22 cultural, human, health and environmental impacts
23 from acts violating existing valid laws.

24 Who wants this? Thank you.

25 MS. RESSEGUIE: Thank you.

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1 MS. HARTMANN: Our next speaker, Jane
2 Feldman, with the Sierra Club.

3 MS. FELDMAN: Who needs it written?

4 MS. SUMMERSON: Any one of us. We'll put
5 it together. Actually, your name, there's a list up
6 there. I'm sorry.

7 MS. FELDMAN: My name is Jane Feldman.
8 I'm a spokesperson for the local group of the Sierra
9 Club. I'm the energy chair for the Toiyabe chapter
10 of the Sierra Club and the conservation chair for
11 the entire group of the Sierra Club. I have some
12 brief comments, and this I'm speaking for the Sierra
13 Club, although the work that we've done is the work
14 of many individuals, sometimes within organizations
15 partnering with a survey of the land in Nevada, in
16 California in particular, as they relate to this
17 Programmatic EIS.

18 One of the things that I wanted to preface
19 my comments with is that the Sierra Club supports
20 utility-scale renewable energy as we move into a new
21 energy future for the nation. We support energy
22 efficiency in our future generations, and our third
23 choice in our priority list would be utility-scale
24 renewable energy. So it is one of our goals to, and
25 we're looking forward to renewable energy on public

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1 land and in private land in both Nevada and
2 California.

3 I was listening to the speaker talking
4 about the criteria that selected the solar energy
5 zones, and they were things such as the priority
6 zones, the solar energy zones were chosen because
7 they were close to roads and transmission, the
8 institutional knowledge, the land use plans that
9 were in place, but one of the criteria does not
10 include the species, the habitat, the ecosystems,
11 the plants and animals that are already there. So
12 when the environmental organizations, Sierra Club
13 and our partners, are looking at the solar energy
14 zones and anywhere on public land, BLM land in
15 Nevada or California in particular, we're looking at
16 the ecosystems, plants and animals that are there.
17 And the kind of site that we would have criteria for
18 sites, for projects to be placed at are the kinds of
19 places that would have the least conflict and the
20 fewest impacts on those natural and cultural
21 resources, endangered and sensitive species, plants,
22 animals, wildlife and wildlife corridors. Access of
23 the road and transmission, we understand that's very
24 important, especially if new transmission has to be
25 built. That's additional impacts that would be done

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1 on the landscape there.

2 Another criteria would be preexisting
3 disturbed land, and we don't think there has been
4 enough work done to identify previously disturbed
5 land, public lands and private lands that could be
6 exploited and capitalized for a renewable energy
7 project of this scale. And we're also looking for a
8 project technology and design that uses the very
9 least water possible anywhere in this desert
10 southwest. Water is a premium.

11 So our first reaction is to the preferred
12 alternative, which is 22 million acres. And our
13 position is that 22 million acres is not nearly
14 selective enough to really help drive developers to
15 the places where there would be the least conflicts
16 and the fewest impacts on natural resources. And
17 our suggestion would be to choose the solar energy
18 zone program alternative, and then we would suggest
19 some changes within that proposal, the way this EIS
20 describes that proposal right now.

21 Some of the things that we're looking at
22 is, of course, is develop those projects outside the
23 solar energy zone, that the basis of that particular
24 alternative allow the BLM to designate additional
25 zones in the future in areas that might be

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1 identified, especially identified areas that would
2 be previously disturbed. And in California, in
3 particular, we want to finalize the boundaries of
4 the solar energy zones there only after the Desert
5 Renewable Energy Conservation Plan is completed,
6 because we think that if you finalize the zones
7 before that, you will end up having some conflicts
8 with that particular planning process.

9 We're also suggesting that two of the
10 proposed zones in California be removed from the
11 solar energy zones areas, and that would be Iron
12 Mountain and Pisgah zones, but then we're also
13 suggesting that there might be some other places in
14 California, the West Mojave region and maybe the
15 Chocolate Mountains that might be considered for
16 solar energy zones there. We also want to have more
17 detailed analysis for each solar energy zone,
18 talking about those natural and cultural resources
19 that we're interested in, the endangered and
20 sensitive species, the wildlife, plant, animals and
21 other corridors that would be considered. And then
22 we need to also make sure that the mitigation
23 efforts that are being suggested are truly effective
24 and that they lead to net conservation benefits for
25 the wildlife and habitat impacted by that program.

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1 Thank you, so much.

2 MS. HARTMANN: Maurice Frank Churchill
3 with the Duckwater Shoshone. Maurice, would you
4 also state your name?

5 MR. CHURCHILL: Maurice Frank Churchill.
6 I'm with the Duckwater Shoshone Tribe. I do the
7 cultural resources work for the tribe. So this is
8 where I will talk about in regard to this, how would
9 you say, correspondence that goes on with the BLM
10 and the tribes, we receive numerous letters daily.
11 And when we talked several years back in 2008, you
12 know, we were not aware of these things that are
13 happening. But what I can share with you all is
14 that in the areas in central Nevada, that is Western
15 Shoshone homeland. And there's a lot of cultural
16 sites that's going to be impacted, not only cultural
17 sites, but plant-gathering areas, hunting areas,
18 trail systems, just to name several. So that's
19 where the tribes' concerns are. And we will submit
20 more in writing in regard to the tribes' concerns.
21 So thank you.

22 MS. HARTMANN: Thank you. Richard Arnold
23 with Pahrump Paiute Consolidated Tribes and
24 Organizations. Richard's not here? Denise
25 VanSousen.

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1 UNIDENTIFIED SPEAKER: Not here.

2 MS. HARTMANN: Butch Martin.

3 MR. MARTIN: Good evening. My name is
4 Butch Martin. My wife and I live in northwest
5 Arizona where several solar, large solar projects
6 are planned on private property. The types of solar
7 technology approved by the Department of the
8 Interior on public land will influence the types
9 developed on private lands. I'm glad to see that
10 all nine commercial scale solar projects on BLM land
11 appear to be using minimal-impact technologies and
12 technologies that use minimal water.

13 I would like to encourage the DOE and DOI
14 to continue to approve only low-water usage
15 technologies as it is important to preserve valuable
16 desert aquifers. I commend you for soliciting
17 public comments during your analysis of potential
18 impact of utility-scale solar energy.

19 A year ago during the approval process for
20 a wet-cooled parabolic trough facility in our area
21 two women, Susan Beyer and Denise VanSousen, were
22 initially denied the opportunity to voice their
23 concerns about a developer's plan to draw large
24 amounts of water from the Hualapai Valley aquifer at
25 the company's Red Lake location. The women were

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1 eventually granted intervenor status and their
2 concerns were supported by the Arizona Corporation
3 Commission. Most notably, former chairperson
4 Kristin May presented an amendment recommending that
5 the facility use either one hundred percent waste
6 water, dry-cool technology or a combination of dry
7 cooling and effluent. In my opinion, the decision
8 was appropriate to ensure long-term water
9 sustainability in desert regions.

10 I would urge that careful consideration be
11 given to the land and its non-human inhabitants, who
12 are usually considered last in development plans.
13 Because of the size of land required for large-scale
14 solar, my wife and I are proponents for minimal
15 environmental disturbance. Should the solar energy
16 technology become outdated, I would hope that the
17 land to be reclaimed and returned to its original
18 state. Thank you.

19 MS. RESSEGUIE: Thank you.

20 MS. HARTMANN: Wayne Smith?

21 MR. SMITH: My name is Wayne Smith and I
22 reside in Kingman, Arizona. And I thank you for
23 allowing us to voice our opinion. Because of the
24 size of utility scale solar and wind farms, I do
25 believe that BLM land is the place to build these

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1 structures, not private land, as it will devalue the
2 land for all of its neighbors and surrounding area,
3 and will affect their quality of life. I do think
4 restrictions need to play even on BLM land. When
5 these zones are created and energy farms are built,
6 it should not affect the ecosystem, the fauna and
7 the animals that live in the area, natural runoff,
8 rivers or streams. Other things to consider are
9 historical sites, scenic values and environmental
10 issues. Water has to be considered in every case,
11 when building a wind or solar plant. When placing
12 or building energy farms, things that need to be
13 considered after it rains is the runoff; where the
14 water runs to, streams, rivers, lakes and pollution
15 of all these.

16 If an aquifer is to be used for any
17 purpose in the production of power, the recharge
18 rate of that aquifer has to be taken into
19 consideration. And no aquifer should have a
20 negative recharge rate because of a power plant.
21 Parabolic trough solar plants in my opinion, have
22 already, have outdated technology and should not be
23 built as they use thousands of acre feet of water a
24 year. We are trading an extremely valuable resource
25 for another resource. Water should never be a part

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1 of that equation. If the parabolic trough solar
2 plants are allowed to be built, they should not be
3 able to use an aquifer as its water source.

4 Other negative issues are the ground needs
5 to be graded within a three-degree slope. Toxic
6 water ponds are created by these plants which will
7 kill any animal that drinks from it. Generally,
8 they spray something on the ground to help prevent
9 dust that will probably eliminate any natural
10 environment for as large as the pond itself.

11 Technology has to be considered in all of
12 this. Just as in the computer or television
13 business, wind and especially solar, will advance
14 every few years, so much that the current panels
15 will become antique. In a few years they'll be able
16 to produce the same amount of electricity on 40
17 acres as they do on a whole section of land now. I
18 would like this industry to start with smaller farms
19 instead of building a three or five square mile of
20 something that will be outdated within a few years.

21 Also, as technology advances, hopefully
22 the cost of the wind and solar will come down. As
23 it is my understanding, the retail side of the solar
24 and wind power will cost close to three times as
25 much over current technologies. This is really a

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1 bad thing for the economy and jobs. It will also
2 make us less competitive in the world market.

3 Part of the requirement when building a
4 farm on private or BLM land should be a bond or
5 clean-up fund held in a reserve account to restore
6 land to prior condition without the taxpayers
7 getting the bill. As it always seems, profits are
8 privatized, taxpayers pay for losses of clean-ups.

9 Although government and common sense
10 generally don't go hand in hand -- you like that? I
11 like it. The common sense here would be for most of
12 the government grants, subsidies and monies to be
13 put into research and development with colleges,
14 defense department contractors or private companies.
15 Get technology advanced to a point that we don't
16 have to use large sections of BLM or private land at
17 all. Make smaller units for panels that are so
18 efficient and affordable, that every home and
19 building owner will have some form of this
20 alternative power. Once this is done, the cost will
21 come down. This would be a win-win situation for
22 America and the world. Thank you.

23 MS. RESSEGUIE: Thank you.

24 MS. HARTMANN: Next we have Alex Daue with
25 the Wilderness Society.

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1 MR. DAUE: Hi, my name is Alex Daue. I'm
2 with the Wilderness Society. And I appreciate the
3 BLM providing the opportunity for us to comment
4 tonight. I'm impressed to see so many people here
5 to talk about solar energy. I was told there was
6 going to be pizza and beer, but Linda tells me
7 they're going to remedy that for the rest of the
8 public meetings, so hopefully that will continue to
9 keep the numbers up.

10 The Wilderness Society is a national
11 nonprofit that works to protect wilderness and
12 inspire Americans to care for our wild places. And
13 we've been doing that for 75 years across the
14 country. Part of that work now is how to address
15 large-scale renewable energy and transmission
16 development. And we're really excited by a lot of
17 the ideas and activities that the Department of the
18 Interior, DOE, the BLM has taken so far. This
19 administration has prioritized the environmentally
20 responsible development of renewable energy. And we
21 think that's great. Like the folks from the Sierra
22 Club and many others here, we support utility-scale
23 renewable energy as part of our energy solution. We
24 need to prioritize efficiency and conservation of
25 energy as well as building solar energy on our

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1 rooftops first, but we're going to need some of
2 these large-scale plants. And the question is how do
3 we do that in the way that doesn't sacrifice the
4 special places that we care about on our public
5 land? And I have to say, I'm really impressed with
6 what the BLM has done with identifying the solar
7 energy zones. They have worked with their local
8 field offices, with the folks who have the
9 expertise, who know these lands, to screen out areas
10 that will have huge conflicts. To prioritize places
11 that have the best chance for success with the solar
12 energy zones. Places with great solar resources.
13 Places that are flat, close to existing roads and
14 transmission and that don't have huge conflicts with
15 proposed wilderness, with critical wildlife habitat,
16 with places that people like to hunt and fish.
17 These are the places we should be looking to first
18 for our solar energy development on public lands.

19 And again, the BLM has done a great job in
20 identifying these solar energy zones. What we're
21 extremely concerned about is that the
22 agency-preferred alternative does not focus on these
23 zones. Instead, it opens an additional
24 21 million acres to development.

25 Now, you heard what Linda said. The

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1 agency expects over the next 20 years that we're
2 going to need about 215,000 acres of land for solar
3 energy. And that's an aggressive assumption. 22
4 million acres is a hundred times more land than
5 that. The zones are 670 some thousand acres, three
6 times as much land as would be expected to be built
7 by the BLM. They say that the expected development
8 is the same for all of the scenarios, whether they
9 focus on the zones, whether they open an additional
10 22 million acres, or whether they continue business
11 as usual.

12 Our question is why not focus on the place
13 where you have the best chances of success? Now,
14 the zones aren't perfect. We've heard about some
15 problems with the zones in California, a couple of
16 them. We're going to be making detailed
17 recommendations with our conservation partners about
18 refinements that need to happen with these zones.
19 But they're a great place to start. Again, there
20 are plenty of lands to build the foundation for the
21 solar program on our public lands. And beyond these
22 initial zones, we know that there are likely other
23 places out there that might be appropriate for
24 development. So we're strongly recommending that
25 the BLM also create a process for designating new

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1 zones as appropriate and needed in the future.

2 These zones that we have now are the
3 building points. We recognize we might need more in
4 the future. We can create more. What we don't need
5 is the free-for-all option. The 22 million acres
6 that includes places that we all care about and are
7 not appropriate for solar development. As I said,
8 the Wilderness Society supports responsible
9 renewable energy development, but the 22 million
10 acre alternative includes 1.5 million acres of
11 citizen-proposed lands. These are the areas that
12 people love to go out and hike, camp with their
13 families. These are the places that host our clean
14 air and water. These are the places that might get
15 designated as wilderness in the future.

16 Some of the other folks tonight are going to talk
17 specifically about Nevada and the wildlife habitats,
18 the special places here in our state that could be
19 impacted if we open up an additional nine
20 million acres in Nevada beyond the zones.

21 So I really support what the BLM has done
22 with identifying these zones. We have a great
23 option here. I'm really excited to see all these
24 people out. And I hope that you will all tell the
25 BLM what you think. Do we want to focus on the

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1 places that make the most sense, the solar energy
2 zones alternative, or do we want to continue
3 business as usual and do the scatter-shot approach
4 where we find project locations that might not be
5 appropriate and then fix the problems later on down
6 the line? So thanks a lot.

7 MS. HARTMANN: Michael Cameron with the
8 Nature Conservancy.

9 MR. CAMERON: Good evening, my name is
10 Michael Cameron. I'm with the Nature Conservancy.
11 We're a global conservation organization whose
12 mission is to preserve the plants, animals, and
13 natural communities that represent the diversity of
14 life on earth, and the lands and the waters that
15 they need to survive. We are organized into state
16 chapters. And I'm here this evening to present
17 comments on behalf of the Nevada chapter. The
18 Nature Conservancy has been working in Nevada for
19 roughly 30 years and has conserved and restored
20 thousands of acres across the state. We are deeply
21 familiar with the ecology of the Mojave Desert and
22 are committed to its long-term protection.

23 The Nature Conservancy believes that solar
24 energy development is part of the solution to
25 climate change, to securing our nation's energy

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1 independence and for stimulating job creations for
2 economic recovery. However, if not located, built
3 and operated responsibly, solar energy projects can
4 harm wildlife and their habitat, and diminish water
5 resources in fragile desert environments. The goal
6 to increase clean energy development and protecting
7 biodiversity are not mutually exclusive, but instead
8 are highly consistent, so long as the right policies
9 are adopted.

10 The Nature Conservancy recently completed
11 an exhaustive Mojave Desert eco-regional assessment
12 that identifies the location and extent of the most
13 important, intact areas of biodiversity in the
14 Mojave Desert. Some of the key findings include the
15 fact that 86 percent of the Mojave Desert retains
16 high conservation value, and roughly half of this
17 area is under ownership of BLM. Our comments this
18 evening are based on the scientific assessment. We
19 have three basic comments with respect to the PEIS.
20 The first as it's already noted, the preferred solar
21 development program alternative would open up far
22 more BLM land to development than is prudent
23 environmentally or necessary economically. Instead,
24 the solar energy zones alternative is superior
25 insofar as it reduces the potential conflicts

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1 between solar development and biodiversity and
2 habitat, while still preserving ample room for solar
3 development. The preferred alternative would open
4 up roughly 21 million acres of public land for solar
5 development. According to the Nature Conservancy's
6 analysis, roughly one quarter of these lands, or
7 more than five million acres, would directly impact
8 important conservation areas that contain more than
9 one hundred species listed under the Endangered
10 Species Act, and hundreds more that could be
11 jeopardized by development on these lands.

12 Conversely, the solar energy zones
13 alternative would require the project be built in
14 the 24 zones across roughly 680,000 acres of having
15 excellent solar resources, flat lands, proximity to
16 existing roads and transmission lines and have
17 limited conflict with important wildlife habitat and
18 biodiversity. Our analysis has found that the solar
19 energy zones alternative reduces the area of
20 biodiversity impacted by development by nearly
21 96 percent, relative to the preferred alternative.
22 By focusing on the places with the best chances for
23 successful projects, the zones alternative will lead
24 to solar development that is faster and cheaper,
25 better for the environment and consumers and project

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1 developers.

2 Within the zones we do encourage the use
3 of eco-regional assessment tools to refine the zones
4 and sites within the zones. I'm going to cut my
5 comments a little short because some of them are
6 redundant to other things that have been said.

7 Our second comment, however, that was our
8 first, our second comment is that the PEIS must
9 create a framework that allows for ecological
10 impacts that occur on BLM land to be mitigated or
11 offset on other ecologically impacted BLM land.
12 Those BLM lands which are designated for mitigation
13 will require long-term protection against adverse
14 impacts from other incompatible users. In addition,
15 mitigation funds should be directed toward areas of
16 high ecological value identified by landscape scale
17 eco-regional assessments. Presently, the Draft PEIS
18 does not contain sufficient provisions to achieve
19 these outcomes.

20 The third and final comment is that the
21 proposed best management practices for avoiding or
22 minimizing impacts from solar energy development are
23 largely silent with respect to conserving water
24 resources and offsetting unavoidable impacts. The
25 long-term conservation and protection of water

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1 resources is critical to the maintenance of desert
2 ecosystems, and the species and habitat that depend
3 on these water resources to survive. The PEIS
4 should ensure that solar energy development does not
5 impair the quantity, quality, delivery or function
6 of water resources. Thank you for your attention.

7 MS. RESSEGUIE: Thank you.

8 MS. HARTMANN: All right. Ray Verhelst
9 with B & K Rechargeable Battery.

10 MR. VERHELST: Thank you. My name is Ray
11 Verhelst and I represent the second largest lithium
12 ion battery manufacturer in China. The Senging B &
13 K Rechargeable Company which has just made the
14 commitment to develop a U.S. presence here in
15 southern Nevada for the primary purpose of
16 developing large energy, solar energy and/or
17 utility-level storage battery systems for the North
18 American residential, commercial and utility-scale
19 projects. I'm here to voice our support for the
20 rapid approval and project deployment of these
21 projects. In fact, this effort was used as one of
22 the positive decision points for the commitment to
23 B & K to create a presence here in southern Nevada.

24 We're currently completing a new
25 1.9 million square foot production facility in

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1 Senging, China and look forward to establishing an R
2 and D research facility in Las Vegas to open in the
3 next 12 to 18 months. Our specific goal is to
4 develop large storage cell systems for solar,
5 geothermal, for utility, grid management, that type
6 of thing. So the organization has made a real solid
7 commitment to look at the opportunities that these
8 projects present. We currently produce over
9 15 million cells a month right now and expect a
10 growth of the large storage systems through the
11 world. We anticipate our production to increase
12 30 million units per month.

13 It's our hope that all the interested
14 parties can come to an agreeable solution in the
15 shortest period of time so that technology
16 developments can continue with the incentives for
17 companies like ours, so that we can continue to seek
18 opportunities to reduce the size, deliver lower
19 costs and greater efficiencies through our systems
20 to support the projects that you're looking forward
21 to employing.

22 We obviously are very concerned about the
23 conservation and the use of the land in its proper
24 capacity, but we believe that obviously, our
25 capability of providing energy storage resources to

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1 help move this project along is something that is an
2 important incentive to the companies and we're here
3 to support the efforts that are going through.
4 Thank you.

5 MS. HARTMANN: Mark Shaver, Dolan Springs
6 Community Council.

7 MR. SHAVER: My name is Mark Shaver from
8 Dolan Springs. And one of the things that we had
9 come across is kind of rather, I guess, unique for
10 our little area, and that is the development of
11 solar technology and local policies. We're finding
12 that project managers are now writing public
13 policies and County ordinance, which we think is --

14 MS. HARTMANN: Mark, can you speak a
15 little closer?

16 MR. SHAVER: We take it as a conflict of
17 interest. Although it helps assist in land use to
18 be consistent with BLM land or the designation --
19 I'm not very good at public speaking -- but we find
20 this disturbing. And what we -- going through the
21 NEPA process we ran across a section called the
22 Environmental Policy and Conflict Resolution Act of
23 1998. There's a conflict, you are supposed to go to
24 it and help us. Well, we found out what the trigger
25 was, but once we got there to that point as we

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1 talked about, Miss Resseguie, there was no actual
2 protocol how to deal with such a situation as this.
3 So I don't have any way to offer you, but from my
4 point of view we can't have private developers
5 developing public policies and County ordinance
6 pursue this type of technology. It's bad for the
7 environment, the human environment when it comes to
8 water use and land use.

9 I had a lot to say, but my other speakers
10 already took it up, so that's it. Thank you.

11 MS. RESSEGUIE: Thank you.

12 MS. HARTMANN: Michael Dansen? Greg
13 Seymour with the Nevada Wilderness Project.

14 MR. SEYMOUR: Good evening. My name is
15 Greg Seymour. I'm the renewable energy project
16 coordinator for the Nevada Wilderness Project. And
17 most of what I was going to say, everybody else has
18 talked about it, so I'll make this nice and short.

19 First of all, I would like to say that we
20 support renewable energy in a lot of different
21 forms, including industrial, solar and wind and so
22 forth on public lands. And we support the Smart
23 from the Start approach that the Department of
24 Energy is adopting, which includes siting near
25 transmission on flat lands, near roads, and

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1 hopefully undisturbed lands.

2 We support the solar energy zones concept.

3 We do not support the solar energy zones plus the

4 extra lands, which includes here 9.1 million acres.

5 We just don't see that as logical. If you're going

6 to do the solar energy zones approach, then why add

7 all this other land? If the BLM or the Department

8 of Interior chooses the 9. million acre alternative,

9 then we would suggest that there be stronger reasons

10 for the developers to want to choose the SEZ's.

11 We also support the removal of the

12 sensitive lands, which you did. We think that's a

13 great idea. National parks, ACEC's and so forth,

14 areas around those. However, we would like to see

15 larger buffers around, for example, national

16 historic trails, national registered historic,

17 national register of historic properties and

18 traditional cultural properties. Right now, the

19 buffers I don't believe are large enough. For

20 example, historic trails, I think it is a quarter of

21 a mile from the center line, and that's not at all

22 adequate.

23 One thing that we would like to see since

24 these are multiple use public lands and these leases

25 are for 30 years, we'd like to see something in

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1 return, because it takes the land from multiple use
2 to single use. So we're supporting some kind of
3 conservation easements or other kinds of mitigation
4 in lieu of those. And I would like to say, you
5 know, I have been in Nevada for quite a long time
6 and one of the things that I really appreciate about
7 Nevada is the landscapes, the rural landscapes. I
8 know that there are people from all over the world
9 that come here to see, to experience the wild places
10 in Nevada. And that's not just wilderness areas or
11 the national parks, but all of those big, vast
12 valleys we have. And that's a huge moneymaker for
13 the rural communities. And I would like to see
14 those preserved. And that's the reason why I think
15 that we really need to put the focus on the solar
16 energy zones rather than having these
17 industrial-sized projects scattered all over the
18 place. Thank you.

19 MS. HARTMANN: Robert Gaudet.

20 MR. GAUDET: Good evening. My name is
21 Robert Gaudet. I have lived here since 1969, so it
22 kind of makes me a lifer, kind of. And I represent,
23 I am the current president of the Nevada Wildlife
24 Federation. We are affiliated with the National
25 Wildlife Federation that has over two million

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1 members.

2 In an effort to establish a clean energy
3 program for this and future generations, be it
4 solar, wind, or geothermal, we cannot and must not
5 continually endanger and ignore our wildlife and
6 habitat. The majority of solar energy development
7 occurs on wide expanses of valley floors. This
8 development usurps areas that are critical to mule
9 deer wintering and fawning and their access ways to
10 standing water during the wet season. Valleys and
11 washes throughout the state provide migration routes
12 for elk, deer, antelope and bighorn sheep. Allowing
13 these animals to roam unencumbered through these
14 ranges is vital to the genetic diversity of our
15 herds.

16 Pronghorn antelope habitat could be
17 fragmented and lost due to interior construction
18 roads of various invasive solar energy projects.
19 Sportman vehicle, vehicular and pedestrian access or
20 licensed bird hunters would be off limits around
21 these solar development sites, potentially affecting
22 the game bird population adversely by not thinning
23 out the flock so that starvation and pestilence
24 don't occur.

25 As you may or may not know, Nevada has

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1 been in a drought state for at least the last ten
2 years, as you can see from our lake level going
3 down. We're not getting any water. It continues to
4 be below average. Certain types of solar projects
5 are highly water-consumptive and could threaten the
6 desert spring water table as well as the [unclear word]
7 streams, the intermediate streams and aquifer flow
8 line for wildlife.

9 I'm not opposed to any development or
10 program that is well-planned and designed and has
11 the least amount of impact on our wildlife and
12 habitat. Thank you.

13 MS. RESSEGUIE: Thank you.

14 MS. HARTMANN: Ellen Spears.

15 MS. SPEARS: Hi. My name is Ellen Spears.

16 Last week I was given an article from a fellow
17 co-worker. And I can't tell you how happy I was and
18 excited to find out that our government and private
19 companies were cooperating to provide clean energy
20 to the people. Nevada is one of six states that
21 could become a model on renewable energy to the
22 American people and to the world. However, upon
23 investigation I learned that not only thousands and
24 thousands of acres are to be leased from BLM land
25 and assessed market value, which I don't even know

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1 what that assessed market value is. I know BLM
2 sells their land for very, very cheap. So now
3 you're going to have private companies renting that
4 cheap, cheap land.

5 I also found out that private industry
6 that is cooperating with the government really
7 doesn't have Nevada or the people's best interest at
8 heart. They don't have to pay back any royalties to
9 BLM, or any of the grant monies that were initially
10 given to them. They would simply rent this cheap
11 land, reduce Nevada's national resources, change
12 Nevada's way of life and then pocket the proceeds.

13 Using large amounts of land as proposed
14 would reduce the available grazing land from our
15 northern neighbors by 18 percent. This most
16 definitely would affect the way of life for those
17 northern ranchers and the indigenous people that
18 already have grazing permits and grazing rights.

19 The amount of water it takes to cool a
20 proposed solar tower is thousands and thousands of
21 acre feet of ground water. They talked about wet
22 cooling. We can run up a 40,000-acre feet of water,
23 underground water, four thousand for dry cooling.
24 Either way, it's depleting a lot of our state's
25 natural resources. This would affect native plants

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1 and animals as described in your 2,900 page
2 feasibility study, some to even extinction. A quote
3 from that feasibility study, you wanted a page
4 number, here it is; 11.7.10.2, quote, "Plant
5 communities that access ground water such as those
6 in the vicinities of playas, could become degraded
7 or lost as a result of lower ground water levels."
8 I asked myself why these great ideas aren't properly
9 implemented to not only benefit the state of Nevada
10 but to all of the American people? Why are we
11 sacrificing land, lots of land? Water, lots of
12 water? And a way of life for ranchers and the
13 indigenous people? And for what? A few jobs,
14 minimal reductions in our power bills? Why are we
15 using solar panels in this manner? They were
16 designed for individual use on rooftops and garages.
17 Why aren't more effective methods being considered
18 for large-scale production, such as solar updraft
19 towers which only takes four acres of land and no
20 water? You know they're high, and the cons to that
21 is that the planes might get them. Well, I think we
22 can teach planes to fly around these towers.

23 Why aren't solar panels being utilized on
24 rooftops, parking garages and government buildings
25 independently as they were designed? Tax break

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1 incentives for individual homeowners and legalizing
2 it for all such as the HOA's would have been a
3 really good start.

4 And finally, why are past mistakes being
5 repeated by allowing private enterprise to control
6 the masses? Companies like Bechtel, Sempress, T
7 Body Energy (sic) and other powerhouses that were
8 nuclear and coal producers in the past are now
9 repeating their dirty business practices, but now
10 they're doing it with a green mask.

11 I'm glad that this dialogue is occurring
12 between industry, government and citizens and that
13 our mindset is on clean energy. Science and
14 technology is here. And there's no reason that
15 clean energy is not available to the masses in this
16 day and age in which we live. I only hope that our
17 government leads its people to justice. And I hope
18 private enterprise provides affordable, clean energy
19 with equity to the people so that this partnership
20 really does become a model for the betterment of the
21 world and humanity. Thank you.

22 MS. RESSEGUIE: Thank you.

23 MS. HARTMANN: Aleta Dupree.

24 MS. DUPREE: Good evening. Thank you for
25 giving us the time to speak. I come to you as a

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1 consumer of electricity. I am from Las Vegas. I
2 live here in the Paradise Road neighborhood, right
3 where we are. I live in an all electric home. My
4 primary mode of transportation, the only vehicle
5 that I own, is an electric vehicle, a small electric
6 bicycle. I believe we need solar. It's a necessary
7 part of conversation. And I believe we need utility
8 solar along with distributed solar here in the city,
9 and energy efficiency. Just as I strive in my life
10 at home to live a low-impact life in the
11 conservation of electricity and water, so must we be
12 efficient with water and other land resources as we
13 build these utility-scale power plants in the
14 desert. I believe that the zone, the solar energy
15 zones are good start as we can concentrate the
16 development in areas where we can take advantage of
17 the best resources. I believe, as many have said,
18 that we need to strive for technologies that use the
19 least amount of water. Just as I strive to reduce
20 the amount of water in my home because water is
21 limited, so must we keep in mind the long-term
22 affects of the supply of water to run these plants;
23 otherwise, just as we've depleted oil and other
24 natural resources, we don't want to deplete water
25 out there in the desert. So our water supply on

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1 these plants must be sustainable over the long haul
2 so as we can get toward no water use, get as close
3 to that as we can, that is a very important part of
4 the conversation.

5 As we go forward, we know that there will
6 be a growth in energy over time. And we need solar
7 energy. We are in an energy crisis. As the
8 electrification of America continues with electric
9 vehicles and electrical technologies in our home, so
10 must we be able to provide the power in a clean and
11 environmentally responsible manner.

12 Using the zones will allow us to focus on
13 land, but we have to keep in mind the long-term
14 future of all the land in our state and the states
15 surrounding us. We don't want to have situations
16 where we build plants and it ends up being like
17 Mt. Hope in West Virginia. I do believe, though,
18 that we can build these facilities as part of the
19 total solution of efficiency and distributive
20 generation so that we can have the power that we
21 need without fowling the air and depleting the
22 water.

23 I urge that we have a standardized
24 fast-track program so that we can get these plants
25 built and at the same time, keeping in mind the

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1 resources that we're building the plants on so that
2 we will continue to have good space, clean solar
3 energy for the foreseeable future, instead of for
4 the short term. Thank you for your time.

5 MS. HARTMANN: Ellen Ross.

6 MS. ROSS: The comments were covered.

7 MS. HARTMANN: Okay. Vinny Spotleson.

8 MR. SPOTLESON: Hi. My name is Vinny
9 Spotleson. I work in Las Vegas here for the Sierra
10 Club. And I wanted to build off the comments that
11 were given earlier by Jane Feldman. I want to start
12 by saying that the BLM's proposal to update its
13 solar energy program by identifying the solar energy
14 zones, or SEZ's, is a huge improvement over the
15 unplanned project-by-project approach that's been
16 used in the past. So we don't think that the
17 no-action alternative is viable and we think that
18 the system must change from the current state of
19 processing the solar application. I want -- I'll
20 skip over the rest of my comments as they've been
21 made by our friends at the Nevada Wilderness Project
22 and Wilderness Society, but I do want to drive in
23 more of our opposition to the BLM preferred
24 alternative that includes all 22 million acres, or I
25 believe it's, eight or nine million acres in Nevada.

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1 I want to stress again that the logic applied in
2 opening another 22 million acres to development,
3 which is over one hundred more, times more land than
4 the agency's own analysis says is really needed. In
5 the Mojave Desert we have very serious concerns
6 about the endangered desert tortoise. Already, the
7 solar energy zones are in or directly adjacent to
8 the wonderful desert tortoise's habitat. And
9 opening up more acres, millions more acres will put
10 even more desert tortoises at risk and make it even
11 more difficult for wildlife managers to plan a
12 future for this dwindling species.

13 The same goes if you look in northern
14 Nevada at the sage grouse territory. That species
15 is of great concern to the Sierra Club and our
16 members. Water is an especially scarce resource in
17 southern Nevada and our future projects will need
18 careful planning, even for relatively low water
19 usage. Taking the solar energy zone approach only
20 will help water managers plan for future resource
21 use with greater certainty, which will help projects
22 get built. Additionally, it could be useful within the
23 solar energy zones for the BLM and Department of
24 Energy to expand their guidance on appropriate
25 technologies, based on water usage for each of the

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1 individual solar energy zones.

2 Another point is it is nearly impossible
3 to accurately plan transmission for 22 million acres
4 of solar development. And so, again, this is why
5 it's very needed to take the solar energy zones only
6 approach in planning its transmission. I hope you
7 will look towards our written comments where we'll
8 get into detailed zone-by-zone analysis as well as
9 further analysis of the areas outside the zones and
10 the critical resources there that we need to
11 protect. But I really wanted to drive in the point
12 that Sierra Club stands with the other conservation
13 groups here, and we think it's what would be also
14 best for the solar industry itself if the BLM
15 chooses the solar energy zones only alternative.
16 Thank you.

17 MS. HARTMANN: Rob Mrowka.

18 MR. MROWKA: Good evening. My name is Rob
19 Mrowka and I'm an ecologist working as conservation
20 advocate for the national environmental group called
21 the Center for Biological Diversity. The mission of
22 my organization is to provide protection and
23 conservation for rare and periled species, and to
24 work towards reducing atmospheric carbon dioxide
25 levels to 350 parts per million. There might be a

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1 few in the room that may dispute me, but the facts
2 and science surrounding climate change are very real
3 and very serious. It is happening and it is a dire
4 emergency that may be particularly severe for our
5 grandchildren and beyond. The best way to address
6 global climate change, or one of the best ways is to
7 reduce carbon dioxide in our atmosphere. The best
8 way to do that, one of the best ways, perhaps the
9 easiest is to do away with coal-burning fire
10 plants -- coal-powered fire plants, power plants.
11 And to do that we're going to need to look more and
12 more toward renewable energy.

13 Obviously, I think everybody would like to
14 see distributive energy systems, a rooftop,
15 locally-produced electricity. Unfortunately, at
16 least in the short-term, that's not going to be
17 enough. We are going to need industrial-sized
18 renewable energy projects on public lands as well as
19 private lands. The best way, the quickest way to
20 get to that, we believe, is through the BLM's solar
21 energy zone alternative. And I know a lot of people
22 have already spoke about it, so I'm not going to
23 repeat. I just want to drive home a couple of
24 specific facts for Nevada. In Nevada, the BLM's
25 other alternative, the free-for-all, the scattered

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1 approach envisions 9.1 million acres being available
2 for developers to put their stake in the ground and
3 apply for a right-of-way application. Not a very
4 orderly process. As part of the development of the
5 solar energy zone alternative, which in Nevada
6 totals about 171,000 acres, BLM asked its local
7 resource specialist where would the least conflict
8 areas be in your state? Where are the areas that
9 are most accessible to transmission lines? Where is
10 there the most support? And I believe my colleagues
11 in the BLM did a wonderful job in identifying those
12 seven solar energy zones in Nevada. And to support
13 why I say that, I just want to compare the examples
14 for three species; the bighorn sheep, the mule deer
15 and for rare imperiled species.

16 For bighorn sheep, the occupied habitat
17 under the large 22 million for the six western
18 states or 9.1 million for Nevada, it would impact
19 108,928 acres of bighorn-occupied habitat. Now, if
20 you take a look just at the solar energy zones,
21 however, only 604 acres would be impacted. So you
22 can see, the expertise of the BLM resource
23 specialist put the bear on for bighorn. And I'll
24 give you other examples that really result in a
25 significant conservation savings, for mule deer was

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1 mentioned. Mule deer are quite often limited by
2 their winter range, and it's usually the smallest
3 part of their territory in the winter. The BLM
4 large, scattered free-for-all alternative would
5 impact 185,000 acres of winter range that have been
6 identified by the Nevada Department of Wildlife as
7 being critical for our mule deer population. If you
8 take a look at the solar energy zones, however, the
9 impact would only be 7,100 acres.

10 Turning to those species that are rare and
11 periled, like the desert tortoise, many species of
12 desert fish and some desert plants, the free-for-all
13 alternative of 22 million acres would impact 58
14 species. The solar energy alternative, however,
15 would only impact eight. The difference in those
16 numbers represents a lot of efficiency to be gained
17 by solar developers and the agency by focusing in on
18 those fewer number of acres; otherwise, you are
19 going to have groups like my own and others
20 contesting you in court in fighting you every ounce
21 of the way to protect those rare habitats and those
22 critical habitats for other wildlife species.

23 We support all seven of the solar energy
24 zones in Nevada with some modifications that we're
25 going to be suggesting in our written comments. The

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1 biggest concern that we have is over groundwater,
2 and you've heard that from a number of sources.
3 Every one of those seven solar energy zones in the
4 state are either over-appropriated already or very
5 close to being over-appropriated. Even the
6 dry-cooling technologies require thousands of acre 7 -feet. We suggest that the
BLM is going to have to
8 limit the technologies on many of the solar energy
9 zones in Nevada to those that do not require
10 cooling, the non-cooled technologies. But with
11 that, we're very hopeful that we're going to be able
12 to work through the tradeoffs, work through the
13 tight areas and actually be able to assist solar
14 developers in getting their projects on these
15 renewable energy zones up and going in as quick a
16 fashion as possible.

17 And with that, I'll end and we'll be
18 submitting detailed, written comments later.

19 MS. RESSEGUIE: Thank you.

20 MS. HARTMANN: Heidi Plonski? No? Okay.
21 Milo Kostelecky. Milo? No? Paul Harris. We lost
22 our speakers. All right. Let's see. John Hiatt.

23 MR. HIATT: My name is John Hiatt and I'm
24 here representing Red Rock Audubon Society. I want
25 to thank you for the opportunity to speak tonight.

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1 When I looked at the preferred alternative, I was
2 surprised and disappointed. It seems as though, to
3 paraphrase Rudyard Kipling, the elephant labored
4 mightily, and came forth with a mouse. This is hardly
5 any better than the free-for-all we have right now.
6 It really doesn't do anything. I was hoping that we
7 would see something based on solar energy zones,
8 which is not your preferred alternative,
9 unfortunately. It's something that would actually
10 streamline the process and move us forward in this
11 very important work of figuring out how we're going
12 to utilize or make benefit from solar energy on
13 public lands.

14 When I see some of the assumptions that
15 you used to decide how much solar energy would be
16 needed, I'm kind of astounded that it seems not much
17 thought went into that, and I have to ask, did any
18 of the people at the BLM listen to the President's
19 State of the Union address? Maybe this is all old,
20 and the people putting that together didn't hear
21 that, but when the President talked about getting 80
22 percent of our electrical energy from clean sources,
23 whatever that means, by 2035, certainly he wasn't
24 thinking about only 200,000 thousand acres of solar
25 production.

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1 When I look at the location of the solar
2 energy zones, I'm a little bit puzzled by some of
3 them. It seems as though, one, the people picked
4 those out looking for areas of possibly minimal
5 conflict, but they didn't really look and say, does
6 this make any sense from the point of a major
7 industrial facility to go to this particular
8 location. And I'll just pick out one example, and
9 that's the Delamar Dry Lake area. And I would say
10 that when you look at the depth of water in that
11 valley, it's about 2,000 vertical feet of water.
12 When you think of the soils there for building an
13 industrial facility, it's akin to building a
14 facility in a bowl of talcum powder. The soils
15 there are not very conducive to major vehicle usage.

16 When I look at the DOE contribution to
17 this whole effort, I would say that we would be far
18 better served if the DOE really concentrated on
19 sorting out the benefits and non-benefits of various
20 technologies rather than just say, you know,
21 whatever happens, happens and let the applicants
22 figure it out. The BLM really needs to be an active
23 partner. The BLM and DOE need to be active partners
24 in deciding what the best technologies are in the
25 areas selected for solar energy production, and what

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1 will have the greatest chance of surviving over the
2 long-run.

3 I was happy to see that in Chapter 5 in
4 the appendix you're talking about mitigation. But
5 I'm a little bit shocked that you would consider one
6 policy for all six states. Any kind of policy for
7 mitigation needs to be site-specific, or at least
8 regionally specific. Certainly, the kinds of
9 mitigation required in the area with desert
10 tortoises would not be appropriate in Colorado, for
11 instance. So we need some work on mitigation. And
12 when I see some of the maps and promotional material
13 around here that's available, some of it's good, but
14 when I see statements like photovoltaic systems
15 provide shade for wildlife, and promoting that as a
16 benefit, it's hard to keep a straight face. And the
17 BLM and the Department of Energy have serious
18 problems with credibility.

19 So I'll conclude my oral comments right
20 now and I will submit written comments. But
21 basically, I think this is a very important issue
22 and deserves full consideration. And we need to
23 look at this as to how are we really going to move
24 forward and not just take the kind of scatter-shot
25 approach that is shown in the preferred alternative.

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1 Thank you.

2 MS. HARTMANN: John was the last speaker
3 that we had signed up from the registration table.
4 Is there anyone else who would like to speak?

5 MS. DAVIS: I'm Lynn Davis with National
6 Parks Conservation Association. I did not intend to
7 speak tonight. I would rather do anything than
8 speak before a group of people, but my organization,
9 NPCA, stands in alliance with all of the
10 conservation groups and many of the speakers who
11 have stood up tonight, bravely, in my estimation,
12 stood up tonight to make comments.

13 My organization for almost a hundred years
14 has worked to protect national parks on behalf of
15 the American people to make certain that our
16 American parks are protected for future generations.
17 We will be making some exhaustive written comments
18 regarding this and we thank the BLM and DOE, DOI,
19 for the opportunity to comment. We will be making a
20 statement to support the SEZ's and in opposition to
21 the preferred alternative, and we will have a number
22 of details across the six states where the SEZ
23 boundaries and some of the overlays do affect
24 national parks.

25 One thing that was minimally brought up

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1 tonight that got me up here was really to talk about
2 the visual impact of solar development, particularly
3 as they, as Greg Seymour talked about this on trails
4 and so forth, I would like to reiterate that as it
5 regards national parks, what we will be advocating
6 is for at least a 15-mile buffer zone from national
7 parks, that no solar developments are sited within
8 15 miles to protect the visual impact of the
9 external viewpoint from outside the park, and then
10 from within the park. The National Park Service,
11 which is a cooperating agency, has stated that
12 position and we will be advocating for that. We
13 thank you for this opportunity to comment. Thank
14 you.

15 MS. RESSEGUIE: Thank you.

16 MS. HARTMANN: Would anyone else like to
17 speak? All right. Well, we thank you, very much,
18 for coming to this meeting and offering your
19 comments. I know Linda and Jane and the Argonne
20 representatives will be here for a while if you want
21 to talk or ask any questions.

22 (Whereupon, proceedings were concluded at 9:00 p.m.)

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1 STATE OF NEVADA)

) ss:

2 COUNTY OF CLARK)

3 I, Rene' Hannah, Certified Court Reporter,
4 for the State of Nevada do hereby certify:

5 That I reported stenographically the
6 proceedings had and testimony adduced at the
7 proceedings held in the foregoing matter on the 15th
8 day of February, 2011; that my stenotype notes were
9 later transcribed into type-writing under my
10 direction, and the foregoing 50 pages contain a true
11 and complete record of the proceedings had and
12 testimony adduced at said hearing.

13 Dated at Las Vegas, Nevada, on the 1st day
14 of March, 2011.

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RENE' R. HANNAH, CCR NO. 326

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