



United States Department of the Interior



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December 07, 2012

FINDING OF NO SIGNIFICANT IMPACT DOI-BLM-CA-060-0012-0051

**NAME OF PROJECT: Genesis Solar Energy Project Gen Tie Right of Way (ROW)
Modifications**

RELEVANT RELATED ENVIRONMENTAL DOCUMENTS

- The Plan Amendment/Final EIS for the Genesis Solar Energy Project (DOI Control No. FES 10-42). August 2010
- Record of Decision for the Genesis Solar Energy Project and Amendment to the California Desert Conservation Area Plan. November 2010
- The CEC Staff Assessment and Environmental Impact Statement, Genesis Solar Energy Project, Application for Certification (09-AFC-8). September 2010; and subsequent August 2012 approval to amend CEC Decision
- Final Supplemental Environmental Impact Report, Colorado River Substation Expansion (SCH No. 2005101104). April 2011

REASONS FOR FINDING NO SIGNIFICANT IMPACTS

This finding is based on the context and intensity of the project as described below:

Context: The Proposed Action is to change the alignment of the gen-tie line which will connect the Genesis Solar Energy Project (GSEP) plant to the Colorado River Substation (CRS), modify

the SoCal gas reducer valve tie in location, an addition of a ring bus near the CRS, and modify the air quality permits issued by the Mojave Air Quality Management District. This project is on public lands managed by the Palm Springs, South Coast Field Office.

Intensity:

The Council on Environmental Quality (CEQ) regulation includes the following ten considerations for evaluating intensity:

1) Impacts that may be both beneficial and adverse.

None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed any known threshold of significance, either beneficial or adverse.

2) The degree to which the selected alternative will affect public health or safety:

By changing the alignment of the gen-tie line which will connect the GSEP plant to the CRS, modifying the SoCal gas reducer valve tie in location, and adding a ring bus near the CRS, the natural fire regime, firefighters, nearby landowners, and the public will not be exposed to the hazards associated with increased fire frequency, fire size and fire intensity. No aspect of the project has been identified as having the potential to substantially and adversely affect public health and safety.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, prime or unique farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

There are unique cultural and archeological sites within the project area. The proposed ROW modification provides for the retention of qualified cultural resources specialists; preparation of a Cultural Resources Monitoring and Mitigation Plan; implementation of a Worker Environmental Awareness Program; monitoring by qualified cultural resources personnel and Native American monitors during project construction; avoidance or treatment of historic properties; and provisions for accidental discovery of resources or human remains. The area surrounding the north side of the new CRS location, south of the BETL, is characterized as stabilized and partially stabilized sand dune habitat for Mojave fringe toed lizards. The ring bus/switchyard is located within the dune area; however it is on the fringe of the dunes and is marginal dune habitat. The proposed ROW modification will be included in the GSEP habitat compensation requirements which provides for minimization of habitat loss or degradation, and compensation for both sand dune habitat (3:1) and desert habitat (1:1).

- 4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The effects of the ROW modification on the quality of the human environment were addressed in the EA. The effects of the Proposed Action on the human environment were determined to be negligible. Based on our review of the project impact assessment, we do not find any highly controversial effects to the human environment.

- 5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The proposed ROW modification is not unique or unusual. The BLM has experience with similar changes to existing gen-tie line routes in similar areas and has found effects to be reasonably predictable. The environmental effects to the human environment were analyzed in the EA. There are no predicted effects on the human environment which are considered to be highly uncertain or involve unique or unknown risks.

- 6) *The degree to which the action may establish a precedent for future actions with significant effects or presents a decision in principle about a future consideration.*

The proposed ROW modification does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. The proposed ROW modification addresses the unforeseen change of the CRS being located in a position to the south of the gen-tie line structures; as such, the gen-tie line route approaching the substation required modification. Any future projects which require access across public lands will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

- 7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The proposed ROW modification was evaluated in the context of past, present, and reasonably foreseeable actions. These cumulative effects are identified in the GSEP PA/EIS from which this Environmental Assessment tiers. Significant cumulative effects are not predicted from the proposed ROW modification.

- 8) *The degree to which the action may adversely affect districts, sites, highways structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historic resources.*

The proposed ROW modification will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor will the ROW modification cause loss or destruction of known significant scientific, cultural, or historical resources. The cultural resource survey strategy and subsequent conservation strategies that are identified will help in the identification and conservation of undocumented cultural resources.

- 9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

Surveys were conducted according to U.S. Fish and Wildlife Service (USFWS) desert tortoise protocols, including buffer surveys at 100-500 feet from the ROW boundary. USFWS, California Department of Fish and Game, and BLM agreed that conducting surveys starting March 15 was acceptable. Biologists surveyed for all special-status wildlife and plant species concurrently. Mitigation measures as required by the project's California Energy Commission Final Decision and BLM ROW Grant would be applied to the alternate linear facilities route, as applicable. This includes, but is not limited to, protection measures during construction and operations and maintenance for desert tortoise, nesting birds, and other special-status species, minimization of habitat loss or degradation, and compensation for both sand dune habitat (3:1) and desert habitat (1:1).

- 10) *Whether the action threatens a violation of Federal, State or local law or requirements impose for the protection of the environment.*

The ROW modification does not violate any known Federal, State, or local law or requirement imposed for the protection of the environment. The EA and supporting project record contain discussions pertaining to the Endangered Species Act, National Historic Preservation Act, and Clean Air Act. State, local, and tribal interests were consulted during the environmental analysis process.

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION: Environmental impacts associated with the Proposed Action have been assessed. Based on the analysis provided in the attached EA, there are no significant impacts beyond those analyzed in the Genesis Solar Energy Project PA/EIS to which the EA is tiered. I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.



Field Manager

12-07-12

Date