[Use State Office letterhead]

To: Tracy Stone-Manning

 Director

From: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 State Director, \_\_\_\_\_\_\_\_\_

Subject: Concurrence Request to Initiate the National Environmental Policy Act Process for the \_\_\_\_\_\_\_\_\_Solar Project Application in a Solar Variance Area

**RECOMMENDATION:**

In accordance with the 2012 Western Solar Plan, Appendix B and 43 CFR 2800, the Bureau of Land Management (BLM), \_\_\_\_\_\_\_\_\_ State Office, has completed the solar variance review process and determined that it is appropriate to continue processing the \_\_\_\_\_\_\_\_\_ Solar Project application. BLM \_\_\_\_\_\_\_\_\_ is requesting concurrence on the State Director’s \_\_\_\_\_\_\_\_\_ Solar Project Variance Determination.

**BACKGROUND:**

The BLM \_\_\_\_\_\_\_\_\_ Field Office received a right-of-way application (casefile number \_\_\_\_\_\_\_\_\_) from \_\_\_\_\_\_\_\_\_ for the \_\_\_\_\_\_\_\_\_ Solar Project on \_\_\_\_\_\_\_\_\_, \_\_, 20\_\_. The proposed project covers \_\_\_\_\_\_\_\_\_ acres in \_\_\_\_\_\_\_\_\_ County, \_\_\_\_\_\_\_\_\_. It would generate an estimated \_\_\_\_\_\_\_\_\_ megawatts of electricity. Electricity generated is proposed to be delivered to market via the \_\_\_\_\_\_\_\_\_ transmission line.

Within the planning areas amended by the Western Solar Plan, those areas located outside of a Solar Energy Zone and exclusions areas, are designated as variance areas. Developers proposing utility-scale solar energy development on variance lands must demonstrate to the BLM that a solar energy project proposal will avoid, minimize, or compensate for adverse effects on sensitive resources prior to proceeding to application processing and analysis under the National Environmental Policy Act (NEPA). This demonstration includes at least three meetings.

* First, the applicant meets with the BLM and members of its interdisciplinary team to discuss the general project proposal, the status of BLM land use planning for the lands involved, potential siting issues or concerns, potential environmental issues or concerns, potential alternative site locations, and the right-of-way application process.
* Second, the applicant meets with the BLM and with appropriate Federal and State agencies and Tribal and local governments to facilitate coordination of potential environmental and siting issues and concerns that may require further consultation and cooperation.
* Third, the BLM hosts a meeting with the general public. The applicant or the BLM presents the proposal and address questions and concerns.

List the specific dates and locations of the three meetings, as well as the specific issues that came up at the meetings.

Findings from these meetings are incorporated into the BLM’s consideration of whether the proposed project is in an area with low resource conflict(s), and to what extent resource conflict issues may be addressed or mitigated through further processing of the application.

In accordance with the Western Solar Plan, concurrence of the BLM Director with a State Director’s determination of appropriateness is required for a variance application for solar development to be processed. Concurrence by the BLM Director does not constitute an approval of the proposed project; rather, it would allow the BLM to continue processing the application and initiate its NEPA process, including public scoping and the preparation of an environmental assessment or environmental impact statement. Through the process, the BLM can complete a site-specific analysis of potential impacts from the development of the proposed project. Once completed, the NEPA analysis would serve as the basis for any future decision to either approve, approve with modifications, or deny the project.

The attached variance package further describes the coordination completed as a part of the variance review process and the potential issues to address during the NEPA review process.

**STATE DIRECTOR DETERMINATION:**

Following review through the variance process, I have determined that the \_\_\_\_\_\_\_\_\_ Solar Project should continue to be processed and should proceed to the NEPA analysis phase. The project is generally proposed in an area of low resource conflict. There are minor conflicts with [Resource 1, Resources 2, Resource 3, etc.] that warrant further consideration in alternatives to be analyzed through the process. There are no known issues pertaining to impacts on environmental justice communities, and early Tribal consultation has not yielded substantial concerns about the project. I am requesting the BLM Director’s concurrence to proceed with the NEPA process for the right-of-way application for the \_\_\_\_\_\_\_\_\_ Solar Project.

**CONCURRENCE BY THE DIRECTOR:**

[ ]  CONCUR

[ ]  DO NOT CONCUR

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Tracy Stone-Manning

Director

Attachments (X)