



***Bureau of Land Management  
Director's Protest Resolution Report***

**Dodge Flat Solar II Project Final  
Environmental Assessment and  
Proposed Resource Management  
Plan Amendment**

May 7, 2026

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## *Acronyms*

<b>Term</b>	<b>Definition</b>
<b>BLM</b>	Bureau of Land Management
<b>CFR</b>	Code of Federal Regulations
<b>DOI</b>	U.S. Department of the Interior
<b>EA</b>	Environmental Assessment
<b>FLPMA</b>	Federal Land Policy and Management Act
<b>NEPA</b>	National Environmental Policy Act
<b>PRMPA</b>	Proposed Resource Management Plan Amendment
<b>RMP</b>	Resource Management Plan
<b>U.S.C.</b>	United States Code

## ***Introduction***

The Bureau of Land Management (BLM) Carson City District Office released the Dodge Flat Solar II Project Final Environmental Assessment (EA) and Proposed Resource Management Plan Amendment (PRMPA) on February 28, 2026. The Dodge Flat Final EA/PRMPA considers both implementation-level decisions and land use planning decisions. Only the proposed land use planning decisions under consideration are subject to protest. The BLM received one unique protest letter submission during the subsequent 30-day protest period, which ended on March 30, 2026. At the time the BLM issues a decision to authorize implementation-level action of the Proposed Action analyzed in the Dodge Flat Final EA/PRMPA, any party to a case adversely affected by that decision may appeal the implementation-level decision to the Interior Board of Land Appeals.

The planning regulations at 43 Code of Federal Regulations (CFR) 1610.5-2 outline the requirements for filing a valid protest of proposed land use planning decisions. The BLM received one protest letter from one protesting party. The BLM evaluated the submission to determine if it satisfied the regulatory requirements and determined that the protest letter was timely, the protesting party had standing to protest, and the letter contained valid protest issues, as shown in the *Protesting Party Index* below. The BLM has documented its responses to the valid protest issues and recorded the protest decision in writing, along with the reasons for the decision, in this protest resolution report. No changes to the Dodge Flat Final EA/PRMPA have been identified as necessary to address the valid protest issues received.

The BLM's Assistant Director for Resources and Planning addressed the protest letter received and has issued this protest resolution report to the protesting party and posted the report on the BLM's website. The decision was sent to the protesting party by certified mail, return receipt requested. Consistent with the BLM Delegation of Authority Manual (MS-1203, *Delegation of Authority*), resolution of protests is delegated to the BLM Assistant Director for Resources and Planning, whose decision on the protest is the final decision of the U.S. Department of the Interior (DOI) (43 CFR 1610.5-2(b)).

***Protesting Party Index***

<b>Letter Number</b>	<b>Protestor</b>	<b>Organization</b>	<b>Determination</b>
PP-NV-DF-EA-26-01	Simone Griffin	BlueRibbon Coalition	Denied

## ***Range of Alternatives***

### ***BlueRibbon Coalition***

#### ***Simone Griffin***

**Issue Excerpt Text:** The Final EA analyzes only two alternatives: the Proposed Action and the No Action Alternative, and explicitly states that no additional alternatives were developed or analyzed. This limited range of alternatives is insufficient under NEPA, which requires agencies to rigorously explore and objectively evaluate all reasonable alternatives.

#### **Summary:**

A protestor argues the Dodge Flat Final EA/PRMPA unlawfully limits the alternatives analysis to only the Proposed Action and No Action Alternative. They claim this fails the National Environmental Policy Act's (NEPA's) requirement to rigorously explore and objectively evaluate all reasonable alternatives.

#### **Response:**

NEPA requires agencies to evaluate a reasonable range of alternatives that are technically and economically feasible and meet the purpose and need for the proposed action (42 United States Code [U.S.C.] 4332(C)(iii); 42 U.S.C. 4332(F)). NEPA directs agencies to ensure that environmental documents include “a reasonable range of alternatives...that are technically and economically feasible” (42 U.S.C. 4332(C)(iii)) and to “study, develop, and describe” such alternatives (42 U.S.C. 4332(F)). Consistent with this statutory framework, the DOI NEPA Handbook defines reasonable alternatives as those that are technically and economically feasible, meet the purpose and need for the proposed action, are within the bureau's jurisdiction, and, where applicable, meet the goals of the applicant (DOI NEPA Handbook § 6.1(v)). The standard to “rigorously explore and objectively evaluate” alternatives raised by the protesting party originated in the now-rescinded Council on Environmental Quality regulations and is not contained in the NEPA statute itself (40 CFR 1502.14(a) (2024) (*rescinded*)).

As described in Section 2.3 of the Dodge Flat Final EA/PRMPA (p. 31), other locations and configurations were considered during scoping, including adjustments to account for existing mining claims and to avoid Section 26, T.21N., R.23E., but none were identified as viable and technically and economically feasible alternatives to carry forward for detailed analysis. Therefore, the BLM proceeded with detailed analysis of the reduced-footprint Proposed Action. Because no additional technically and economically feasible alternatives were identified that would meet the purpose and need of the Proposed Action, no other alternatives warranted detailed analysis. The EA includes analysis of the No Action Alternative, which provides a basis for comparison consistent with NEPA requirements.

The BLM has complied with the requirements of NEPA and the DOI NEPA procedures in analyzing the range of alternatives analyzed in the Dodge Flat Final EA/RMPA. Accordingly, this protest issue is denied.

## ***Amending Land Use Plan to Address Non-Conforming Project***

### ***BlueRibbon Coalition***

#### ***Simone Griffin***

**Issue Excerpt Text:** The Final EA acknowledges that the Proposed Action does not conform to the governing Resource Management Plan (RMP), including development on lands previously excluded

from solar development and conflicts with designated West-Wide Energy Corridors. Rather than evaluating alternative siting options consistent with the RMP, BLM proposes to amend the plan to accommodate the project.

While FLPMA allows for plan amendments, it does not permit agencies to routinely modify land use plans to justify site-specific projects without sufficient analysis. Here, BLM has not demonstrated that the amendment is consistent with broader land use planning objectives, nor has it evaluated whether the project could be located in areas already designated for solar development. The approach taken effectively reverses the planning hierarchy, allowing the project to dictate the plan rather than requiring the project to conform to it.

### **Summary:**

A protestor asserts that in the Dodge Flat Final EA/PRMPA, the BLM acknowledges the project does not conform to the governing RMP, including excluded solar lands and West-Wide Energy Corridor conflicts, and is improperly amending the plan to fit a site-specific project. They claim this approach violates the Federal Land Policy and Management Act's (FLPMA's) land-use planning framework because the BLM did not justify the amendment or analyze feasible siting options in already-designated solar development areas.

### **Response:**

The BLM is required to develop, maintain, and, when appropriate, revise land use plans (43 U.S.C. 1712 (a)). The BLM's regulations governing land use planning allow land use plans to be modified through amendments (43 CFR 1610.5-5). These regulations specifically identify that amendments are initiated by the need to consider, among other things, "a proposed action that may result in a change in the scope of resource uses or a change in the terms, conditions and decisions of the approved plan" (43 CFR 1610.5-5). These regulations further specify that "[i]f the amendment is being considered in response to a specific proposal, the analysis required for the proposal and for the amendment may occur simultaneously" (43 CFR 1610.5-5).

In the Dodge Flat Final EA/PRMPA, the BLM disclosed that Dodge Flat Energy Center LLC's right-of-way application to construct, operate, maintain, and reclaim the Dodge Flat Solar II Project would not conform to the Carson City Field Office Consolidated RMP (BLM 2001), as amended by the 2012 Western Solar Plan (BLM 2012), for 25 acres that are allocated as exclusion areas for solar development in the Consolidated RMP (Dodge Flat Final EA/PRMPA p. 2). The EA also disclosed that the project would include removal of approximately 608 acres of West-Wide Energy Corridor Reno Connector Corridor 15-17, as adopted in the Carson City Field Office Consolidated RMP (BLM 2001), as amended by the 2009 West-Wide Corridor Plan (BLM 2009) (Dodge Flat Final EA/PRMPA p. 2).

The BLM identified the consideration to amend the Carson City Consolidated RMP (BLM 2001), as amended by the 2009 West-Wide Corridor Plan (BLM 2009) and the 2012 Western Solar Plan (BLM 2012), as part of the purpose and need for the EA (Dodge Flat Final EA/RMPA p. 4). The BLM conducted the analysis for the RMPA in the same EA considering effects to respond to the application by describing the RMPA in each applicable alternative (Dodge Flat Final EA/PRMPA pp. 33 to 113) and disclosing the effects of the change of land management for the project area in each applicable alternative (Dodge Flat Final EA/PRMPA pp. 77 to 81).

The BLM has appropriately complied with regulatory procedures for considering changes to land use plans in accordance with FLPMA. Accordingly, this protest issue is denied.

## *References*

- Bureau of Land Management (BLM). 2001. *Carson City Field Office Consolidated Resource Management Plan*. Carson City: Department of the Interior Bureau of Land Management. May. [https://eplanning.blm.gov/public\\_projects/lup/77963/129016/156971/2001\\_CC\\_CONSOLIDATED.RMP.pdf](https://eplanning.blm.gov/public_projects/lup/77963/129016/156971/2001_CC_CONSOLIDATED.RMP.pdf).
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- . 2012. *Approved Resource Management Plan Amendments/Record of Decision for Solar Energy Development in Six Southwestern States*. Washington, D.C.: BLM, October. [https://eplanning.blm.gov/public\\_projects/lup/87546/128900/156819/Solar\\_PEIS\\_ROD.pdf](https://eplanning.blm.gov/public_projects/lup/87546/128900/156819/Solar_PEIS_ROD.pdf).