



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

**Purple Sage Energy Center Project
Proposed Resource Management
Plan Amendment and Final
Environmental Impact Statement**

August 21, 2026

Contents

Acronyms ii

Introduction 1

Protesting Party Index 2

FLPMA: ACEC Nomination..... 3

Acronyms

Term	Definition
ACEC	Area of Critical Environmental Concern
BLM	Bureau of Land Management
CFR	Code of Federal Regulations
DOI	U.S. Department of the Interior
FEIS	Final Environmental Impact Statement
FLPMA	Federal Land Policy and Management Act
NEPA	National Environmental Policy Act
PRMPA	Proposed Resource Management Plan Amendment
Purple Sage	Purple Sage Energy Center Project

Introduction

The Bureau of Land Management (BLM) Las Vegas Field Office released the Proposed Resource Management Plan Amendment (PRMPA) and Final Environmental Impact Statement (FEIS) for the Purple Sage Energy Center Project (Purple Sage) on June 12, 2026. The Purple Sage PRMPA/FEIS 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 13 unique protest letter submissions during the subsequent 30-day protest period, which ended on July 13, 2026.

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 13 protest letters from 20 protesting parties. The BLM evaluated the submissions to determine if they satisfied the regulatory requirements and determined that eight submissions from nine protesting parties did not have standing, and their letters were dismissed. The five remaining protest letters were timely and the protesting parties had standing to protest, but four letters did not contain valid protest issues, so these letters were also dismissed. The remaining letter was evaluated and 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 Purple Sage PRMPA/FEIS have been identified as necessary to address the valid protest issues received.

The BLM's Assistant Director for Resources and Planning addressed the protest letters received and has issued this protest resolution report to the protesting parties and posted the report on the BLM's website. The decision was sent to the protesting parties 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

Letter Number	Protestor	Organization	Determination
PP-NV-PS-EIS-26-01	Susie Hertz	--	Dismissed: No Standing
PP-NV-PS-EIS-26-02	Kim Newman	--	Dismissed: No Standing
PP-NV-PS-EIS-26-03	Russell Thomas	--	Dismissed: No Standing
PP-NV-PS-EIS-26-04	Tiffany Walker	--	Dismissed: No Standing
PP-NV-PS-EIS-26-05	Julie Tucker	--	Dismissed: No Standing
PP-NV-PS-EIS-26-05	Nicholas Welch	--	Dismissed: No Standing
PP-NV-PS-EIS-26-06	Steven Watkins	--	Dismissed: No Standing
PP-NV-PS-EIS-26-07	Joseph Hughes	--	Dismissed: No Standing
PP-NV-PS-EIS-26-08	Michael Fender	--	Dismissed: Comments Only
PP-NV-PS-EIS-26-09	Tamie Pitman	--	Dismissed: No Standing
PP-NV-PS-EIS-26-10	John Hiscock	--	Dismissed: Comments Only
PP-NV-PS-EIS-26-10	Laura Cunningham	Western Watersheds Project	Dismissed: Comments Only
PP-NV-PS-EIS-26-10	Kevin Emmerich	Basin and Range Watch	Dismissed: Comments Only
PP-NV-PS-EIS-26-10	Emily Thompson	Coalition to Protect America's National Parks	Dismissed: Comments Only
PP-NV-PS-EIS-26-10	Chandra Rosenthal	Public Employees for Environmental Responsibility	Dismissed: Comments Only
PP-NV-PS-EIS-26-11	Robert Blackstock	--	Dismissed: Comments Only
PP-NV-PS-EIS-26-12	Laura Cunningham	Western Watersheds Project	Denied
PP-NV-PS-EIS-26-12	Kevin Emmerich	Basin and Range Watch	Denied
PP-NV-PS-EIS-26-12	Shannon Salter	Mojave Green	Denied
PP-NV-PS-EIS-26-13	Nancy Melendez	Old Spanish Trail Association	Dismissed: Comments Only

FLPMA: ACEC Nomination

Western Watersheds Project, Basin and Range Watch, and Mojave Green

Laura Cunningham, Kevin Emmerich, and Shannon Salter

Issue Excerpt Text: The Federal Land Policy and Management Act (FLPMA) requires the BLM to prioritize designating and protecting ACECs that contain these resources or hazards. ACECs are proposed and evaluated through land use planning using the best available information and extensive public involvement, so you have a say in how they are managed...

...many conservation groups have nominated ACECs: June 28th, 2024 Basin and Range Watch, Western Watersheds Project, Mojave Green, Old Spanish Trail Association, Center for Biological Diversity, Public Employees for Environmental Responsibility, and Susan Sorrells of Shoshone Village, CA nominated a 140,000 acre South Pahrump Valley/ Old Spanish National Historic Trail Area of Critical Environmental Concern to be considered as a conservation measure for the Bureau of Land Management. It was a response to all the proposed infrastructure projects for the area. ...

BLM received our Area of Critical Environmental Concern nomination in a timely manner as cumulatively significant utility-scale solar development is encroaching south Pahrump Valley and impacting high-value resources on public lands. BLM found the ACEC nomination worthy, yet chose to defer designation to the future, while using unproven “temporary management” to try to stave off “irreparable damage” to relevant and important values.

Summary:

A protestor claims the BLM violated FLPMA in the Purple Sage PRMPA/FEIS by failing to prioritize designation and protection of the nominated South Pahrump Valley/Old Spanish National Historic Trail Area of Critical Environmental Concern (ACEC). The protestor alleges that the BLM unlawfully deferred this ACEC’s designation in the Purple Sage PRMPA/FEIS.

Response:

While FLPMA does require the BLM to give priority to the evaluation and designation of ACECs when developing land use plans (43 U.S. Code 1712(c)(3)), the BLM may defer evaluation and designation of nominated ACECs when amending an existing plan if they are outside the scope of the purpose and need for the amendment. To clarify, the BLM’s regulations governing procedures for changing established land use plans permit the BLM to change a land use plan through amendment (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). The BLM develops a purpose and need for a proposed action based on applicable statutory authority and, when concerning the BLM’s duty to act on an application for authorization, will also be informed by the goals of the applicant (DOI National Environmental Policy Act [NEPA] Handbook §1.5(b)(1)(i)). The purpose and need statement “can be an effective tool to control the scope of the analysis and thereby increase efficiency by eliminating unnecessary analysis and reducing delays in the process” (DOI NEPA Handbook Appendix 1(4)(1)).

The BLM established the purpose and need for the Purple Sage PRMPA/FEIS, which is described in Section 1.3 of the Purple Sage PRMPA/FEIS (p. 1-2), to respond to the right-of-way application submitted by Noble Solar, LLC. As part of responding to that right-of-way application, the BLM considered a proposed amendment to the Las Vegas Resource Management Plan to potentially modify the designation of two existing undeveloped utility corridors that intersect the Project site (PRMPA/FEIS p. 1-2).

The BLM acknowledged the nominated ACECs in Section 1.7 of the Purple Sage PRMPA/FEIS (pp. 1-8 through 1-9). The BLM responded to comments on the Draft Environmental Impact Statement requesting designation of the nominated ACECs and noted that designating an ACEC through the Purple Sage RMPA is outside the scope of the purpose and need for the Project (PRMPA/FEIS Appendix H, p. 72). The BLM discussed the determination of ACEC nominations being out of scope for the Purple Sage RMPA in Section 2.11, *Alternatives Considered but Eliminated from Detailed Study* (PRMPA/FEIS pp. 2-27 to 2-46) and identified the consideration of ACECs as “beyond the scope of this analysis” (PRMPA/FEIS p. 2-46) and “would not achieve the BLM’s purpose and need for this Federal action” (PRMPA/FEIS p. 2-46).

Note that Section 1.7 of the Purple Sage PRMPA/FEIS (pp. 1-8 to 1-9) and the Master Response 1 discussion in Appendix H (p. 72), explaining that “[d]esignating an ACEC through the Project RMPA is outside the scope for the Project,” reference the BLM ACEC Manual 1613 that was subsequently rescinded by the BLM on May 29, 2026 (Rescind rel. 1-1832) (see [Form 1221-002 BLM Directives Transmittal Sheet](#)). That citation, however, does not undermine the BLM’s determination. The BLM’s conclusion that ACEC designation falls outside the Project’s purpose and need rests independently on the statutory and regulatory framework detailed above, including 43 U.S. Code 1712(c)(3) and 43 CFR 1610.5-5, and the DOI NEPA Handbook’s guidance on purpose and need statements. The BLM’s determination in the Purple Sage PRMPA/FEIS that designating an ACEC is “beyond the scope of th[e] analysis” and “would not achieve the BLM’s purpose and need for this Federal action” (Purple Sage PRMPA/FEIS p. 2-46) is therefore correct regardless of the superseded manual citation.

The BLM has appropriately complied with the requirements of FLPMA and NEPA to establish the purpose and need for the Purple Sage PRMPA/FEIS and define the scope of the Project. Accordingly, this protest issue is denied.