



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Palm Springs-South Coast Field Office

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**JUN 23 2010**

REC'D JUN 28 2010

**In Reply Refer To:**

8100/1310 (P)

CAD060.66

CACA-048810;

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Deputy Director Terry O'Brien  
Chief, Siting, Transportation, and Environmental Protection Division  
California Energy Commission  
1516 9<sup>th</sup> Street MS-16  
Sacramento, CA 95814

Dear Mr. O'Brien,

The Bureau of Land Management (BLM) Palm Springs and South Coast Field Office would like to continue our efforts to inform and consult with you pursuant to our responsibilities under Section 106 of the National Historic Preservation Act (NHPA) regarding the proposed Solar Millennium Palen Solar Power Project (PSPP) on lands managed by the BLM. To summarize, Solar Millennium LLC submitted an application to the BLM for a right-of-way to develop a solar energy generating facility on federal land in eastern Riverside County. This project is located north of Interstate 10, west of Desert Center, and 38 miles east of the town of Blythe. Ground disturbing activities associated with this project may include construction of access and/or utility roads, administration, operations, and maintenance buildings, a natural gas pipeline, a transmission line to the Colorado River Substation, and installation of the solar collecting systems.

The purpose of this letter is to provide you with an update on the BLM's efforts with regard to section 106 of the National Historic Preservation Act (NHPA), and to transmit the Solar Millennium palen Solar Power Project Draft Programmatic Agreement (Agreement) for your review and comment. Since the project may not be able to avoid all historic properties (resources listed on or eligible for the National Register of Historic Places), regulations implementing the NHPA require that the lead agency (i.e. the BLM) prepare an agreement document in consultation with Indian Tribes, interested organizations and individuals, the California State Historic Preservation Officer, the California Energy Commission, and the Advisory Council on Historic Preservation. On April 23, 2010, the BLM convened a meeting to discuss with Tribes and other consulting parties the need to prepare a programmatic agreement that will govern how the BLM will meet its section 106 responsibility for the project. As discussed at the meeting, the BLM agreed to develop the initial draft of the agreement, which would follow the format of a programmatic agreement which is being developed for the Tessera Solar Imperial Valley Solar Project in Imperial County, California. The programmatic agreement for the Imperial Valley Solar Project has had the involvement of the Advisory Council on Historic Preservation, the California State Historic Preservation Office (SHPO), the Army Corps of Engineers, and the California Energy Commission, as

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well as the participation of Indian Tribes, the National Trust for Historic Preservation, the California Unions for Reliable Energy, the National Park Service's National Historic Trails Program, and other consulting parties. Since many of those parties are also consulting parties to the programmatic agreement for the Solar Millennium Palen Solar Power Project, it was agreed that proceeding with drafting an agreement based on the Imperial Valley Solar Project model would be an efficient and effective way to proceed, would provide consistency in the manner in which BLM is managing the section 106 review of renewable energy applications throughout the California Desert region, as well as expedite the consultation process by adopting or refining language that has already had substantive input, review and comment by a majority of the consulting parties. It would also allow the consulting parties to focus on tailoring the agreement to the specific issues of the Solar Millennium Palen Solar Power Project.

Pursuant to the above, the BLM has developed a draft programmatic agreement that outlines the manner in which the BLM will take into account the effects of the proposed project and conclude its responsibilities under section 106 (please see Enclosure 1). We are submitting this draft agreement for your review and comment. We request that you provide any comments back to us at your earliest convenience or prior to July 16, 2010. Comments may be submitted to the BLM electronically in portable document format (PDF), by email, or by letter.

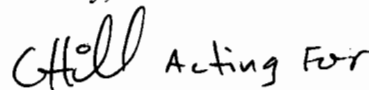
Once the draft programmatic agreement has received this initial review and comment by the Tribes and the consulting parties, BLM will address the comments and incorporate changes and produce a revised second draft which BLM will provide to all consulting parties for further review and consultation. As required by section 106, BLM must have a finalized agreement before the Record of Decision is signed for the project. The Record of Decision is scheduled to be signed in late August or September 2010.

The BLM has also tentatively approved a draft cultural resources survey report for this project. If you require a copy of this report to review or to facilitate your participation in consultation on this project, please contact us at the medium provided below to identify the appropriate individual or office to receive this information and to coordinate on the format and manner on which the BLM can provide this information.

Once again, please send us your comments on the enclosed draft Agreement at your earliest convenience or before July 16, 2010. If you would like an electronic version (PDF) of the draft programmatic agreement please let us know and we will be happy to provide that for you. The BLM would also be glad to meet with you to provide a briefing or other additional information that may be requested. The BLM point of contact for the development of the draft Agreement is George Kline, Archaeologist: email: [gkline@ca.blm.gov](mailto:gkline@ca.blm.gov) and phone: (760) 833-7135. The BLM project manager for the overall project is Allison Shaffer, email: [ashaffer@blm.gov](mailto:ashaffer@blm.gov) and phone: (760) 833-7100).

Thank you for your continuing cooperation with this office. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "John R. Kalish" followed by "Acting For" in a cursive script.

John R. Kalish  
Field Manager

Enclosures: (1) Solar Millennium Palen Solar Power Project Draft Programmatic Agreement