

Variance Request Form



Ocotillo Express Wind LLC
Pier 1 Bay 3
San Francisco CA 94111
415-283-4000

Variance: 008
Request No.: Rev 0
Date Submit: 7/20/2012
Date Approval Needed: 7/27/2012
Date Agency Received: _____
Agency Approval Reference No.: _____

Request Prepared by: Joan Inlow / James Dermody
Spread/ Location: Access Road toward Wind Turbine 9
(Milepost):
Alignment Sheet/Sta.
No.:

Net acreage affected: -1.0 acres

Landowner: BLM

Tract No:

In or within 50 feet of a wetland: Yes No
Within 50 feet of a water body: Yes No

Current Land Use/ Vegetative Cover: Desert vegetation
Nearby Features (Water body, T&E Habitat, Wetland, Noxious Weed): Water of the U.S.
Area, Residence, Cultural Resource Site (distance, etc.):

Variance Level: Level 1 Level 2 Level 3 **(To Be Assigned by Designated Representative)**

Variance From: Permit Plan/Procedure Specification Drawing Mitigation Measure Other:

Detailed Description of Variance: Attachments? Yes No Photos? Yes No

Variance 008 includes the realignment of the access road toward Wind Turbine 9 (see map attached). The total length of the access road realignment is 1,159 feet with a maximum distance of 70 feet from the access road alignment included in the ROD and ROW Grant dated May 11, 2012 .

Variance Justification: The proposed shift in infrastructure is located within areas previously surveyed during the environmental review completed for the Final EIS/EIR. The infrastructure shift for this project area is being proposed by OE LLC in order to comply with Final EIS/EIR Mitigation Measure to minimize disturbances to sensitive environmental resources.

As identified in Section 5 of the ECCMP, construction site conditions and subsequent environmental surveys could result in the need for changes from the approved work spaces. Changes to previously approved work spaces are handled in the form of variance requests submitted by OE LLC to be reviewed and approved or denied by the BLM. The variance procedures outlined in Section 5 of the ECCMP specify three different levels that a variance request may fall under.

In accordance with the procedures and guidance provided in the ECCMP, OE LLC is requesting a level 1 variance to modify permanent access toward Wind Turbine 9. As identified in Section 1.6, Level 1 variances are minor changes to project that provide equal or better protection to environmental resources or better constructability. Variance Request 008 includes a shift in the project alignment up to 70-feet, which is within the criteria established in the ECCMP for a Level 1 variance. As seen in Section 1.6 of the ECCMP a Level 1 Variance does not require any further NEPA review. The area where the proposed shift in infrastructure will occur was previously surveyed during preparation of the Final EIS/EIR and the proposed variance is an anticipated result of implementing measures to provide more effective protection of resources.

Mitigation measures incorporated as part of the Final EIS/EIR require efforts to be completed by OE LLC in order to minimize environmental impacts. Implementation of these mitigation measures as outlined above has resulted in the proposed Variance 008. The proposed realignment of the access road would be conducted in accordance with the same impact avoidance, minimization, monitoring and mitigation measures that apply to all other project impact areas. Such measures include those specified in BLM's ROD, and approved plans and permits for specific types of activities.

Manager did not identify any variance conditions.

Name:

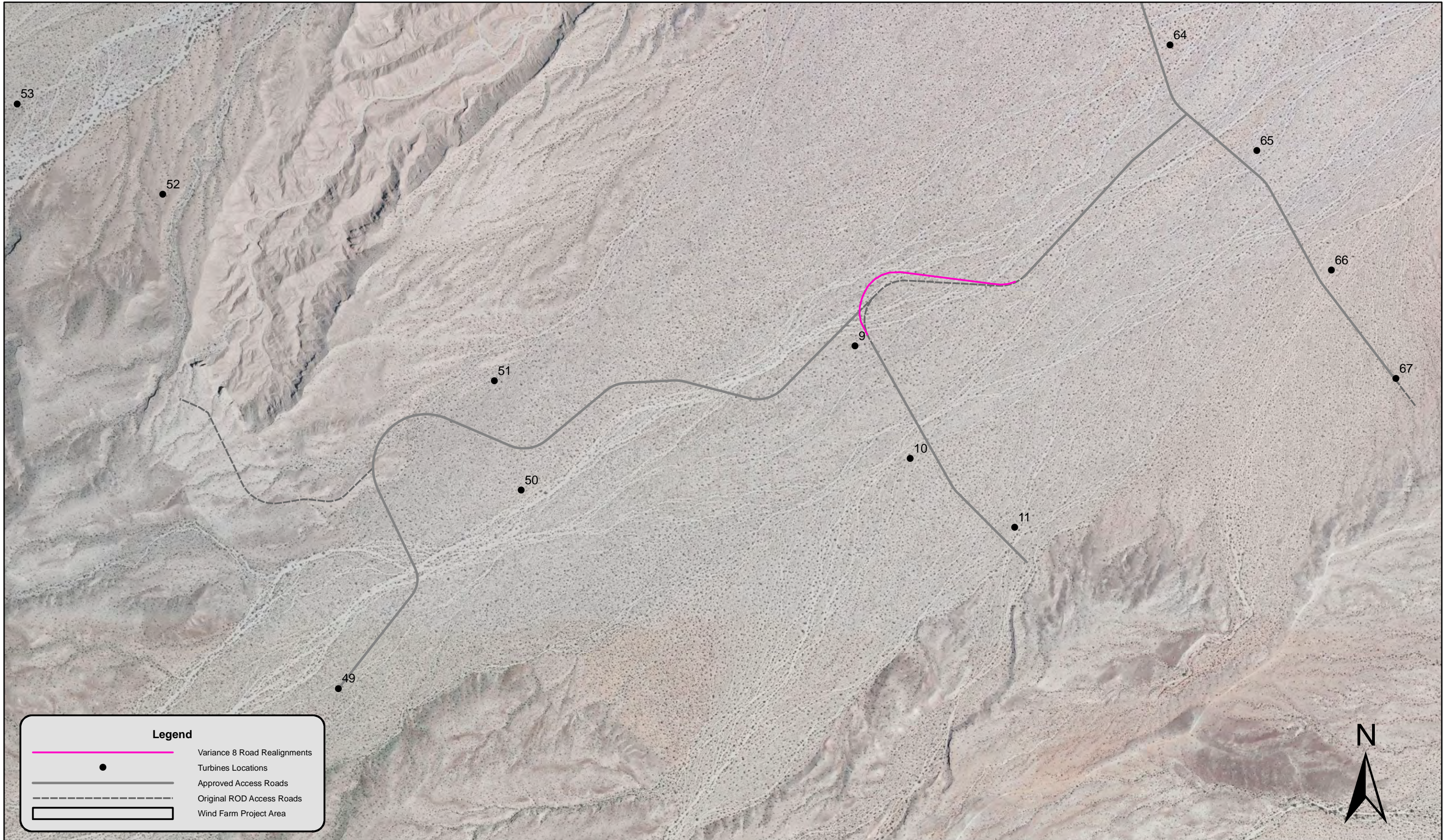
Title:

Organization:



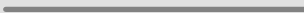


Conditions: The Contractor Sup't., Lead Environmental Inspector (Bio), Archeology Principal Investigator, and/or Environmental Field Manager did not identify any variance conditions.

OCOTILLO WIND PROJECT: IMPERIAL COUNTY, CALIFORNIA

VARIANCE 8 - JULY 19, 2012



Legend

-  Variance 8 Road Realignments
-  Turbines Locations
-  Approved Access Roads
-  Original ROD Access Roads
-  Wind Farm Project Area

