

# Variance Request Form



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

Variance: 012  
Request No.: Rev 0  
Date Submit: 8/14/2012  
Date Approval Needed: 8/16/2012  
Date Agency Received: \_\_\_\_\_  
Agency Approval Reference No.: \_\_\_\_\_

Request Prepared by: Joan Inlow / James Dermody  
Spread/ Location: Turbine String 103, 134 and 135  
(Milepost):  
Alignment Sheet/Sta.  
No.:

Net acreage affected: 0.195 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):  
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 012 includes minor modifications to the construction areas for turbines 103, 134 and 135 (see map attachment).

**Variance Justification:** The currently approved limits of disturbance for turbines 103, 134 and 135 are not sufficient for the foundation excavation and construction, turning radius needed for turbine component delivery and crane operation. Specifically, cranes and other large equipment needed to deliver turbine components are unable to maneuver appropriately within the turbine sites as currently approved. Furthermore, at turbine 135, a modification of turbine site is required to excavate the foundation pit while providing the necessary spacing from an adjacent sloped grade. The turbine site modifications provide technical feasibility while minimizing the size of temporary construction work areas in accordance with Final EIS/EIR Mitigation Measures.

In addition to the above constructability explanations, an ESA was recently discovered near the area for turbine 103, and so that area was further adjusted to avoid the ESA.

As identified in Section 5 of the ECCMP, the need for route realignments or changes to previously approved construction work areas may arise during construction. 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 cover the three turbine site changes listed above. As identified in Section 1.6, Level 1 Variances are minor changes to the project that provide equal or better protection to environmental resources or better constructability. 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 modifications of disturbance areas will occur was previously surveyed during preparation of the Final EIS/EIR and will not adversely affect any environmentally sensitive areas.

Mitigation measures incorporated as part of the Final EIS/EIR require efforts to be completed by OE LLC in order to minimize environmental impacts. The proposed realignment of the collection line corridor 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.

<b>For (Company Name) Use Only</b>			
Additional Surveys Required	Surveyed Corridor Description		Additional Surveys Completed
Cultural Survey <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No T&E Survey <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Reporting Document Survey:			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sign-off (as appropriate)	Name (print)	Approval Signature	Conditions (See Attached)
Contractor Sup't. or Env. Coordinator Lead Environmental Inspector Spread Supervisor Environmental Field Manager ROW Agent	Derek Price Shelby Howard Mike Baksh Joan Inlow		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>For BLM Project Manager or Compliance Contact Use Only</b>			
Variance Approved: <input type="checkbox"/>		Variance Denied: <input type="checkbox"/>	Date:
Signature:			
<b>For Compliance Manager and Monitor Use Only</b>			
Variance Approved:		Variance Denied	Date:
Signature:			
Stipulations			
Spread:		OPPC Variance Request No.:	
<b>VARIANCE CONDITIONS</b>			
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.			
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.			

Name:

Title:

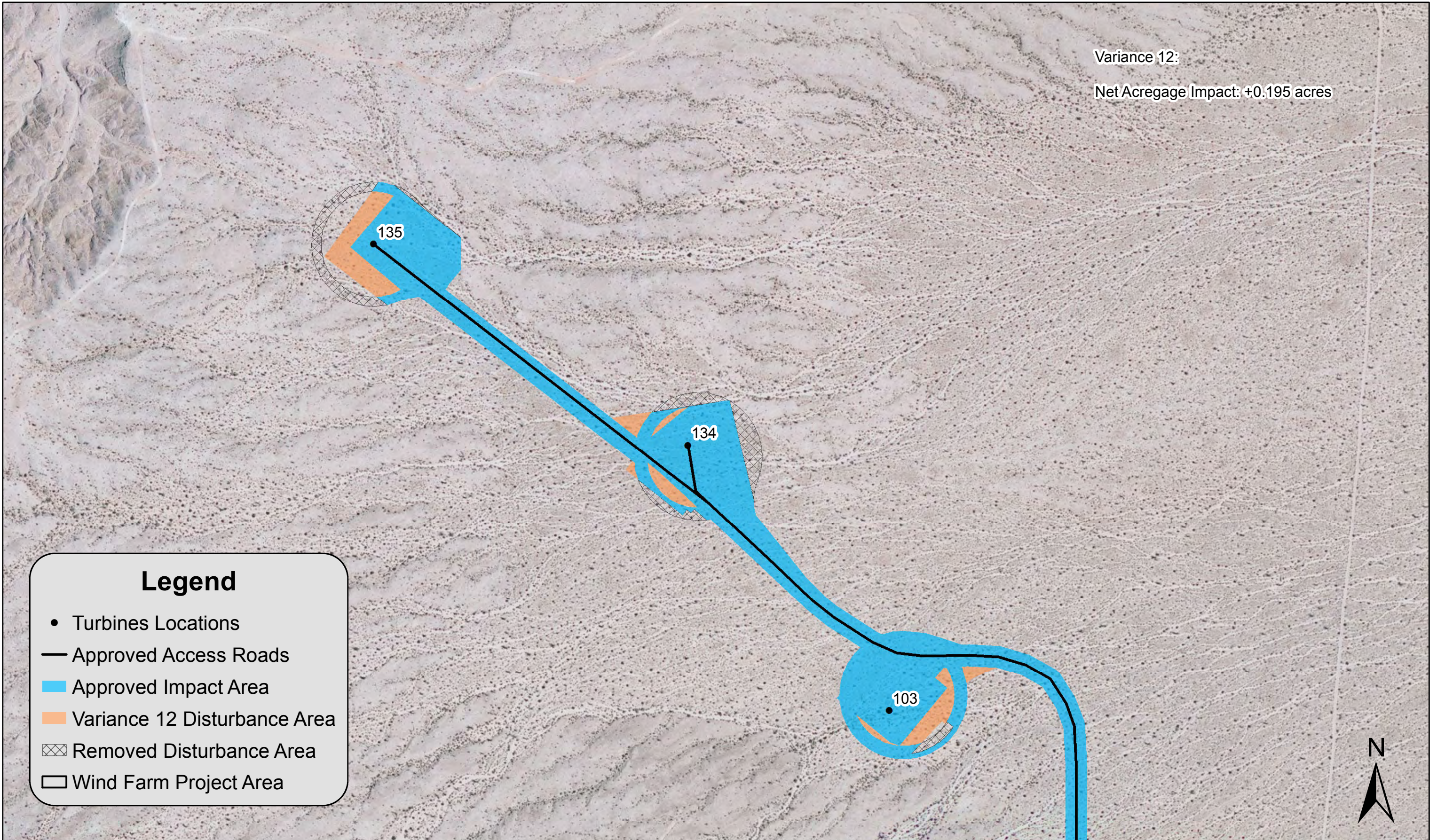
Organization:

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 12 - AUGUST 14, 2012

Variance 12:  
Net Acreage Impact: +0.195 acres



### Legend

- Turbines Locations
- Approved Access Roads
- Approved Impact Area
- Variance 12 Disturbance Area
- Removed Disturbance Area
- Wind Farm Project Area



0 137.5 275 550 825 1,100 Feet