

Variance Request Form



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

Variance: 017
 Request No.: Rev 0
 Date Submit: 8/22/2012
 Date Approval Needed: 8/25/2012
 Date Agency Received: _____
 Agency Approval Reference No.: _____

Request Prepared by: Joan Inlow / James Dermody

Spread/ Location: Turbine 69

(Milepost):

Net acreage affected: 0.25 acres

Alignment Sheet/Sta.

No.:

Tract No:

Landowner: BLM

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 017 includes a minor modification to the proposed disturbance areas at Wind Turbine 69 (see map attachment).

Variance Justification: The proposed modification of disturbance areas is located within areas previously surveyed during the environmental review completed for the Final EIS/EIR. The modification 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 disturbance areas at Wind Turbine 69. 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. 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 modification to disturbance limits 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 017. The proposed modification of the disturbance areas 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.

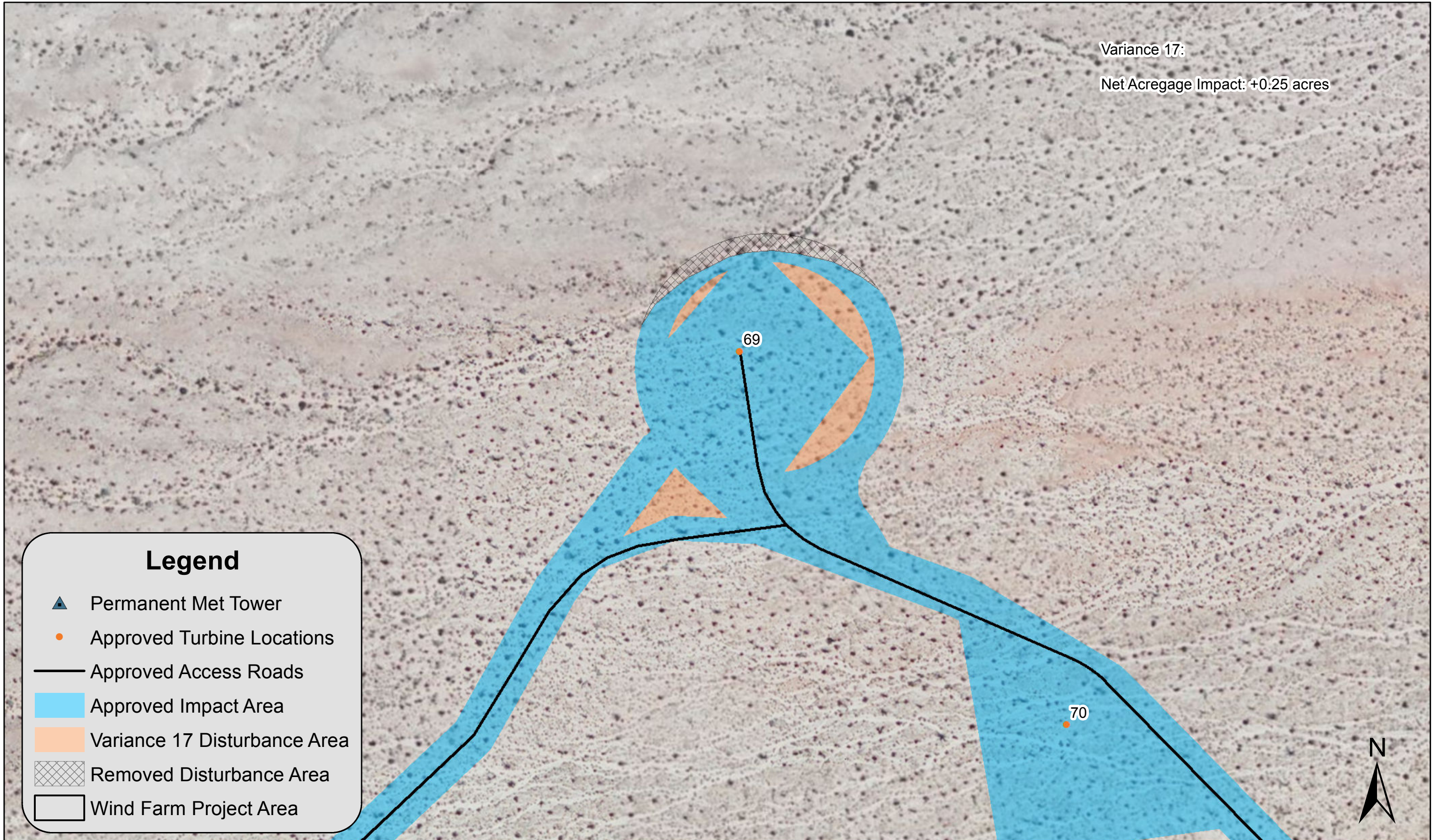
For (Company Name) Use Only

Additional Surveys Required	Surveyed Corridor Description	Additional Surveys Completed
Cultural Survey <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
T&E Survey <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Reporting Document Survey:		

OCOTILLO WIND PROJECT: IMPERIAL COUNTY, CALIFORNIA

VARIANCE 17 - AUGUST 22, 2012

Variance 17:
Net Acreage Impact: +0.25 acres



Legend

- ▲ Permanent Met Tower
- Approved Turbine Locations
- Approved Access Roads
- Approved Impact Area
- Variance 17 Disturbance Area
- ▨ Removed Disturbance Area
- Wind Farm Project Area

