

# Variance Request Form



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

Variance: 019  
Request No.: Rev 0  
Date Submit: 8/30/2012  
Date Approval Needed: 9/6/2012  
Date Agency Received: \_\_\_\_\_  
Agency Approval Reference No.: \_\_\_\_\_

Request Prepared by: Joan Inlow / James Dermody

Spread/ Location: Access Road toward Turbine 73

(Milepost):

Net acreage affected: 3.69 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 019 includes the realignment of the access road toward Wind Turbine 73 (see map attachment). The total length of the access road realignment is 2,210 feet with a maximum offset of 740 feet from the currently approved access road alignment.

**Variance Justification:** 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 3 variance to modify permanent access toward Wind Turbine 73. As identified in Section 1.6, Level 3 variances involve project changes that would affect an area outside the previously approved work area that are also outside the areas previously surveyed for cultural resources, sensitive species, and biological resources. Variance Request 019 includes a portion of proposed project realignment that lies outside of previously surveyed work area. The proposed variance is an anticipated result of implementing measures to provide more effective protection of resources, which forces an access road alignment that lies outside of these previously surveyed work areas. Separate cultural and biological surveys have been completed in the proposed variance work areas. Cultural and biological memos will be prepared and submitted to the BLM as part of this variance request to confirm the completion and findings of these surveys.

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 019. 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.

<b>For (Company Name) Use Only</b>					
Additional Surveys Required		Surveyed Corridor Description		Additional Surveys Completed	
Cultural Survey      X Yes <input type="checkbox"/> No		See biological and cultural memos.		X Yes <input type="checkbox"/> No	
T&E Survey          X Yes <input type="checkbox"/> No				X Yes <input type="checkbox"/> No	
Reporting Document Survey:					
Sign-off (as appropriate)		Name (print)	Approval Signature		Conditions (See Attached)
Contractor Sup't. or Env. Coordinator		Derek Price			<input type="checkbox"/> Yes    X No
Lead Environmental Inspector		Shelby Howard			<input type="checkbox"/> Yes    X No
Spread Supervisor		Michael Baksh			<input type="checkbox"/> Yes    X No
Environmental Field Manager		Joan Inlow			<input type="checkbox"/> Yes    X No
ROW Agent					<input type="checkbox"/> Yes    X 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:

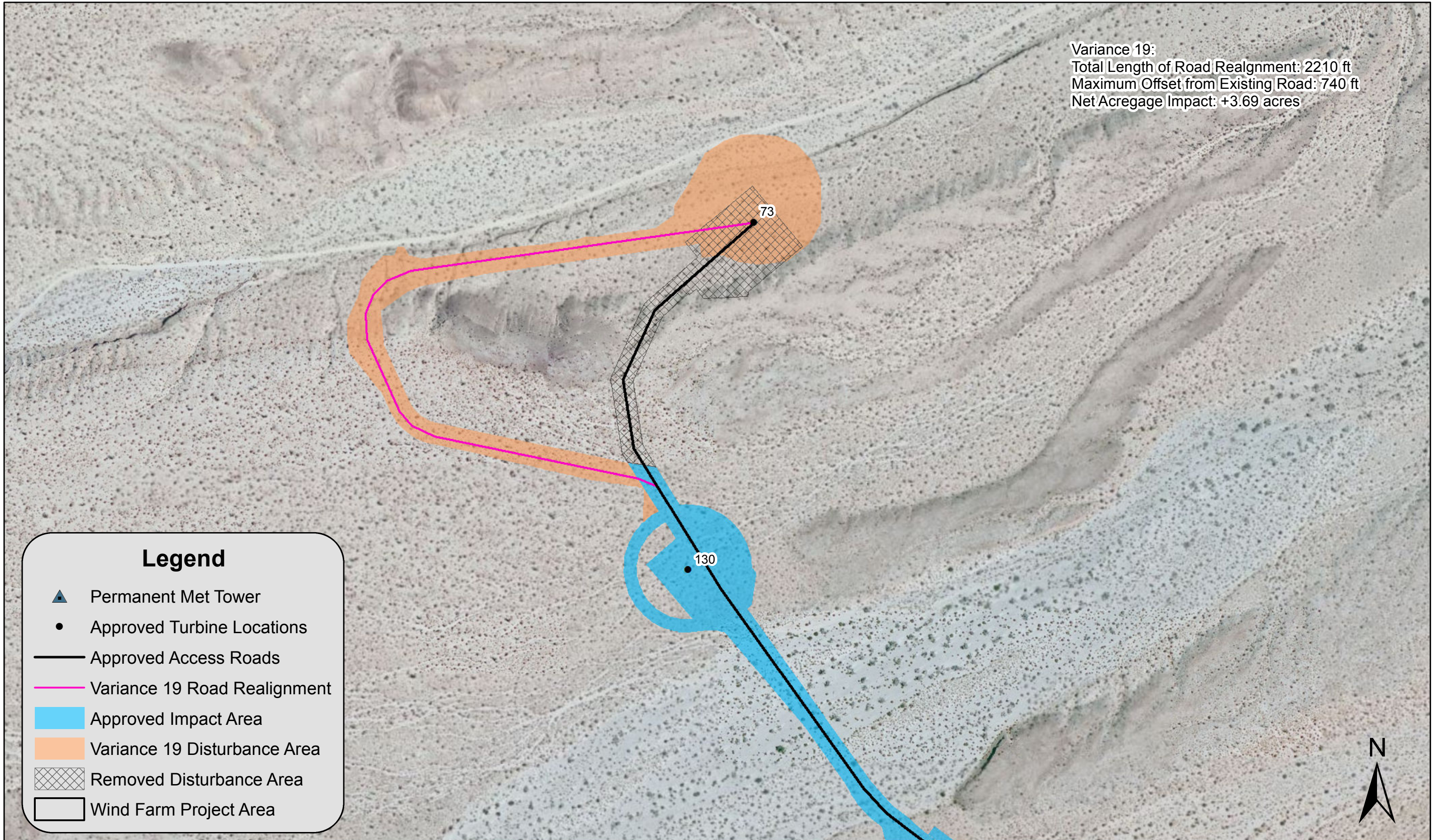
Conditions: The Contractor Sup't., Lead Environmental Inspector (Bio), Archeology Principal Investigator, and/or Environmental Field Manager did not identify any variance conditions.



# OCOTILLO WIND PROJECT: IMPERIAL COUNTY, CALIFORNIA

## VARIANCE 19 - AUGUST 30, 2012

Variance 19:  
Total Length of Road Realignment: 2210 ft  
Maximum Offset from Existing Road: 740 ft  
Net Acreage Impact: +3.69 acres



### Legend

- ▲ Permanent Met Tower
- Approved Turbine Locations
- Approved Access Roads
- Variance 19 Road Realignment
- Approved Impact Area
- Variance 19 Disturbance Area
- Removed Disturbance Area
- Wind Farm Project Area

0 0.025 0.05 0.1 0.15 0.2 Miles