

Variance Request Form



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

Variance: 026
Request No.: Rev 0
Date Submit: 10/11/2012
Date Approval Needed: 10/15/2012
Date Agency Received: _____
Agency Approval Reference No.: _____

Request Prepared by: Joan Inlow / James Dermody

Spread/ Location: Turbines 9-10

Net acreage affected: -0.04 acres

(Milepost):

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 026 includes modifications to the access road and collection circuit corridor leading into Turbines 9 and 10 (see map attachment). The total length of the access road and collection circuit corridor realignment towards Turbines 9 and 10 is 950 feet with a maximum offset of 39 feet from the currently approved corridor alignment.

Variance Justification: The proposed alterations in temporary and permanent infrastructure are located within areas previously surveyed during the environmental review completed for the Final EIS/EIR. The infrastructure modifications for this project area are being proposed by OE LLC in order to comply with Final EIS/EIR Mitigation Measure to minimize permanent impacts 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 the access road and collection circuit corridor for Turbines 9 and 10. As identified in Section 1.6, Level 1 Variance requests are minor changes to the project that provide equal or better protection to environmental resources or better constructability. Variance Request 026 includes a shift in the project alignment of 39 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 026. The proposed turbine move and 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.

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 26 - OCTOBER 10, 2012

Variance 26
Net Acreage Impact: -0.04 acre
Total Length of Road Realignment: 950 ft
Maximum Offset from Existing Road: 39 ft



Legend

- Approved Turbine Locations
- Approved Access Roads
- Approved Access Road - 75' Offset
- Variance 26 Road Realignment
- Approved Impact Area
- Variance 26 Disturbance Area
- Removed Disturbance Area

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0 55 110 220 330 440 Feet