

# Variance Request Form



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

Variance: 031  
Request No.: Rev 0  
Date Submit: 10/17/2012  
Date Approval Needed: 10/19/2012  
Date Agency Received: \_\_\_\_\_  
Agency Approval Reference No.: \_\_\_\_\_

Request Prepared by: Joan Inlow / James Dermody

Spread/ Location: Turbine 161

Net acreage affected: 0.12 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 031 includes a minor shift of Turbine 161 as well as modifications to the turbine disturbance limits (see map attachment). The total distance of the turbine shift is 99 feet.

**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 location and disturbance limits for Turbine 161. 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. 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 031. The proposed modification to Turbine 161 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    X No				<input type="checkbox"/> Yes    X No	
T&E Survey <input type="checkbox"/> Yes    X No				<input type="checkbox"/> Yes    X 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:

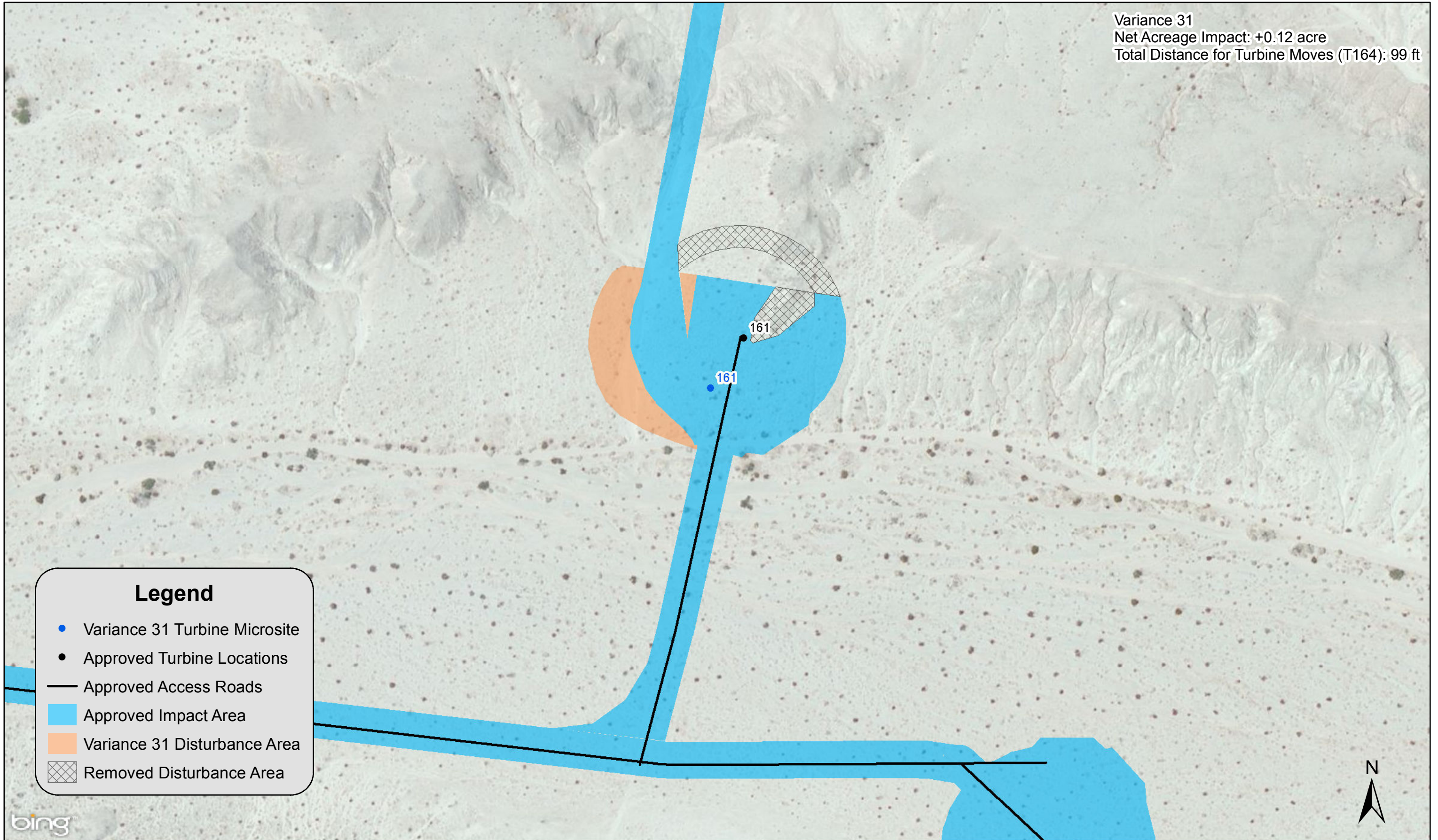
Organization:

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 31 - OCTOBER 17, 2012

Variance 31  
Net Acreage Impact: +0.12 acre  
Total Distance for Turbine Moves (T164): 99 ft



### Legend

- Variance 31 Turbine Microsite
- Approved Turbine Locations
- Approved Access Roads
- Approved Impact Area
- Variance 31 Disturbance Area
- Removed Disturbance Area

bing

0 80 160 320 480 640 Feet