



## BLM Authorized Officer Weekly Report

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**Project:** Tule Wind Energy Project

### Weekly Project Update

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**Reporting Period:** 1.16.17 through 1.22.17

### Summary

The Bureau of Land Management (BLM) is responsible for overseeing implementation of the mitigation measures (MM) set forth in the *Joint Final Environmental Impact Report/Environmental Impact Statement (FEIR/FEIS)* for the Tule Wind Energy Project. A federal Right-of-Way (ROW) grant (CACA-049698) for the Tule Wind Energy Project was granted by the BLM to Tule Wind, LLC, a subsidiary of Avangrid Renewables, Inc. on April 10, 2010.

On October 12, 2016, the BLM issued a Limited Notice to Proceed (LNTP)-2 to Tule Wind, LLC authorizing limited preconstruction activities within the Tule Wind Energy Project site. The preconstruction activities are being completed to prepare the project site for construction activities as described in the revised Plan of Development (POD), dated April 22, 2016. Preconstruction activities authorized under the LNTP-2 include disturbance limit staking, limited vegetation clearing associated with line of sight staking, staking of Environmentally Sensitive Areas, weed removal, cacti salvage, and truck and ATV use of BLM access routes.

On November 18, 2016, the BLM issued Notice to Proceed (NTP) 3 and 4 to Tule Wind, LLC authorizing clearing and grading activities, and construction and installation of four 10,000-gallon fire tanks, respectively. All construction activities that occurred on BLM-administered land during this reporting period were performed under LNTP-2, NTP-3, and NTP-4. The full text of all issued NTPs and the details of the covered activities can be found on the Tule Wind ECCMP website under the Notice to Proceed section<sup>1</sup>.

The BLM has established a third-party monitoring program and adopted an Environmental and Construction Compliance Monitoring Plan (ECCMP) to ensure that measures approved in the FEIR/FEIS to mitigate or avoid significant impacts are implemented in the field. This ECCMP status report is intended to provide a description of construction activities, a summary of site inspections conducted by the BLM's third-party environmental compliance monitors (ECMs), the compliance status of mitigation measures required by the ECCMP, LNTP-2, NTPs 3 and 4, and anticipated construction activities for the following week. The following weekly report covers construction activities for the reporting period of 1.16.17 through 1.22.17.

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<sup>1</sup> <http://tulewindeccmp.com/#NTP>

## **Site Inspections, Mitigation Monitoring, and Compliance**

Construction activities were observed to verify implementation of the measures stipulated in the project's ECCMP and conditions included in LNTP-2 and NTPs 3 and 4 as they pertain to current activities. ECMs documented observations on daily site inspection forms and reviewed applicable mitigation measures. The following compliance activities were observed by third party ECMs on site during preconstruction activities:

### Construction Activities

During this reporting period, grading and topsoil salvage activities occurred at the temporary staging area along the E string, at the G12 and G5 turbine pads, and at a temporary water tank pad site along McCain Valley Road. Clearing activities along the D through F string access roads continued in accordance with NTP-4. As a part of the clearing activities that occurred along the connector and the G string access roads, boulders were relocated from work areas to a temporary staging area on the H string access road AA. Survey crews also continued staking the limits of disturbance along the south end of the G string.

ECMs observed the installation, maintenance, and repair of erosion and sediment control devices along McCain Valley Road; the G, H, and J strings; and at the turbine pad E6 during this reporting period. An additional temporary fire tank was installed along McCain Valley Road and the concrete pads for several of the permanent water tanks along McCain Valley Road were poured.

### Cultural Resources

Cultural monitors were present to monitor clearing, grading, and topsoil salvage activities along with the installation of erosion and sediment control devices in accordance with mitigation measure CUL-1d. Monitors also accompanied survey crews while staking disturbance limits to ensure cultural resources are avoided in accordance with MM CUL-1b.

### Cultural Resources – Non Compliance

On Monday, 1.16.17, the BLM's third party cultural monitor observed a blade grading the G string access road between structures G7 and G6 in a previously disturbed area without cultural monitors present. The third party cultural monitor notified the lead archaeologist who sent an archaeological and Native American monitor to cover the activity. No resources were determined to be impacted as a result of this event. A non-compliance was issued by the BLM for this incident due to a monitor not being present in an area that required monitoring per MM-CUL-1D. Tule Wind LLC is in the process of preparing a corrective actions memorandum to provide BLM with a process that will be implemented moving forward to minimize the potential for a similar incident to not occur in the future.

### Biological Resources

Biological monitors were present to monitor clearing, grading, and topsoil salvage activities along with the installation of erosion and sediment control devices in accordance with mitigation measure BIO-1c.

### Limits of Disturbance – Non Compliance

On Wednesday, 1.18.17 the BLM's third party ECM observed a compliance issue where vegetation had been grubbed within the proposed disturbance limits of Variance Request 003, which had not yet been approved. Upon inspection, the ECM and Designated Biologist observed that the grubbing had occurred within the staked limits; however the stakes were placed at the limits designated in Variance 003, which is pending BLM review and approval. The area impacted outside of the currently approved disturbance limits was approximately 11,700 square feet. The BLM's third party cultural and environmental compliance monitors surveyed the area outside the currently approved disturbance limits and found no impacts to biological or cultural resources.

A non-compliance was issued by the BLM for this incident due to work occurring outside of the approved work limits per MM-BIO-1A. Tule Wind LLC is in the process of preparing a corrective actions memorandum to provide BLM with a process that will be implemented moving forward to minimize the potential for a similar incident to not occur in the future.

The BLM is working with Tule Wind LLC to document the non-compliance and to take measures to prevent similar issues from occurring.

### Stormwater Pollution Prevention Plan (SWPPP) (MM HYD-1)

ECMs observed the installation, reinforcement, and repair of erosion and sediment control devices including straw wattles, silt fencing, sandbags, check dams, and culverts. During recent rain events that occurred during this reporting period, numerous erosion and sediment control devices were in need of maintenance repair. In several cases the erosion and sediment control devices were laden with sediment and in other cases were ineffective as water was flowing beneath the device rather than through the device. These issues were documented and reported to Tule Wind, LLC. During this reporting period, Tule Wind, LLC had construction crews on-site on a daily basis repairing, maintaining, and installing erosion and sediment control devices in accordance with MM-HYD-1 and the project specific SWPPP.

### Dust Control Plan Implementation (MM-AQ-1; AIR-3)

ECMs observed dust control best management practices being implemented including limiting vehicle idling times to a maximum of five minutes, maintaining traffic speeds at or below the 15 mile per hour speed limit, and watering active areas of construction at least three times per day in accordance with ROW Grant Stipulation 9 and the Dust Control Plan.

ECMs checked track-out at the paved portion of McCain Valley Road and observed minimal track-out in accordance with MM AQ-1.

### Traffic Control Plan Implementation (MM TRA-1)

ECMs observed the concrete trucks pouring pads along McCain Valley Road using hazard lights to identify the temporary road blockage in accordance with MM TRA-1.

### Fire Prevention/Protection Plan Implementation (MM-FF-1; MM Bio-1f)

ECMs observed required fire equipment and best management practices on the project site during preconstruction activities, including vehicles with required fire suppression equipment, vehicles parked in areas with no vegetation, and the wetting of vegetation ahead of clearing activities. ECMs ensured crews were made aware of the requirements for having 3A, 40BC fire extinguishers, 5-gallon backpack pumps, and shovels. Fire patrols occurred on a regular basis one hour after the end of daily construction in accordance with MM FF-1.

As a part of the clearing activities that occurred along McCain Valley Road, previously cut vegetation was chipped for fuels management in accordance with the Fire Prevention/Protection Plan.

### Hazardous Materials Management Plan (MM-HAZ-1a)

ECMs confirmed that all new portable restroom facilities have been secured with wire in accordance with ROW Grant Stipulation 78 and the Hazardous Materials Management Plan. It is anticipated that the new securing protocol will reduce the possibility of additional portable facilities tipping over as reported in previous weekly reports, most recently Weekly Report 16 from the reporting period of January 2 through January 8, 2017.

### **Notice of Temporary Suspension of Construction Activities**

On Friday, 1.20.17 the BLM issued a Notice of Temporary Suspension of Construction Activities pursuant to 43 CFR 2807.16. Since construction began on the Tule Wind project on December 6, 2016 there have been six confirmed violations of terms and conditions of the ROW grant. As a safeguard to ensure that the violations in connection with ground disturbing activities ceases, no construction activities are permitted apart from the maintenance and installation of erosion and sediment control devices, cacti planting, and examining the project site to determine ways to address the compliance issues described in the Notice of Temporary Suspension of Construction Activities letter. Tule Wind, LLC may file a written request for permission to resume construction activities with supporting facts and reasons as to why the BLM should lift the order.

A copy of the Notice of Temporary Suspension of Construction Activities letter has been posted onto the Tule Wind ECCMP website under the Construction Information Updates section.

### **Construction Activities Schedule:**

Due to the Notice of Temporary Suspension of Construction Activities, limited construction activities have been allowed to continue including:

- Erosion and sediment control device installation and repairs
- And planting salvaged cacti at the temporary staging area at structure E12.

## Notice to Proceed

NTP No.	Date Issued	Project Component	Conditions Included (Y/N)
1	9.17.12	Geotechnical Activities per MM-Geo-3 <ul style="list-style-type: none"> <li>• turbine borings</li> <li>• met tower borings</li> <li>• soil test pit exactions</li> <li>• visual examination</li> <li>• completion of Multichannel Analysis of Surface Waves (MASW) and seismic refraction testing at up to 15 percent of the turbine locations</li> <li>• thermal resistivity sample collection at approximately six locations</li> <li>• electrical resistivity testing at approximately six locations</li> </ul>	Yes
2	10.12.16	Preconstruction activities as follows <ul style="list-style-type: none"> <li>• disturbance limit staking and limited vegetation clearing</li> <li>• staking of ESAs</li> <li>• removal of weeds in accordance with the HRP</li> <li>• cacti salvage</li> <li>• pickup truck and ATV use of BLM access routes authorized under the Eastern San Diego County Resource Management Plan (2008)</li> </ul>	Yes
3	11.18.16	Clearing and grading activities as follows <ul style="list-style-type: none"> <li>• vegetation clearing (site clearing and grubbing)</li> <li>• grading work and blasting (as-needed) associated with the access road</li> <li>• equipment staging and laydown yard/staging areas</li> <li>• foundation excavation and blasting (as-needed)</li> </ul>	Yes
4	11.18.16	Construction activities for four 10,000-gallon fire tanks including <ul style="list-style-type: none"> <li>• site surveying</li> <li>• vegetation clearing and grading</li> <li>• footing excavation</li> <li>• turnout construction</li> <li>• forming the tanks</li> <li>• installation of reinforced steel</li> <li>• pouring footing, slab, and walls</li> <li>• backfill and final grading</li> </ul>	Yes

## Variance Requests

Variance Request No.	Submitted	Description	Status	Approval Date
1	10.26.12	Use of one Type II Water Tender and one Type III Engine in-lieu of a Type VI Skid Mount pump unit	Approved	11.2.12
2	5.16.13	Use of additional existing roads, use of a track-mounted excavator, ability to shift small to medium sized boulders and use of a chain-saw or similar type equipment to trim vegetation	Approved	5.20.13
3	12.20.16	Realignment of access roads along the A-string, F-string, and G-string to minimize disturbance to previously undisturbed areas, to avoid impacts to sensitive environmental resources, and to accommodate construction and engineering design.	Pending	Under BLM Review
4	01.09.17	Addition of seven areas outside of the limits of disturbance to allow for the relocation of boulders along the G-string.	Pending	Under BLM Review

## Representative Photos



**Photo 1:** On 1.18.17, approximately 11,700 square feet of vegetation was mulched outside of the currently approved limits of disturbance. BLM issued a “Non Compliance” in accordance with Section 5.2 of the ECCMP.



**Photo 2:** On 1.16.17, a BLM third party cultural monitor observed a blade operating in a previously disturbed area along the G string access road between structures G7 and G6 without a cultural monitor present. BLM issued a “Non Compliance” in accordance with Section 5.2 of the ECCMP.



**Photo 3:** Cultural monitors were observed monitoring vegetation removal and grading activities along McCain Valley Road in accordance with MM CUL-1D.



**Photo 4:** Water trucks were observed working alongside grubbing machines in accordance with the approved Fire Prevention/Protection Plan (MMs FF-1 and BIO-1F).

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