



## BLM Authorized Officer Weekly Report

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**Project:** Tule Wind Energy Project

### Weekly Project Update

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**Reporting Period:** 1.23.17 through 1.29.17

### 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 1.23.17 through 1.29.17.

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

## **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 incidents where non-compliances were documented with the 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 currently 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.

## **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 the limited activities authorized in the Notice of Temporary Suspension. ECMs documented observations on daily site inspection forms and reviewed applicable mitigation measures. The following activities were observed by third party ECMs onsite during this reporting period:

### Construction Activities

During this reporting period, ECMs observed the installation, maintenance, and repair of erosion and sediment control devices along McCain Valley Road. In addition ECMs observed crews planting salvaged cacti at the E-String laydown yard.

### Cultural Resources

Cultural monitors were present to monitor the installation and maintenance of erosion and sediment control devices as well as the planting of salvaged cacti in accordance with mitigation measure (MM) CUL-1d.

Monitors have been maintaining ESA signs and fencing in accordance with MM CUL-1a.

### Biological Resources

Biological monitors/Habitat Restoration Specialists were present to monitor the installation and maintenance of erosion and sediment control devices and the planting of salvaged cacti in accordance with MM BIO-1c. The cacti planted at the E-String laydown area will be moved and replanted in the habitat restoration areas as identified in the Habitat Restoration Plan.

Monitors have been maintaining ESA signs and fencing in accordance with MMs BIO-5a and BIO-2a.

### Limits of Disturbance

All work observed occurred within the project limits of disturbance in accordance with MM BIO-1a. ECMs continued to verify the disturbance limit stakes throughout the project site during this reporting period.

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

ECMs and SWPPP monitors inspected erosion and sediment control devices including straw wattles, silt fencing, sandbags, check dams, and culverts along McCain Valley Road. Some devices were found to be ineffective at preventing sediment discharge from the site and were in need of maintenance or repair. These issues were documented and reported to Tule Wind, LLC. During this reporting period, Tule Wind, LLC had construction crews onsite on a daily basis repairing, maintaining, and installing erosion and sediment control devices per direction provided by the Qualified SWPPP Practitioner (QSP) and third party ECMs in accordance with MM-HYD-1 and the project specific SWPPP.

Since the reporting period starting on 12.19.16 (documented in the Weekly Report 14), SWPPP and third party compliance monitors have documented recurring failures of the installed erosion and sediment control devices due to the amount of precipitation that has occurred during rain events in December and January (approximately 12 inches). The recurring issues have been recorded as a “Problem Area” according to Section 5.2 of the ECCMP. To address this problem area, crews began installing rip-rap devices to replace failing straw wattles and damaged sand/gravel bags. Crews also began digging catch basins and drainage channels to manage the unanticipated amount of sediment generated during the rain events so far this season.

### 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.

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

ECMs observed the maintenance of traffic signs 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.

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

During this reporting period ECMs observed the placement of drip pans under equipment not in use in accordance with the secondary containment and spill prevention procedures outlined in the Hazardous Materials Management Plan, MM HAZ-1a.

On Friday, January 27, 2017 a portable sanitation facility, which was previously secured using a tie-down strap, was discovered overturned along McCain Valley Road. ECMs observed fluid discharge from the overturned facility. The stained soil was contained and removed from the site in accordance with Section 8.3 of the Hazardous Materials Management Plan. The facility was righted and secured with additional tie-down straps.

While this facility was secured with additional tie-down straps, all new portable restroom facilities installed since the reporting period between 1.16.17 and 1.22.17 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. The BLM will work with Tule Wind, LLC to assess the effectiveness of the securing procedures currently in use on the project site.

### Waste Management (MM-BIO-7d) – Problem Area

On Friday, January 27, 2017 the portable sanitation facility at the H-String laydown area had toilet paper blow into nearby vegetation during a period of high winds (gusts over 40 mph). ECMs notified the designated biologist and environmental lead. This issue has been recorded as a “Problem Area” according to Section 5.2 of the ECCMP. At the end of this reporting period, the resolution to this problem area was still in progress. Biological monitors are anticipated to sweep the area to clean up all remaining litter in accordance with MM BIO-7d.

### **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:** Crews began installing catch basins and rip-rap sediment and erosion control devices to replace damaged and failing straw wattles and sand/gravel bags in accordance with MM HYD-1 and the SWPPP. Photo shows a completed catch basin along McCain Valley Road where sediment was previously documented leaving the project site during SWPPP inspections.



**Photo 2:** ECMs observed cultural and biological monitors/Habitat Restoration Specialists monitoring the planting of salvaged cacti at the E-String laydown area in accordance with MM CUL-1D and BIO-1C.



**Photo 3:** ECMs and SWPPP inspectors checked the project site for areas where erosion and sediment control devices were missing or failing. These issues were documented and reported to Tule Wind, LLC. During this reporting period, construction crews were onsite daily to repair, maintain, and install additional erosion and sediment control devices in accordance with MM HYD-1 and the SWPPP.



**Photo 4:** On Friday, 1.27.17 ECMs observed toilet paper, which had blown out of the portable sanitation facility at the H-String laydown area into nearby vegetation during the windy conditions (gusts over 40 mph). This issue has been recorded as a "Problem Area" according to Section 5.2 of the ECCMP. Biological monitors are anticipated to sweep the area to clean up all remaining litter in accordance with MM BIO-7D.

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