



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

El Centro Field Office
1661 S. 4th Street
El Centro CA 92243
www.blm.gov/california



December 22, 2017

In Reply Refer To:
CACA-49698/2800(P)
CA670.00

CERTIFIED MAIL NO. 7017 1000 0000 9376 2942
RETURN RECEIPT REQUESTED

DECISION

Kristen Goland	:	Right-of-Way Grant
Western Region Permit Manager	:	CACA-49698
Tule Wind LLC	:	
1125 NE Couch St., Suite 700	:	
Portland, OR 97209	:	

NOTICE TO PROCEED

Tule Wind LLC is hereby authorized to proceed with full commercial operations of 52 turbines and all associated project facilities for the Tule Wind Project (Project). The Project shall be undertaken in conformance with the Bureau of Land Management's Record of Decision, dated December 20, 2011 (DOI Control Number: FES 11-06) and Environmental Impact Statement 20110347, Biological Opinion, dated September 2, 2011 (FWS-SD-10B0136-11F0229) and Memorandum of Agreement, dated November 15, 2011, Grant Serial Number CACA-49698, Right-of-Way Notice to Proceed (Form 2800-15) attached as Exhibit 1, and additional Terms and Conditions attached as Exhibit 2.

Description of Activities

The Project consists of operation and maintenance of 57 wind turbine generators with 52 wind turbine generators located on public land administered by the Bureau of Land Management (BLM) and five turbine generators located on land administered by the County of San Diego. Associated Project facilities include, but are not limited to, a substation, access roads, underground and overhead collection system, operations and maintenance building, and three permanent meteorological towers. Operations and maintenance activities for the Project are as described in the revised Plan of Development (POD), dated July 2017 and the Final Environment Impact Statement/Environmental Impact Report (EIS/EIR) (BLM 2012a).

The Project Legal Description

The public lands are identified as follows:

San Bernardino Meridian, California

T. 15 S., R.6 E.,

- sec. 34, all;
- sec. 35, all;

T. 16 S., R.6 E.,

- sec. 2, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
- sec. 3, all;
- sec. 4, all;
- sec. 9, all;
- sec. 10, all;
- sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;
- sec. 12, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
- sec. 13;
- sec. 14;
- sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;

T. 16 S., R.7 E.,

- sec. 17, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- sec. 18, lots 2 to 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
- sec. 19, lots 1, 2 and 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- sec. 20, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
- sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$;
- sec. 29, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
- sec. 30, lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
- sec. 32, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
- sec. 33, W $\frac{1}{2}$;

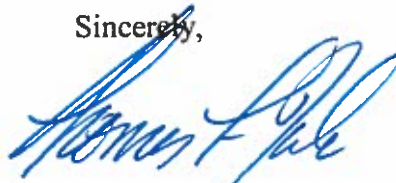
T. 17 S., R.7 E.,

- sec. 3, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
- sec. 4, lots 1, 2, 5 and 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
- sec. 5, lots 5, 6 and 7, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
- sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- sec. 9, lots 4 to 6;
- sec. 10, W $\frac{1}{2}$ W $\frac{1}{2}$;
- sec. 15, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
- sec. 21, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Totaling 12,239 acres of public land, more or less.

A copy of this notice, terms and conditions, and grant CACA-49698 shall be made available in the field during the Project. Any questions should be directed to Carrie Sahagun, Assistant Field Manager at (760) 337-4437.

Sincerely,



Thomas F. Zale
BLM Authorized Officer

Enclosures:

- Exhibit 1, Right-of-Way Notice to Proceed (Form 2800-15)
- Exhibit 2, Terms and Conditions

cc:

Carrie Sahagun & Miriam Liberatore, BLM
Harley McDonald, Tule Wind LLC
David Hochart & Keith Carwana, DUDEK

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY NOTICE TO PROCEED

Right-of-Way or Temporary Use Permit (TUP) Serial Number CACA 49698	
Date 12/21/2017	Issuing Office EI Centro Field Office
Right-of-Way or TUP name Tule Wind Project	

Certified/Registered Mail-Return Receipt Requested

INSTRUCTIONS — Use Certified or Registered Mail or hand deliver. Send or give original to Holder. Distribute other copies as indicated after receipt date.

Holder: **Tule Wind LLC, 1125 NW Couch Street, Portland, OR 97219**

In accordance with the terms and conditions of the above referenced right-of-way grant or TUP you are hereby authorized to proceed with the activities noted below in the locations specified. Map(s) are attached. Yes No

Activity	Location
<p>The holder is authorized to begin full commercial operation activities as identified in the NTP Request (September 20, 2017);</p> <p>1) See Exhibit 1 - Terms and Conditions</p>	<p>Please see cover letter for the Project Legal Description.</p>

Authorized officer is:

Thomas F. Zale

(Name)

Field Manager, EI Centro Field Office

(Title)

Onsite inspection and compliance of the Right-of-Way or TUP stipulations will be conducted by the authorized officer's representative.

Carrie Sahagun

(Name of Authorized Officer's Representative)

EI Centro Field Office, 1661 S 4th, Street, EI Centro, CA 92243

(Office, Street Address, City, State, Zip)

(760) 337-4437

(Office Phone Number)

(Cell Phone Number)



(Authorized Officer's or Representative's Signature)

12-22-2017

(Date)

Holders Acknowledgement when notice is delivered in person.

(Signature of Recipient)

(Firm Name)

(Name of Recipient)

(Date)

HOLDER **CASE FILE**

Exhibit 2 – Terms and Conditions - NTP (December 20, 2017) – Full Commercial Operation

Tule Wind Project CACA-49698

General Conditions:

- The Holder shall comply with all requirements included in the BLM-approved preconstruction, construction, and operations and maintenance plans, the stipulations included in right-of-way (ROW) grant CACA-49698, and in accordance with applicable federal, state and local laws and regulations, applicable to the operations and maintenance phase for the Tule Wind Project.
- Any deviations to previously approved mitigation measures, operations and maintenance procedures, and work areas will be handled in the form of variance requests to be submitted by the Holder and reviewed and approved or denied by the BLM in accordance with Section 5.1 “Change of Condition or Adjustment Process” of the Operations and Maintenance Environmental Compliance Monitoring Plan (ECMP).
- As built drawings shall be submitted within 120 calendar days of completion of construction in accordance with ROW stipulation 8.
- Tule Wind LLC and its employees shall adhere to requirements of the Operations and Maintenance ECMP.
- Tule Wind LLC shall continue to use the BLM approved construction Worker Environmental Awareness Program (WEAP) to train all operation and maintenance personnel and contractors prior to completing any work activities at the Tule Wind Project. Tule Wind LLC shall submit the proposed operations and maintenance WEAP presentation and script to the BLM for review and approval within 60 days of the BLM's issuance of the Full Commercial Operation NTP.
- Tule Wind LLC shall not commence restoration activities at wind turbine generator pad F-4 until written authorization is provided by the BLM.
- Access Control Plan (mitigation measure CUL-1F) – The Access Control Plan, excluding the document appendices was approved by the BLM on October 27, 2017. Tule Wind LLC shall work collaboratively with the BLM to finalize the Access Control Plan appendices within 45 days of the BLM's issuance of the Full Commercial Operation Notice to Proceed (NTP).
- Long-term Management Plan (LTMP) (mitigation measure CUL-1B) – A draft copy of the LTMP was submitted by Tule Wind LLC on August 14, 2017. Tule Wind LLC and its contractors shall work collaboratively with the BLM to finalize the LTMP at the completion of all ground disturbing activities.
- Decommissioning Plan (mitigation measure FF-7) – The Decommissioning Plan shall be developed by the Holder and approved by the BLM and other agencies having jurisdiction prior to the termination of the ROW authorization.

All other terms and conditions associated with the ROW grant, record of decision (ROD), Final Environmental Impact Statement (FEIS), and other governing documents, plans, permits and other authorizations procured for the Project will apply.

Tule Wind has posted a \$6,438,000 surety bond on January 10, 2017.