

# Echanis Wind Energy Project

## Construction Compliance Monitoring Plan

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### Introduction

The following Construction Compliance Monitoring Plan (CCMP) will make use of Best Management Practices (BMPs) described in the Plan of Development (POD). These BMPs will be implemented and monitored during construction activities.

### Construction Compliance Monitor

A Construction Compliance Monitor (CCM or 'Monitor') will be engaged by the General Contractor overseeing the construction of the transmission line on federally-owned lands administered by the US Bureau of Land Management Burns District Office (BLM).

The Monitor will report to BLM on a weekly basis about construction activities on federally-owned lands. Calls or meetings will be arranged to discuss and resolve any issues that arise as needed.

BLM has provided an estimate to the proponent to cover BLM staff time to coordinate with the Construction Compliance Monitor referenced above. Contact information for the Monitor will be provided to the BLM prior to the start of construction, including:

- Office direct dial number:
- Cell phone with text capability:
- Email contact:

The BLM will provide the Monitor with similar information for the Authorized Officer.

Should a situation arise where an action needs to be taken that differs from the approved activities listed and outlined in the Plan of Development, the Monitor will complete the Variance Request (attached as part of this Construction Compliance Monitoring Plan) and return it to BLM for their review. Final approval of the action will be made by the Authorized Officer. Public Notification would only be necessary if these things were out of the scope of the analysis of the FEIS.

### Approved Work Areas

The Monitor will insure that all construction activities occur within the Applicant's permitted ROW. Activities that extend outside the permitted ROW on BLM land are not permitted without the concurrence of the BLM. BMPs include:

1. In construction areas where recontouring is not required, disturbance will be limited to overland driving where feasible to minimize changes in the original contours. Large rocks and vegetation may be moved within these areas to allow vehicle access.

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2. Work will be temporarily halted where wet conditions cause excessive rutting (>3 inches deep) of roads and/or work areas.
3. In an effort to minimize the general environmental impacts of construction, structures will be placed to avoid sensitive features, especially riparian areas and watercourses and/or to allow conductors to clearly span the features, within limits of standard pole design.
4. All waste products and food garbage from construction sites will be deposited in a covered waste receptacle and removed daily. Garbage will be hauled to a suitable disposal facility.
5. Ground disturbance will be limited to that necessary to safely and efficiently install the proposed facilities.
6. Existing improvements will be repaired or replaced to their condition prior to disturbance if they are damaged or destroyed by construction activities, as agreed to by the parties involved.
7. Fences and gates will be installed, replaced, or repaired to their condition prior to disturbance if they are damaged or destroyed by construction activities, or as required by the Authorized Officer. Fences and gates will be repaired or replaced prior to end of the construction period.
8. Hazardous materials will not be drained onto the ground or into streams or drainage areas. Totally enclosed containment will be provided for all trash in accordance with the Hazardous and Solid Waste Management Plan.
9. If blasting is required, appropriate safety guidelines and regulations will be followed, as required by state and federal regulations relating to blasting operations to ensure safety. Monitor will notify BLM prior to blasting occurring.
10. Fire protection measures will be followed, as required by state and federal regulations, to prevent wildfires.
11. Appropriate traffic control measures will be used to ensure public safety during construction in accordance with the Echanis Traffic Control Plan. Prior notice will be given for any extended delays or road blockage. Permanent road blockages will not occur on public, open BLM roads. For discussion of road closures on county roads please see appropriate county plans.

### Access Roads

Public use of access roads will be determined on a case-by-case basis with the BLM. The Applicant is responsible for road closures mutually agreed to by the Applicant and the BLM (that is, roads that are closed to the public, but accessible to the BLM, and the Applicant for maintenance purposes). The following BMPs will help to minimize access road effects on resources:

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1. In areas where recontouring is not required, disturbance will be limited to overland driving where feasible to minimize changes in the original contours. Large rocks and vegetation may be moved within these areas to allow vehicle access.
2. In areas where soils are particularly sensitive to disturbance, existing access roads will be repaired only to where they are passable with an overland vehicle.
3. Work will be temporarily halted where wet conditions cause excessive rutting (>3 inches deep) of roads and/or work areas.
4. When overland routes in the ROW are chosen, contractors will avoid destruction of sagebrush and slickspots when alternative routes within the ROW are available. To limit new or improved accessibility into the area, all new access roads that were neither desired nor required for maintenance will be closed using the most effective and least environmentally damaging methods appropriate to that area, with concurrence of the Authorized Officer.
5. All existing roads will be left as close to an undeveloped nature (i.e., two-track road) as possible without creating environmental degradation (e.g., erosion or rutting from poor water drainage) or unsafe conditions.
6. Where appropriate, roads will be maintained during construction to have crossroad drainage in order to minimize the amount of channeling or ditches needed. Water bars will be installed at all alignment changes (curves), significant grade changes, and as requested by the Authorized Officer.
7. All existing road drainage structures will be maintained or repaired by the Applicant during construction.
8. Access roads and other areas of ground disturbance, within the construction limits will be watered, as needed, to remain compact and to avoid the creation of dust. This may also require the limitation of types of equipment, vehicle speeds, and routes utilized during construction. Water, dust reducer, or a combination of these or similar control measures may be used.

### Noxious Weed Control

Under the requirements of the ROW grant, the Applicant is responsible for control of noxious weed species that result or will result from the construction of the improvements authorized under the grant. Therefore, a noxious weed plan has been developed to reduce the opportunity for weeds to invade new areas and to minimize the spread of weeds in the ROW.

To decrease the potential for the introduction or spread of undesirable vegetation, the Monitor will insure the following BMPs are followed during construction:

1. Personal vehicles, sanitary facilities, and work areas will be confined to areas specified in the POD. For construction, maintenance equipment, materials, and vehicles will be stored at the sites where activities will occur or at specified maintenance yards.

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2. The responsible party will clean all equipment that may operate off-road or disturb the ground before beginning construction within the Project Area. This process will clean tracks and other parts of the equipment that could trap soil and debris and will reduce the potential for introduction or spread of undesirable exotic vegetation.

### Restoration and Re-Vegetation Plan

The Monitor will insure that repairs are made to any damage to resources and roads resulting from construction activities. The primary objective will be to restore denuded areas, reduce the spread of noxious weeds, and reduce storm water runoff and soil erosion. Any damage will be repaired as soon as weather, ground, and scheduling conditions permit. In some cases, reclamation methods may not be necessary, given the limited amount of soil compaction and vegetation destruction. The BLM will decide the degree of reclamation needed for the construction activities.

The Monitor will insure the specifications outlined in this section are followed when roads and other disturbed areas are revegetated. If the Applicant no longer requires a road for patrolling and maintenance, the access road will be abandoned, revegetated, and stabilized by erosion control methods, as determined by BLM.

Non-road shrubland areas will be reseeded in accordance with the Revegetation Plan.

### Streams, Riparian Areas, and Wetlands

The Monitor will ensure protection of all aquatic, riparian, and wetland habitat on BLM administered land. To minimize the amount of disturbance, structure locations will be chosen to avoid features such as riparian areas and watercourses and/or to allow conductors to clearly span the features, within limits of standard pole design. These areas will be maintained and monitored in accordance with the permit issued to Columbia Energy Partners, LLC from the Department of State Lands (DSL), see DSL permit #41453.

### Sensitive Plants

No sensitive plants were found to occur in the transmission route, see North Steens Final EIS, pages 3.3-20. The following BMPs will help minimize construction effects on sensitive plant species that may be discovered during construction:

1. Prior to construction, all supervisory personnel will be instructed on the protection of natural resources, including sensitive plant species and habitats. The construction contract will address (a) federal and state laws regarding plants; (b) the importance of these resources; (c) the purpose and necessity of protecting them; and (d) methods for protecting sensitive resources.

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2. Sensitive plant populations that occur within the ROW and work areas will be marked on the ground, where practical, to ensure that the species are avoided. If species are discovered during the work, the Monitor will establish a spatial buffer zone and immediately contact the BLM. The Authorized Officer may evaluate the adequacy of the buffer on a case-by-case basis. Until the BLM authorizes the Applicant to proceed, either orally or in writing, all activities will cease within the buffer zone. After the construction and rehabilitation is complete, or no longer poses a threat to the plant population, the marking (stakes) will promptly be removed to protect the site's significance and location from unwanted attention.
3. Sensitive plant populations near the ROW, but not within work areas, will be protected by marking the edges of the ROW and access roads in the general vicinity to ensure that workers do not leave those areas. If the plants are within work areas that have, or will have, ground disturbance, the Monitor will establish a species appropriate buffer zone around the population. Marking will be immediately removed at the end of construction activities within that area. As needed, marking will be reinstated during the land rehabilitation period.
4. For sensitive resource issues where marking is not appropriate, work in designated areas will be modified or curtailed during critical periods. The Authorized Officer, in advance of construction, will approve sensitive areas and time frames. Emergency repair situations are excluded from this restriction.
5. Contractors will be provided with maps showing avoidance areas; these will include established work zones as well as ROW areas where overland travel should be avoided.
6. In the event any sensitive plants require relocation, permission will be obtained from BLM. If avoidance or relocation is not practical, the topsoil surrounding the plants will be salvaged, stored separately from subsoil and respread during the restoration process, in compliance with the Restoration and Re-Vegetation Plan.

### Sensitive Wildlife

Sensitive wildlife that are designated either as threatened, endangered, candidate, species of concern as BLM sensitive species have the potential to occur near the Project. If these species are found to occur near construction activities, the Applicant will implement the following best management practices:

1. Prior to construction, all supervisory personnel will be instructed on the protection of natural resources. To assist in this effort, the construction contract will address: (a) Federal and state laws regarding plants and wildlife; (b) the importance of these resources and the purpose and necessity of protecting them; and (c) methods for protecting sensitive resources (e.g., Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act).
2. If sensitive wildlife species are discovered during construction activities, and the animals are not directly within ground disturbance areas, they will be protected by marking the

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- edges of the ROW and access roads in the general vicinity to ensure that workers do not leave those areas. If the animals are within work areas that have, or will have, ground disturbance, the Monitor will establish a species and temporal appropriate buffer zone and then will contact BLM immediately. The Authorized Officer may evaluate the adequacy of the buffer on a case-by-case basis. Until BLM authorizes the Applicant to proceed, either orally or in writing, all activities must cease within the buffer zone. After construction is completed, or no longer poses a threat to the species, the marking (stakes) will be removed to protect the site's significance and location from unwanted attention. As needed, marking will be reinstated during the land rehabilitation period.
3. For sensitive resource issues where marking is not appropriate, work in designated areas will be modified or curtailed during critical periods. The Authorized Officer, in advance of construction, will approve sensitive areas and time frames. Emergency repair situations are excluded from this restriction.
  4. If sensitive wildlife species are killed or injured due to construction activities, the Oregon Department of Fish and Wildlife (ODFW), the USFWS, and the Authorized Officer will be notified.
  5. All on-site personnel will be made aware that all birds of prey are protected by Federal and State laws.
  6. To facilitate identification of potential conflicts with sensitive wildlife species, the Monitor will maintain a spatial database of known locations near access road and transmission-line rights-of-way.
  7. Contractors will be provided with maps showing avoidance areas; these will include established work zones as well as ROW areas where overland travel should be avoided.
  8. The Monitor will use Applicant's earlier surveys to note raptor and migratory bird nests. Empty nests will be removed. If occupied nests are found, the Applicant, in consultation with the BLM and or USFWS, will establish a suitable buffer around the nest and avoid the area or relocate the nest.
  9. New structures will be built in accordance with raptor-safe standards specified in APLIC (2006).
  10. Small migratory bird nests in both grassland and sagebrush are difficult to locate and are only occupied for a few weeks in late spring. However, if an occupied nest is found within an active, or soon to be active, work zone it could be flagged and avoided, or possibly moved. The Authorized Officer will decide on a case by case basis.

### Raptor and Owl Protection

If work in the ROW is to occur in the nesting season, the Applicant's biologists will conduct surveys of the ROW to identify potential conflict areas of raptor nesting territories. Nests under construction, but not yet with eggs that are present in an area scheduled for work during that nesting season will be removed. However if nests with eggs or young need to be moved the Applicant will consult with the ODFW and the USFWS to decide on the proper action and to obtain an additional permit to move the nest. In the event that a successful move was unlikely,

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construction activities in that area may be delayed or access roads rerouted as appropriate. The Authorized Officer will make this decision.

If occupied raptor territories are observed off of the poles, the extent of likely construction disturbance will be assessed. If necessary, spatial and temporal management buffers could protect occupied territories. White and Thurow (1985) recommended no activities within 250 meters of an occupied ferruginous hawk nest, and Richardson and Miller (1997) recommended no major actions within 800 meters of an occupied nest.

Burrowing owls are mostly crepuscular and nocturnal and will not likely be significantly disturbed by construction activities as long as their burrows were not directly impacted. A buffer of 100 meters will be established for occupied burrows. Buffers for other raptor species will be decided as needed by the BLM or USFWS biologist and Authorized Officer.

### Cultural Resources

Cultural and/or paleontological resources identified in pre-construction surveys will be avoided by means of pole placement or adjustment of alignment. If a site cannot be avoided it will be dealt with as outlined in the Programmatic Agreement and the Cultural Resources Coordination Plan.

### Aesthetic Resources

The Monitor will ensure the following BMPs are used to protect aesthetic resources:

- No paint or permanent discoloring agents will be applied to rocks or vegetation to indicate limits of survey or construction activity.
- All stakes and flagging will be removed from the construction and rehabilitation area and disposed of in a State approved landfill.

### Fire Protection and Suppression

1. Monitor will call BLM Fire Dispatch weekly from June to October to determine the Industrial Fire Precaution Level for that week.
2. Construction activities will follow industrial fire precaution levels and regulations. Fire regulations are generally effective between April 1 and October 31 and at other times with unusual weather conditions.
3. The Monitor will be responsible for inspecting the transmission line for fire hazards. When working on or around transmission lines on BLM lands during fire season, the Monitor will ensure employees and contractors have approved suppression tools and equipment. All power-driven equipment, except portable fire pumps, will be equipped

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- with one fire extinguisher and one long handled round point shovel. In addition, each truck and passenger-carrying vehicle will be equipped with a double-bit axe or Pulaski.
4. If the Monitor becomes aware of an emergency situation that is caused by a fire on, or threatening, BLM administered lands and that could damage transmission lines or their operation, it will notify the appropriate BLM contact. Likewise, if the BLM become aware of an emergency situation that is caused by a fire on, or threatening, BLM lands and that could damage transmission lines or their operation, BLM will notify the appropriate Applicant contact.

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**Variance Request Forms**

Echanis, LLC  
Burns District BLM  
Variance Request Form

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**Part A – Request** (Completed by Proponent)

Requested by:	_____	Variance No.:	_____
Submitted to:	_____	Date Submitted:	_____
Date Revised:	_____	Date Needed by:	_____

**Description**

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Land Jurisdiction:     BLM     State     Private     Other:

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## NEPA Analysis/Disturbance Tracking

Is proposed activity described in the POD?:  Yes  No

Is the activity within an area analyzed in the FEIS?  Yes  No

Does the proposed activity result in new project disturbance?  Yes  No

Description of Disturbance	Type of Disturbance (Temp or Perm)	Proposed Disturbance (Acres)	Original Disturbance in FEIS/POD (Acres)	Disturbance Difference (Acres)

## Support Materials

*Provide a map (required), supporting graphic, information, and resource reports that support or explain the proposed activity, as needed.*

Map/Drawing       Engineering Drawing       Photos       Additional Resource Reports

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## Part B – Compliance Inspection Contractor (CIC)/Agency Review

*Documentation evaluating the proposed modification (provide citation)*

Is the proposed activity described in the POD?  Yes  No

Is the proposed activity within an area previously analyzed in the FEIS?  Yes  No

Is the proposed activity equal to or less disturbance than what was analyzed  
in the FEIS?  Yes  No

Resources	Document Reference and Review Comments
NEPA (FEIS, POD, ROW Grant, ROD)	
Biology	
Cultural	
Other:	
Field Visit	

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## Part C – Variance Response

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### Option A

**CIC Field Approval:**     Yes                       No                       More Info Needed

CIC Inspector

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*All questions above must be answered "Yes" for field review approval*

Conditions:

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## Option B

**CIC/BLM Review:**       Approved       Package Complete (Non-BLM land)  
                                  Not Approved       More Info Needed

Project Manager

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Conditions: