

**KINGMAN FIELD OFFICE SCOPING FORM**

**Proposal:**

DOI-BLM-AZ-C010-2010-0027-EA LR13 S:/BLMshare: nepa/ROW's/WesternWind Steele Park  
 NEPA Document Number RMP Implementation No. Document Location

**Land Description:**

Applicant: UniSource  
 Authorization: AZA 35334

INVOLVEMENT: Indicate in the left column which disciplines need to provide information into the EA.

Needed Input (X)	Discipline	Signature
	Lands	
	Minerals	
X	Range	/s/ Michael Blanton 10/28/2010
	Wild Horse and Burro	
	General Recreation	
X	Cultural and Paleontological Resources	/s/ Tim Watkins 11/08/2010
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	/s/ Ammon Wilhelm 10/27/2010
X	Threatened and Endangered Plants and Animals	/s/ Ammon Wilhelm 10/27/2010
X	Migratory Birds	/s/ Ammon Wilhelm 10/27/2010
	Surface Protection	
	Hazardous Materials	
	Areas of Critical Environmental Concern	/s/ Ammon Wilhelm 10/27/2010
X	Visual Resources	
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

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Date: April 1, 2010

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Date: 04/06/2010

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Date: 04/06/2010

**United States Department of the Interior  
Bureau of Land Management**

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**Environmental Assessment  
DOI-BLM-AZ-C010-2010-0027-EA**

**November 2010**

***Proposed UniSource Power Facilities***

**AZA 35334 - New  
AZA 16833 - Amendment  
AZA 31717 - Amendment**

***To Support the Proposed  
Kingman Energy Corp. Kingman Project***

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## **I. Introduction**

### **A. Background**

Kingman Energy Corp. (KEC), a wholly owned subsidiary of Western Wind US Corporation, proposes a combined wind and solar generation facility known as The Kingman Project on private land south of Kingman, and east of Nucor Steel in Section 3, T. 20 N., R. 17 W. The Kingman Project would consist of a 10 MW wind energy generation facility, a 500 kW photovoltaic solar array, a 69 kV substation, an isolation breaker site, a lay down area, and access roads. All facilities would be located on private land. Access to the private land is via private land at an existing Railroad underpass. Total surface disturbance for all facilities is estimated to be 33.1 acres on private land. While BLM has no authority regarding development of private land, the project would require use of federal land in order to transmit power from the wind and solar power generation facilities to the local power grid.

### **B. Purpose and Need**

**Purpose:** The purpose of the proposed action is to provide UniSource Energy (UNSE) right-of-way (ROW) authorizations that would allow a proposed renewable energy project to be directly interconnected to UNSE's power system thereby allowing UNSE to add this renewable energy project to their portfolio and help meet their state mandated objective for renewable energy of 15 percent by the year 2025.

**Need:** The need for the proposed action is to respond to a FLPMA ROW application submitted by the proponent to construct, operate, and maintain power line ROWs on public lands administered by the Bureau of Land Management (BLM) Kingman Field Office (KFO) to support a renewable energy project on private land.

### **C. Decisions to be made**

The BLM will determine whether or not to issue/amend the ROW's applied for and what stipulations would be attached.

### **D. Conformance with BLM Land Use Plan(s)**

This proposed action is in conformance with the Kingman Resource Management Plan (KRMP) approved March 1995. The following KRMP Decisions apply:

- CL01 Protect the scientific information potential of sites, enhance the public use values of sites and manage sites for conservation. (Page 74)
- LR13a All other minor rights-of-way would be evaluated through the environmental review process and granted or rejected on a case by case basis. Existing rights-of-way would be used when possible to minimize surface disturbance. (Page 21)
- TE03 BLM will manage for conservation of candidate and BLM-sensitive species and their habitats. BLM will ensure that actions authorized will not contribute to the need to list any of these species as threatened or endangered. (Page 29)
- TE05 Unavoidable impacts or land use actions resulting in net loss to the quality or quantity of desert tortoise habitat would require compensation in the form of other equally suitable tortoise habitat in the Kingman Resource Area. (Page 54)

VR01 Designate and manage visual resources according to the Visual Resource Management Classes as shown on Map 19, page 81 and Table 16, page 138.

WL02 Thirteen wildlife movement corridors and lands between mountains in southern Mohave County are proposed to ensure that biotic diversity is maintained (Map 20, Page 79).

## II. DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

### A. Proposed Action

A detailed description of the proposed actions are as described in the Plan of Development (POD) attached as Appendix 1.

In summary UNSE has applied for the following ROW actions:

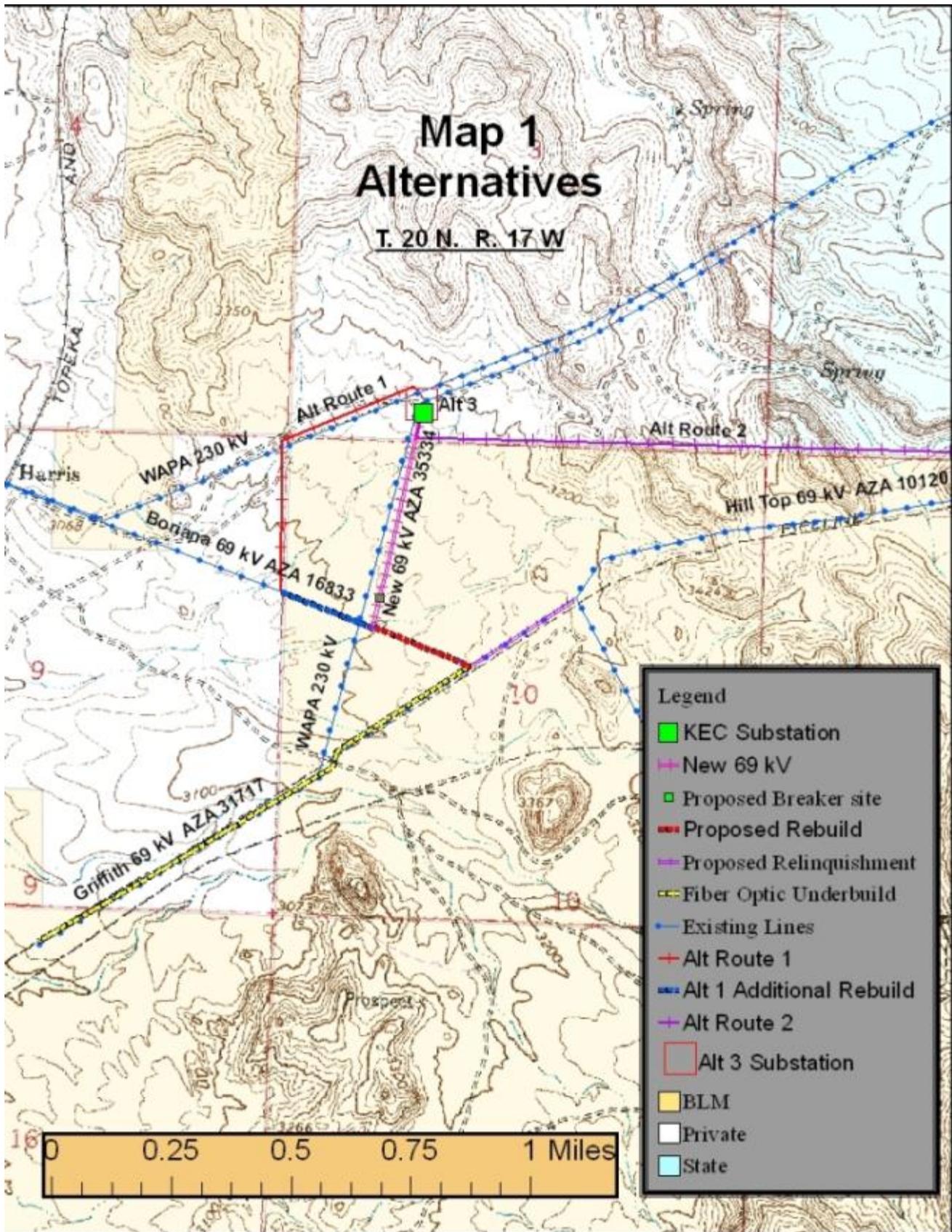
1. A new 69 kV power line ROW and associated access road, AZA 35334 (see Map 1).
2. An amendment to the existing Borianna 69 kV power line, AZA 16833 (see Map 1), including an upgrade to the line, a fiber optic line, and a partial relinquishment.
3. An amendment to under build a fiber optic cable on the existing Griffith 69 kV power line, AZA 31717 (see Map 1).

**B. No Action Alternative:** BLM would not approve the ROW actions.

### C. Alternatives Considered but not Analyzed in Detail

1. **Alternative 1.** This route would go northwest from the KEC substation under the WAPA 230 kV line and then parallel that line southwest mostly on private land until entering into section 9. It would include a corner crossing on public land in Section 4. The line would again cross under the WAPA 230 kV line and then head south along the section line between sections 9 and 10 to the Borianna 69 kV line. The Borianna 69 kV line would be rebuilt in Section 10 to the tie with the Griffith ROW, AZA 31717. It would consist of approximately 3,905 feet of new power line construction. This route would require crossing the WAPA 230 kV line twice and a new access road would have to be constructed. It would double the length of the new power line and double the amount of rebuild required on the Borianna 69 kV line. This alternative would require a corner crossing ROW from the BLM across public land in Sec. 4 and an amendment to the Griffith ROW for fiber optic under build. The costs for this route would be double that of the proposed action. The environmental impacts caused by the proposed action would not be alleviated by this alternative but would increase in terms of acreage disturbed. (See Map 1)
2. **Alternative 2.** This route would go east from the KEC substation along the section line on private land in section 3 and continue along the section line into section 2 on State land, totaling approximately 6,055 feet of new power line construction, and tie into the Hilltop 69 kV line ROW, AZA 10120. This route would be more than double the length of the proposed action and would require a permit from the Arizona State Land Department. It would not require a new ROW from the BLM but would require an amendment to the Hilltop power line ROW for upgrade and an amendment to the Griffith ROW for fiber optic under build. This route would involve substantial new disturbance to build a power line and access road due to steep rugged terrain. A considerable portion of the existing Hilltop 69 kV line would have to be rebuilt (4,965 feet) as this line is too small to carry the projected renewable energy load of the project. The costs would be more than triple that of the proposed action. The environmental impacts caused by the proposed action would not be alleviated by this alternative but would increase in terms of acreage disturbed. (See Map 1)

3. **Alternative 3.** This alternative involves an interconnection with Western Area Power Administration's (WAPA) 230 kV transmission line that traverses the project site on private land via a larger 230 kV substation. The power from the project would be transmitted over the existing WAPA 230 kV line to an interconnection with UNSE, such as Hilltop. This option would not require any new power line construction but may require amendment of existing ROW's on public land to handle the load. It would increase the substation costs by 2 times. Additionally this option would require monthly fees paid to WAPA and would take approximately 2 years to process and complete. Arizona Corporation Commission approval and a Certificate of Environmental Compatibility would also be required. (See Map 1)



### III. AFFECTED ENVIRONMENT:

The affected environment was considered and analyzed by an interdisciplinary team identified in the BLM KFO Project Scoping Meeting on April 6, 2010. Resources of concern that are either not present in the project area or would not be impacted to a degree that requires detailed analysis will not be discussed here. Resources which could be impacted by the proposed action or alternatives are identified in the table below. A description of the present and potentially affected resources identified is provided following the table.

PROJECT RESOURCE REVIEW			
Resources Considered	Not Present	Present and Not Affected	Present and Potentially Affected
Air Quality*			✓
Areas of Critical Environmental Concern*	✓		
Climate		✓	
Cultural and Historic*	✓		
Environmental Justice* / Socioeconomics	✓		
Floodplains*	✓		
Grazing		✓	
Hazardous or Solid Waste*	✓		
Invasive and Non-native Species*			✓
Land Use			✓
Migratory Birds*			✓
Native American Religious Concerns*	✓		
Prime and Unique Farmland*	✓		
Soils			✓
Special Status Species			✓
Threatened and Endangered Species*	✓		
Vegetation			✓
Visual Resources			✓
Water Quality*	✓		
Wetland or Riparian Zones*	✓		
Wild and Scenic Rivers*	✓		
Wilderness*	✓		
Wildlife			✓
Wild Horse and Burro	✓		
* Consideration Required By Law or Executive Order			

**Note:** A cultural survey was conducted on June 4, 2010 for the proposed actions on public land and there were no prehistoric or historic resources found. Tribal consultation was conducted for the proposed action and there are no tribal concerns. No sites were found or are known that would be eligible for listing in the National Register of Historic Places.

**Air Quality:** Mohave County is in an attainment area where air quality is generally considered good. Dust is created each time a vehicle uses the existing dirt roads, however, dissipation occurs rather quickly the majority of time based on normal wind conditions in the area.

**Invasive, Non-Native Species:** The ID team referred to the Arizona State noxious weeds list from the USDA Plants Database, the Arizona Department of Transportation Priority weeds list, and the Invasive Non-Native Plants that Threaten Wildlands in Arizona list, to determine which species of non-native plants are of concern within the project area. The following invasive non-native species were identified within the project area.

**Red Brome** is a winter annual grass that was brought to the United States from Mediterranean countries in the 1880s and has been in Arizona since 1907. It is self pollinating and produces large numbers of viable seeds. It is spread by wind, water, animals and humans. It readily establishes in disturbed sites but has also shown the ability to establish in undisturbed landscapes.

**Sahara Mustard** is an annual herbaceous plant that was brought in from Europe or Africa in the 1900s. In the 1950s it was found in Yuma, Arizona, and by the 1970's it was widespread throughout southwestern portions of the state. It produces large numbers of seeds that are spread by wind, water, animals and humans.

**Land Use:** The area is relatively isolated by an east-west railroad mainline and steep mountainous terrain that is part of the Hualapai Mountains foothills. There are residential developments to the north and to the west of the project area, approximately 1.5 miles and 2 miles respectively. The area has historically been used for grazing, mining, recreation and ROW development. It is an area where the following RMP designated utility corridors (see Map 2) merge together and there is a proliferation of power lines and pipelines and associated access roads:

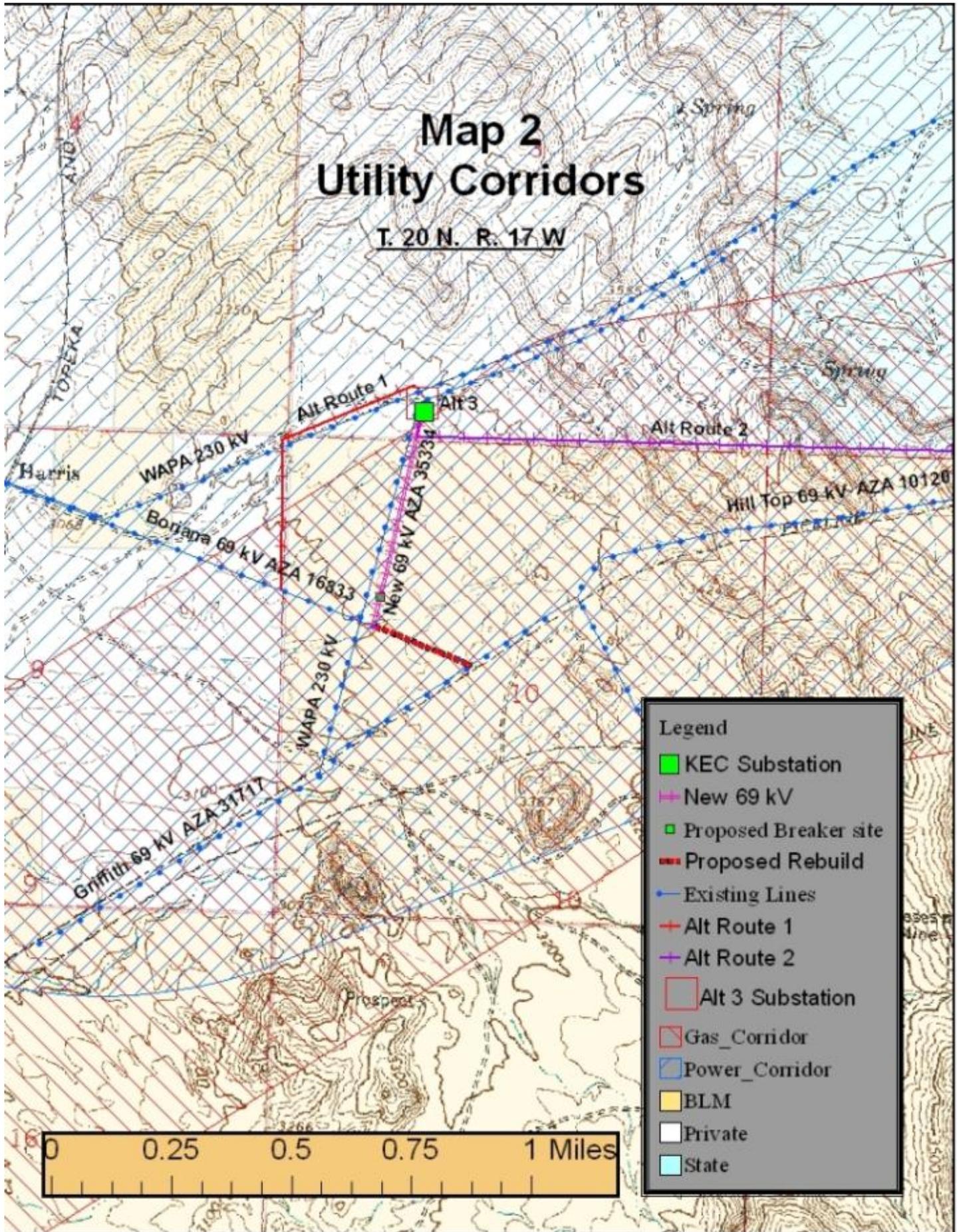
Two-mile wide Davis to Prescott 230 kV power line corridor.

One-mile wide Transwestern/Questar gas pipeline corridor.

Utility corridors were designated to reduce widespread proliferation of ROW's by directing major transmission facilities to corridors where similar facilities were already in place. Note: While corridors are shown on all land, designations are applicable to public lands only.

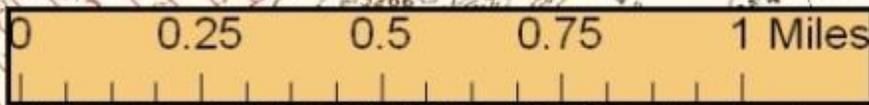
# Map 2 Utility Corridors

T. 20 N. R. 17 W



**Legend**

- KEC Substation
- New 69 kV
- Proposed Breaker site
- Proposed Rebuild
- Existing Lines
- Alt Route 1
- Alt Route 2
- Alt 3 Substation
- Gas\_Corridor
- Power\_Corridor
- BLM
- Private
- State



**Migratory Birds:** Species of migratory birds that are likely to nest within the project area include the following: Bendire's thrasher, Le Conte's thrasher, cactus wren, mocking bird, ladder-backed woodpecker, mourning dove, loggerhead shrike, and black-throated sparrows.

**Soils:** Soils within the project area are coarse sand and gravelly with rock outcrops. Soil appears to be stable, no headcuts or signs of accelerated erosion were seen in the project area.

**Special Status Species:** The project occurs within Category III desert tortoise habitat (See Map 3). Note: Habitat designation is applicable to public land only. Other sensitive or state listed species that might occur within the project area include: chuckwalla, rosy boa and multiple bat species. There are several boulder piles near or in the proposed ROW that are potential habitat for desert tortoise, Chuckwalla or rosy boa. There are multiple escarpments and old mining remnants that would provide roosting areas for bats. Bats forage throughout the project area.

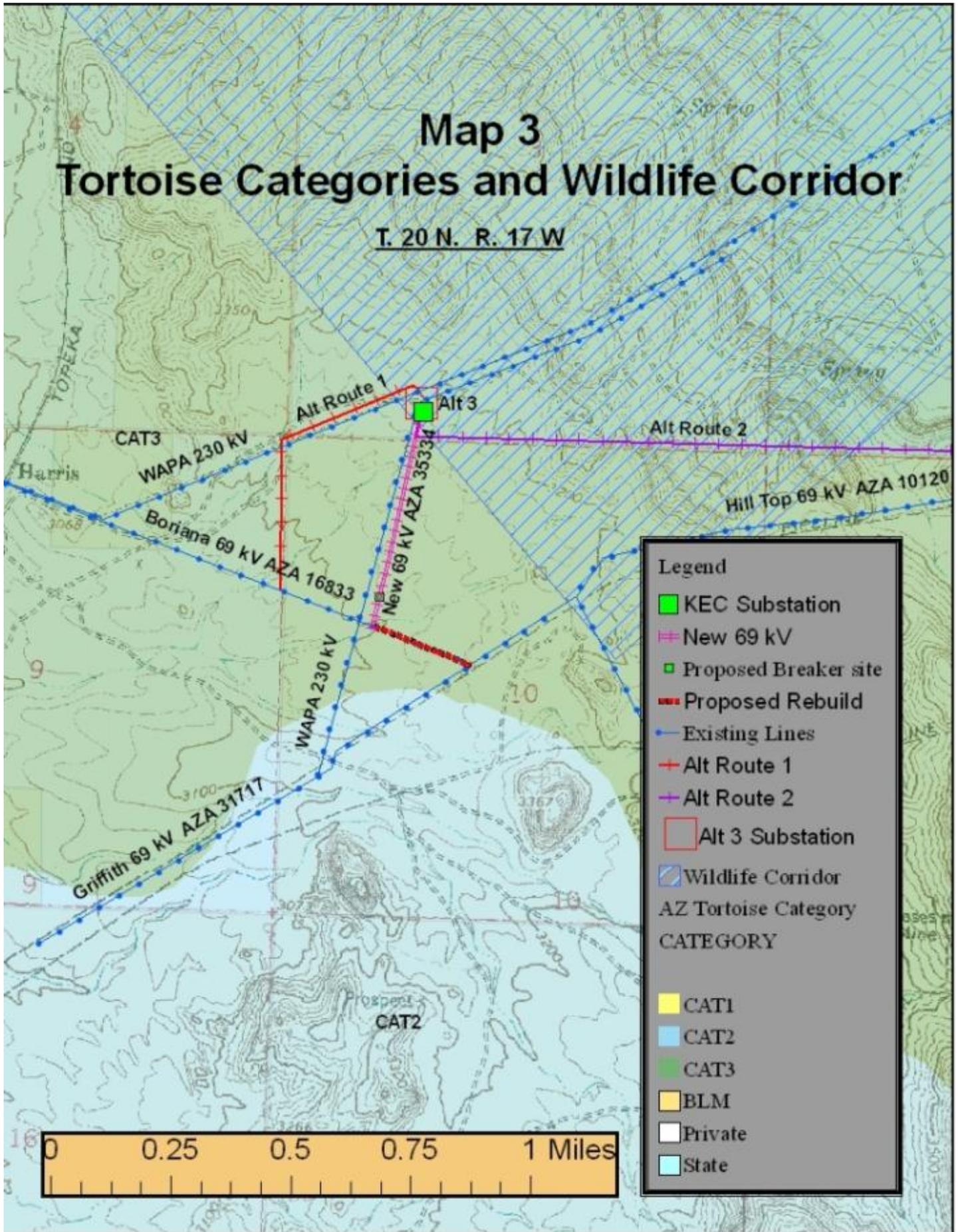
**Vegetation:** The project area lies within the Mojave and Sonoran desert transition zone that contains species from both deserts. Common vegetation within the project area includes: creosote bush, white bursage, Mojave yucca, ray-less golden-head, flattop buckwheat, ocotillo, and galleta grass. The project area is diverse. Thirty-eight species of perennial plants were observed during a May 5, 2010 field visit.

**Visual Resources:** The project area is within VRM Class 3 and 4 (See Map 4). Note: While classes are shown on all land, designations are applicable to public lands only. Class 3 allows for projects to be noticeable but not dominate the landscape while in Class 4, projects can be noticeable and dominate the landscape. Regardless of which VRM class is present, all projects should be designed to minimize their visual impact. The project area is within an enclosed landscape surrounded by rugged and steep terrain. Vegetation provides a variety of structure up to approximately 10 feet in height with a variety of gray and green shades being present. The landscape is crisscrossed with vertical and horizontal lines resulting from the five existing power lines that intersect within a quarter mile of the project area. Additionally there are three gas pipelines and multiple roads within the immediate area.

**Wildlife:** The project occurs within the Holy Moses Wash Wildlife Crossing Corridor (See Map 3). Note: While the corridor is shown on all land, the designation is applicable to public lands only. This corridor connects part of the Cerbat Mountains and the Hualapai Mountains. Typical wildlife within the project area include mule deer, mountain lions, javelinas, desert cottontails, black-tailed jackrabbits, rattlesnakes, lizards, Gambel's quail, and rodents.

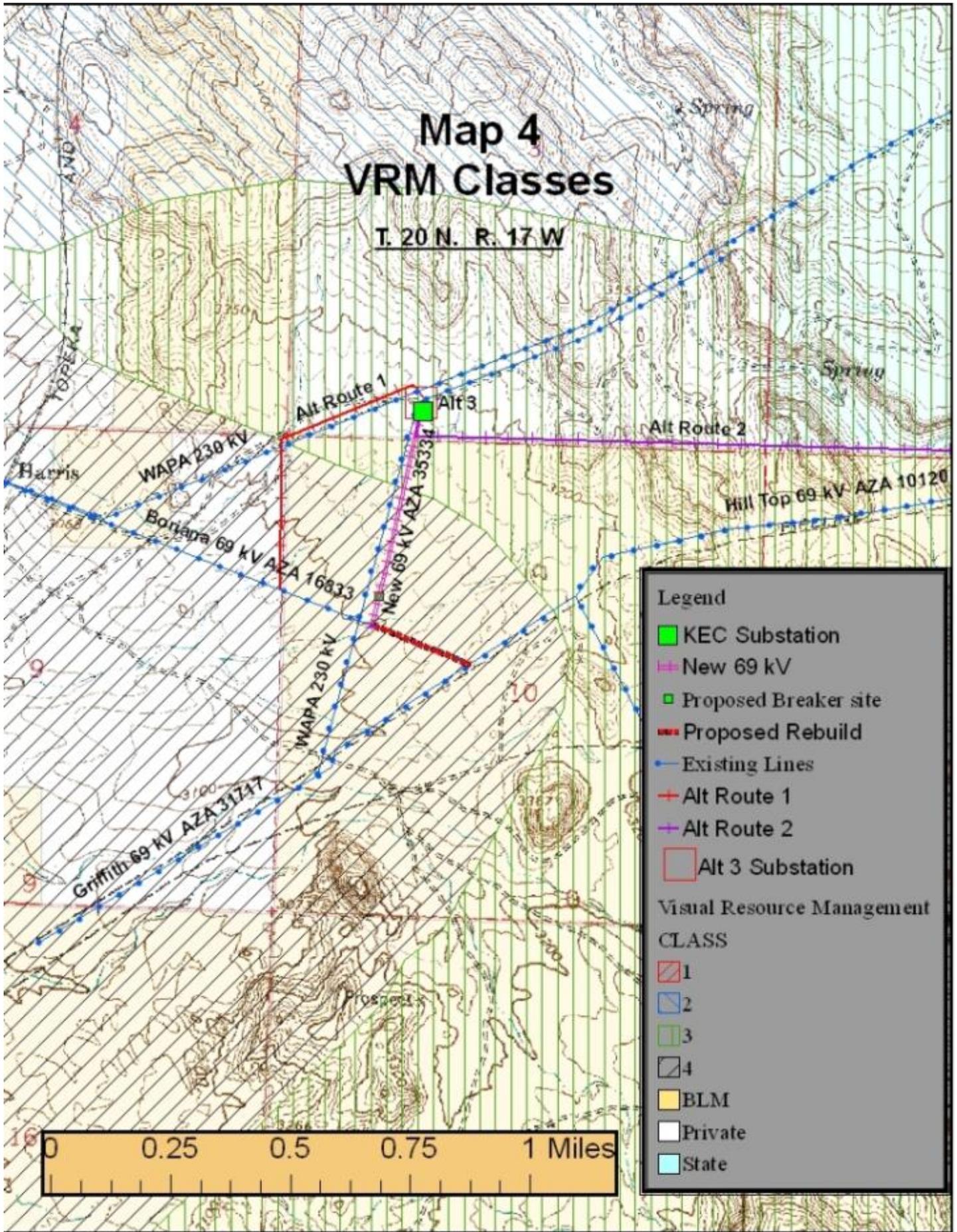
# Map 3 Tortoise Categories and Wildlife Corridor

T. 20 N. R. 17 W



# Map 4 VRM Classes

T. 20 N. R. 17 W



## IV. ENVIRONMENTAL IMPACTS

### A. Expected impacts from the Proposed Action include the following:

**Air Quality:** Air quality is not expected to change if ROW authorizations are issued. There will be a short term (90 days) increase in dust during construction of the power line.

**Invasive, non-native species:** As stated in the POD, UNSE trucks that come from outside of the Kingman area will be pressure washed to prevent the spread of new non-native invasive species into the project area. The non-native species in this area include red brome and Sahara mustard, both of which are already common within the project area and would not spread further as a result of this project. Both of these species could be spread from the project area to other areas if vehicles and equipment are not cleaned prior to leaving the project area. UNSE typically washes their vehicles when completing a job which would prevent the spread of invasive species found on this project to new areas.

**Land Use:** Amending the existing ROW's will consist of minor modifications. A new power line ROW would be authorized within an existing utility corridor. Implementation of the proposed action would not affect other land uses that are occurring in the area.

The proposed power system modifications will allow UNSE to add this renewable energy project to their portfolio. The Arizona Corporation Commission (ACC) has ruled that 15 percent of UNSE's load must be generated or purchased from renewable energy sources by the year 2025.

**Migratory Birds:** Some potential nesting and foraging habitat would be removed (approximately .3 acres). Project construction would take place between September 16 and March 14 outside of the breeding season (March 15-September 15) to prevent impacts to individuals or the route would be surveyed by a biologist for migratory bird nests prior to construction as described in the POD, Appendix 1. Activities would result in temporary disturbances to migratory and resident birds within the project area but would not have a measurable impact to populations.

**Soils:** Existing roads and power pole pads have been in place for multiple years and show few signs of accelerated erosion which indicates that the soils would have a low risk of eroding once vegetation were removed. The soil around each pole location would be compacted by construction equipment but this should only occur during the construction phase. After construction, pole locations would be undisturbed except for necessary maintenance. This should allow the soils to return to their natural level of compaction. Soils on any access roads would remain compacted.

**Special Status Species:** Tortoise handling guidelines will be followed as described in the POD, Appendix 1. Compensation for tortoise habitat is addressed in IM No. AZ-2009-010 and would be applicable to this project. Long term loss of habitat will be determined post-construction. Some individual tortoises could be disturbed by handling or loss of foraging habitat. Approximately 0.3 acres of foraging habitat would be removed. Tortoise populations would not be measurably impacted by the proposed action.

**Vegetation:** Approximately 0.3 acres of vegetation would be removed for placement of 8 poles, the new road, and the isolation breaker site. Protected plants such as yuccas and cacti will be transplanted as stated in the POD, Appendix 1. Some additional vegetation would be run over by construction equipment during off road travel to pole locations, but it may not die as a result. The removal of the vegetation would not result in a downward trend for any of the plant populations within the project area.

**Visual Resources:** The 69 kV line would be parallel to an existing 230 kV line, on the east side, and would use the same access road for most of the line. The proposed location is within an enclosed landscape that is hidden

from Interstate 40 to the north and west and from the Cerbat Foothills Recreation Area to the northwest. This area may be visible from some locations in the Hualapai Mountains but from that distance the power line would not likely be visible. The use of self-weathering steel monopoles and non-specular conductors will help the power line blend into the background and be less noticeable on the landscape. This would allow the project area to continue to meet the VRM class 3 and 4 objectives.

**Wildlife:** A small amount of foraging habitat (0.3 acres) would be removed as a result of pole placement and 100 feet of new road to the isolation breaker unit. Forage is sparse within the project area and the amount removed by the proposed action could limit forage for a few individuals but should not impact wildlife populations within the area. Construction activities could cause some temporary disturbance to wildlife over the 90 day life of the construction. The disturbance would likely cause wildlife to avoid the area during construction activities. After completion of construction, wildlife would be able to use the project area and the Holy Moses wildlife movement corridor at the same level as before construction. Given the number of existing ROWs in the project area, the proposed actions are not likely to affect the ability of wildlife to use the area and the wildlife movement corridor.

### **B. Expected Impacts from the No Action Alternative**

If the no action alternative were selected there would be no change to the current conditions described in the affected environment. None of the actions described in the proposed action would occur. There would be no impact to the following resources from the No Action Alternative: Air Quality, Invasive and Non-native species, Land Use, Migratory birds, Soils, Special Status Species, Vegetation, Visual Resources or Wildlife.

### **C. Expected Impacts from the KEC Renewable Energy Project**

The proposed renewable energy project located on private land is a connected action pursuant to the Council of Environmental Quality (CEQ) Regulations, 40 CFR 1508.25 where an action cannot or will not proceed unless other actions are taken previously or simultaneously. BLM NEPA guidance requires BLM describe the connected action and its relationship to the proposed action including the extent to which the connected action and its effects can be prevented or modified by BLM decision-making on the proposed actions.

**Relationship to the proposed action:** The proposed renewable energy project requires a connection to the existing local power grid. While a new power line could be constructed without involving BLM public land it would require more extensive surface disturbance and increase costs by up to 3 times that of the proposed action. In addition a fiber optic cable would have to be added to an existing power line that crosses BLM public land in order to control operations for the required breakers and substation. This would require an amendment to an existing BLM authorization and would trigger NEPA documentation and a Federal decision. Since there is no feasible alternative that would avoid Federal involvement, the proposed renewable energy project is a connected action and is subject to analysis within this NEPA document.

**Description of the renewable energy “Kingman Project”:** KEC is proposing a combined wind and solar generation facility known as the Kingman Project on private land south of Kingman and east of Nucor Steel in Section 3, T. 20 N., R. 17 W. (See Map 5). The Kingman Project would consist of the following:

1. Five 400 ft tall 2 MW wind turbines.
  2. A 500 kW photovoltaic solar array, 370’ wide and 460’ long surrounded by chain link fence.
  3. A substation, 96’ wide and 97’ long surrounded by a chain link fence.
  4. An isolation breaker site, 54’ wide and 95’ long surrounded by a chain link fence.
  5. 0.9 miles of 36’ wide crane roads.
  6. 1.4 miles of 16’ wide access roads.
  7. A temporary lay down area roughly 360’ wide and 480’ long surrounded by chain link fence.
- Total estimated surface disturbance: 33.1 acres.

Due to the height of the turbine towers, Federal Aviation Administration (FAA) lighting requirements consist of a flashing red light on the nacelle of each outside and middle turbines. The substation and solar array will have night-time lighting consisting of low density lights aimed downward. The isolation breaker site and temporary laydown area will have lights but will only be used on an as needed basis. All lighting will be in compliance with the Mohave County “dark sky” ordinance.

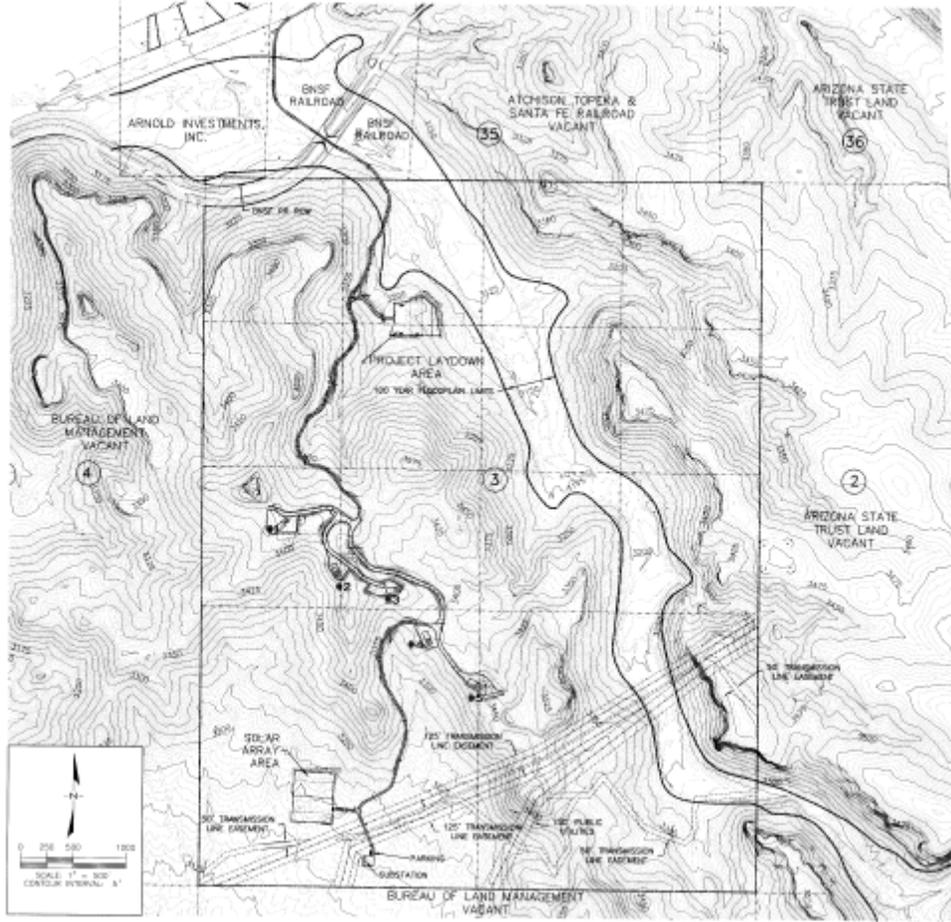
Fencing of the lay down area, solar array, substation and isolation breaker site will consist of 8’ high chain link. The solar array, substation, and isolation breaker site will have 1’ of barb wire on top.

Access to the private land is via Old Trails Highway/Old Route 66 from Fourth Street in Kingman and through an existing Railroad underpass for which KEC has obtained a right-of-way. It is unclear how large equipment and turbine components would be transported to the private land but it may require permitting from the State of Arizona, the City of Kingman and Mohave County. In addition, since portions of Route 66 are on the National Register of Historic Places, consultation with the State Historic Preservation Office, the National Park Service and the Advisory Council on Historic Preservation may be required, especially if modifications to a historic property are required and Federal money is involved.

Mohave County zoning has been completed. ACC permitting is not required due to the small size (69 kV) of the energy project and power lines. FAA approval for turbines has been received and information has been provided to the Department of Defense. Activities would be conducted under a Corp of Engineers Nationwide 14 permit for linear transportation projects.

Currently the scope of expansion is unknown, but KEC is attempting to obtain rights to test the wind resource on the section of State land to the east of the wind and solar project area.

A PROPOSED DEVELOPMENT IN SECTION 3, TOWNSHIP 20 NORTH, RANGE 17 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, MOHAVE COUNTY, ARIZONA



**Air Quality:** Construction activities and increased traffic on dirt roads would temporarily increase dust. The use of wind and solar energy would replace some use of fossil fuels which would reduce emissions. Impacts to air quality are expected to be negligible due to the remote location and dissipation by local winds.

**Invasive and Non-native Species:** Red brome and Sahara mustard are common in the area and could be spread to other areas by machinery. The construction of the roads and the turbine pads would disturb native species and offer opportunities for the spread or introduction of invasive species. If machinery were not washed prior to coming onto the project area they could introduce new non-native species to the project area.

**Land Use:** The private land has been zoned M-X (heavy manufacturing) by Mohave County to accommodate this project and will be in compliance with the Mohave County Industrial Performance Standards. It has been used for grazing, mining, recreation and ROWs.

**Migratory Birds:** The construction of the renewable energy facilities would result in approximately 33.1 acres of lost foraging and nesting habitat. Additionally migratory birds could be struck and killed by the spinning turbine blades. KEC contracted a preconstruction survey to assess potential impacts to birds and bats. This was updated in 2010 after fall 2009 and spring 2010 small bird use counts and migration counts were performed. KEC has consulted with the Arizona Game and Fish Department regarding the project and will conduct monitoring after the project is operational.

**Noise:** Currently noise is generated primarily from vehicle traffic on I-40 and train traffic to the west of the project area. Noise generated from wind turbines could be expected to dissipate very rapidly due to normal wind conditions and existing topographical features. The closest residential development is 1.5 miles north and 2 miles west, respectively, of the project area. It is expected noise will not be discernable from the developments. Development will be in compliance with the Mohave County Industrial Performance Standards.

**Soils:** Approximately 33.1 acres of soil disturbance is expected. Much of the area is armored by gravel and rock which should help protect against accelerated erosion. KEC has a storm water pollution protection plan that would minimize erosion around disturbed areas.

**Special Status Species:** Approximately 33.1 acres of foraging habitat for desert tortoise, chuckwalla and bats would be removed as a result of the proposed renewable energy project. Bats could be killed by turbines from actual strikes and from barotraumas (a rapid change in air pressure that causes bat lungs to expand and hemorrhage resulting in death). Bat populations in the project area are unknown and surveys would be required to help evaluate potential impacts. KEC will conduct monitoring after the project is operational.

**Vegetation:** 33.1 acres of vegetation would be removed. There are no plans for salvage or transplant of any plants or rehabilitation of disturbed areas on private land.

**Visual Resources:** While Map 4 shows the private land in Sec. 3 as Class 3 and 4, BLM classifications are not applicable on private land. The proposed wind turbines would be approximately 400 feet tall, white in color with a flashing red light on the nacelle of each of the outside and middle turbines. The turbines will be visible from many areas in and around Kingman but would be most noticeable from Walnut Creek Estates west of the project and from Interstate 40 north of the project area.

**Wildlife:** Wildlife would lose a total of 33.1 acres of foraging and cover habitat. Some mortality could be expected to birds and bats from turbine strikes and barotrauma. Overall the habitat lost should not result in a decline for any wildlife populations in the area. Additionally the lighting on the solar array and the substation would attract insects at night which would in turn attract bats to the area. This could result in an

increase of bat mortality from the turbines. The red flashing lights on the turbine nacelles should not attract insects since red light is less attractive to insects.

#### **D. Cumulative Impacts**

##### **Vegetation:**

**Scope:** The project area is located in a valley surrounded by steep rocky hills. The bottom of the valley is relatively flat and represents a different soil type and plant community than the surrounding hills. This valley was chosen as the area for assessing cumulative impacts to this vegetation community. In addition, the section of private land where the wind energy project is proposed and the section of State land to the east were included in the cumulative impacts scope because of the wind project and the potential for future expansion onto the State land. The total acreage of the impact scope is approximately 2,576 acres. Impacts to vegetation were measured based on existing surface disturbance within the scope. Past and present impacts to vegetation were combined since any past impacts that have re-vegetated are no longer impacts.

**Past/present impacts:** Current surface disturbance within the scope consists of approximately 24 acres of cleared area. Vegetation was removed for pipelines, power lines, access roads and mining claims.

**Foreseeable future:** The 0.3 acres of surface disturbance from the proposed action would be added to the 33.1 acres of disturbance anticipated from the wind and solar installation. In addition, the existing roads and power lines have disturbed approximately 24 acres. This represents less than 1 percent of the vegetation within the scope. The implementation of this project added to the existing and past projects is not expected to result in the loss or imperilment of any upland plant species or animal species that rely on the vegetation for cover and foraging habitat.

##### **Visual Resources:**

**Scope:** The scope for analyzing impacts to visual resources was determined by selecting the residential development viewshed where the project would be most visible. In determining the scope the BLM determined that the view from the Walnut Creek Estates development would be the most impacted by the implementation of the proposed actions and associated renewable energy project. The BLM assumed that by analyzing the most impacted viewshed, the impacts to other viewsheds would be understood also. Walnut Creek Estates is located approximately 2.5 miles west of the proposed 69 kV power line. It is situated in the Sacramento Valley on the west side of Interstate 40 and has a clear view of the project area with little or no topography that could block the view. Within the viewshed of Walnut Creek Estates, the project sits in front of the Hualapai Mountains which is the most important aspect of the view to the east. Past and present impacts have been combined in analysis since past visual impacts would only be considered if they are still occurring.

**Past/present:** Looking east from Walnut Creek Estates, the following structures that detract from the view of the Hualapai Mountains are present: Interstate 40, Nucor Steel Mill, 2 WAPA 230 kV lines, other smaller power lines, railroad tracks, trucking businesses and dirt roads. All of these features distract from the view of the Hualapai's but the viewer's eye is still drawn primarily to the mountains.

**Foreseeable future:** The new 69 kV line will add 8 monopoles, an isolation breaker site, and 100 feet of new road to the landscape. The renewable energy project would also add 5 wind turbines, a substation, an isolation breaker site, a solar array and approximately 33.1 acres of surface disturbance. No other projects are proposed for this area at this time. The proposed actions on public land would not be noticeable from Walnut Creek Estates due to the self weathering steel that would help them blend into the background. The wind turbines would be noticeable and would attract the attention of the casual observer but they would not dominate the viewshed. The project area would continue to meet the VRM class 3 and 4 objectives.

## **CUMULATIVE IMPACTS FROM THE NO ACTION ALTERNATIVE:**

There would be no changes to existing conditions on public land within the project area if the proposed actions were not authorized and constructed.

## **V. CONSULTATION AND COORDINATION**

April 6, 2010. This proposal was presented at the BLM/bi-monthly Project Coordination Meeting.

April 16, 2010. Letters were sent to affected Tribes initiating Tribal Consultation as required by Sec. 106 of the National Historic Preservation Act.

April 20, 2010. Letters were sent to third party rights holders including grazing permittees, mining claimants, ROW holders, Mohave County, State Land Department, Nucor Steel and KEC. The letter provided notification of the proposed action and requested comments. No comments were received.

April 22, 2010. Conversation between Hualapai Tribal representative and BLM KFO Archaeologist Tim Watkins regarding a spring on KEC's property. Ethnographic accounts from the 1950's have indicated that a spring on KEC property is of cultural importance to the Hualapai people.

September 9, 2010. BLM KFO Archaeologist Tim Watkins met with Hualapai Tribal representatives regarding the proposed project. A field trip was scheduled for October 4, 2010.

October 4, 2010. Field trip with a Hualapai Tribal representative, Tom Dugan from KEC and Tim Watkins, BLM KFO Archaeologist. Locations visited included the proposed new power line location on public land and the proposed energy generation facilities on private land.

October 6, 2010. Conversation between Arizona Game & Fish Department Project Evaluation Program Specialist, Ginger Ritter and BLM KFO Biologist regarding EnviroSystems Biological Report and impacts to wildlife.

November 4, 2010. Conversation between Hualapai Tribal representative and BLM KFO Archaeologist Tim Watkins regarding the proposed projects. No concerns were identified with the projects on public land. The tribe and Western Wind will discuss the possibility of conducting a small scale ethnohistoric study of the project area (including private land).

## **VI. DESCRIPTION OF MITIGATION MEASURES AND RESIDUAL IMPACTS:**

Residual impacts expected from the proposed actions on public land will result in the permanent loss of approximately .3 acres of tortoise habitat. According to BLM policy established in the Rangewide Plan for Tortoise Habitat Management (1988), BLM will require compensation for lost habitat on public land. Compensation will be calculated post construction.

**Preparer(s):** Kingman Field Office

Ammon Wilhelm: Wildlife Biologist

Joyce Cook: Realty Specialist

Tim Watkins: Archaeologist

Mike Blanton: Range Management Specialist

**Environmental Coordinator:** David Brock, Kingman Field Office

Bureau of Land Management, Kingman Field Office  
FINDING OF NO SIGNIFICANT IMPACT

**NEPA Document Number:** DOI-BLM-AZ-C010-2010-0027-EA

Finding of No Significant Impact: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

The proposed actions on public land are considered minor in scope. The area has been designated as a utility corridor due to the number of existing ROW's and to allow for future ROW development. On-the-ground surveys have been conducted for cultural and biological resources. No cultural resources were found. The activities would result in a temporary disturbance to wildlife, but would not displace them permanently. A minor loss of vegetation, .3 acres, may be expected from construction of the facilities on public land. Tribal consultation has been conducted and there are no concerns with the activities on public land.

The private land development of renewable energy is a small local development that would provide an opportunity to the local power company to include the project in their portfolio and aid in meeting their renewable energy goals and requirements. The proposed project is located in a fairly remote area a minimum of 1.5 miles from residential development. Only areas with developed facilities will be disturbed consisting of approximately 33.1 acres. Development will be permitted by Mohave County Development Services and in compliance with the Industrial Performance Standards required for such development. The Mohave County permit process has included public participation. Tribal consultation has been conducted and The Hualapai Tribe will work with the landowner on future tribal considerations.

/s/ Jackie Neckels  
Assistant Field Manager, Nonrenewable Resources, Kingman

11/08/2010  
Date

Bureau of Land Management, Kingman Field Office  
DECISION RECORD  
**NEPA Document Number:** DOI-BLM-AZ-C010-2010-0027-EA

Decisions:

**AZA 35334 Kingman Energy Corp. (KEC) Connection:** It is my decision to authorize a right-of-way (ROW) for AZA 35334 consisting of a new 69 kV power line 60' wide by 2,088.38' long consisting of 2.9 acres on public land to UniSource Energy. The power line is on the east side and adjacent to an existing Western Area Power Administration 230 kV power line and will provide a connection between the KEC substation on private land and AZA 16833, the Boriانا 69 kV power line. It will also include an isolation breaker site within the power line ROW and a new access road, 12' x 100', from an existing access road. The power line will include a fiber optic cable instead of an overhead ground wire that will provide internal communications between facilities on public and private land.

**AZA 16833 Boriانا 69 kV Amendment:** It is my decision to amend AZA 16833 to include relinquishment of the portion of the line to the northeast of the AZA 16833 tie in replaced by AZA 31717, the Griffith 69 kV power line, issued in 2001, and to rebuild the portion of AZA 16833 between AZA 35334 and AZA 31717 to upgrade the line in order to handle the KEC load. This will include larger poles and conductor and replacing the overhead ground wire with fiber optic cable to provide internal communications.

**AZA 31717 Griffith 69 kV Amendment:** It is my decision to amend AZA 31717 to include a fiber optic under build that will provide internal communications from the Boriانا 69 kV connection southwest to the Griffith substation.

Rationale for Decision:

The ROW actions described will provide infrastructure on public land that would allow the Kingman Energy Corp. "Kingman Project" consisting of 10 MW of wind and 500 kW of solar energy generation on private land to move forward. This would allow UniSource to add the project to their portfolio and help meet their state mandated objective for renewable energy of 15 percent by the year 2025. It is also consistent with BLM's renewable energy policy and objectives to facilitate renewable energy development and increase domestic energy production. The project would also provide promote local economic development

The ROW actions on public land are expected to be insignificant since the two amendments are within existing ROW's and the new power line is less than ½ mile in length. All the actions are within Kingman Resource Management Plan (RMP) designated utility corridors and Visual Resource Management Class 3 and 4 where actions may be noticeable. UniSource is taking steps to reduce the visual contrast by using self-weathering monopoles and non-specular wire. UniSource is also using a design that is raptor proof reducing the possibility of raptor electrocutions. There are no cultural

resources located on public land and BLM has conducted tribal consultation on both the public land and private land projects. The actions are not expected to affect movement of wildlife in the RMP designated wildlife movement corridor since the projects are located well away from Interstate 40.

The KEC renewable energy project, located entirely on private land, has been through the Mohave County planning and zoning process which includes public participation. Since the KEC project is considered to be a connected action, BLM has discussed the impacts of the project in the EA. While there will be some visual impacts and impacts to wildlife and vegetation, they are not expected to be significant.

Stipulations:

Tortoise compensation for permanent habitat lost on public land will be determined by the Authorized Officer post construction.

/s/ Jackie Neckels  
Assistant Field Manager, Nonrenewable Resources, Kingman

11/08/2010  
Date

**APPENDIX 1**  
**PLAN OF DEVELOPMENT**  
**UNS ELECTRIC, INC. (UNSE)**  
**KINGMAN ENERGY CORP. “KINGMAN PROJECT” POWER FACILITIES**  
**AZA 35334 – New 69 kV Power line**  
**AZA 16833 – Amendment to Rebuild & Upgrade/Partial Relinquishment of**  
**Existing 69 kV Power line**  
**AZA 31717 – Amendment to Add Fiber Optic Under Build**

**OCTOBER 2010**

1. Purpose and Need for Right-of-Way (ROW)

The Applicant, UNS Electric, Inc. (UNSE) has applied for electrical system modifications including a) a new 69 kV power line right-of-way (AZA 35334), b) rebuild and upgrade a portion of an existing 69 kV power line (AZA 16833) and c) install a fiber optic cable on an existing 69 kV sub-transmission power line (AZA 31717) as shown on Exhibit A. These facilities are needed to support a combined 10 MW wind/500 kW solar renewable energy project on private land proposed by UNSE’s client, Kingman Energy Corp. (KEC) and would enable UNSE to transmit the power generated by KEC to the Griffith substation for redistribution. The addition of the fiber optic cable would provide internal communications for operation of the required substation and isolation breakers.

This connection will add to UNSE’s portfolio of renewable energy as required by Arizona Corporation Commission (ACC) rulings. The ACC has ruled that 15 percent of the UNSE load must be generated or purchased from renewable energy sources by the year 2025. UNSE has entered into a Power Purchase Agreement (PPA) with KEC for the renewable energy generated by their project. KEC is proposing a substation to be located on the southern boundary of their property in Section 3. See Exhibit B showing the proposed KEC project layout. The new 69 kV power line would be constructed from the KEC Substation and would connect to an existing UNSE 69 kV line on Federal Lands in Section 10. The proposed electrical power modifications are contingent upon KEC obtaining all necessary approvals and financing for the renewable energy project.

2. Location

All facilities and modifications affecting BLM managed public land are located in T. 20 N., R. 17 W., Section 10, Gila and Salt River Meridian, Mohave County, Arizona as shown on Exhibit A. The proposed renewable energy project and substation would be located on private land in T. 20 N., R. 17 W., Section 3 as shown on Exhibit B.

New surface disturbance is only anticipated in conjunction with the proposed new 69 kV power line, AZA 35334, and is expected to consist of a ROW on public land 60’ wide by 2,088.38’ long and a new access road 12’ x 100’ consisting of 2.9 acres. Actual surface disturbance within the ROW is expected to be approximately 0.30 acres. Rebuild and upgrade and a partial relinquishment of an existing 69 kV power line (AZA 16833) and the under build of a fiber optic cable on another existing 69 kV power line (AZA 31717) would all take place within existing ROW’s where no new surface disturbance would occur.

### 3. Facility Design Factors

- a. The 69 kV power line on public land would consist of approximately 8 self-weathering (rusty) steel poles, ranging from 80-110 feet long, typically with 16-20 feet of said length buried in the ground. The power line would be designed to be raptor proof as shown on Exhibit C, pole configuration. Non-specular conductor would be used. Spans will be approximately 640 feet long and ground clearance would meet or exceed National Electric Code clearance requirements. The lowest of the wires would be a minimum of 18 feet above ground level. A 48 count fiber optic shield wire located at the top of each pole would provide lightning protection and internal communications capability. One isolation breaker site within the power line ROW alignment would provide for installation of power circuit breakers to assure any failures at the KEC Kingman Project substation would not affect the UNSE local grid. The isolation breaker site footprint would be 54 feet by 95 feet which includes 8' high chain link fencing and ground grid installation. A new access road, 12' x 100', would be bladed from existing access to the isolation breaker site. The breaker site will have lights that would be switched on only for maintenance purposes as needed after dark. A standard breaker diagram and pictures of a comparable site are attached as Exhibit D for reference.
- b. The amendment to rebuild and upgrade a portion, 1,099', of the existing 69 kV Boriانا power line, AZA-16833, will consist of replacing the poles and conductors with the same type as described in a. above, adding a circuit to accommodate the KEC power and replacing the overhead ground wire with a fiber optic cable. The portion of the Boriانا power line being rebuilt and upgraded on public land consists of approximately 1,099' long within the existing 50' wide ROW. In addition, a partial relinquishment in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 10 consisting of approximately 1,528.89' x 50' and 180' x 30', 1.8 acres, has been requested. The relinquished portion of the line was replaced by the Griffith line, AZA 31717, in 2001.
- c. The amendment to under build a fiber optic cable on the existing Griffith 69 kV power line, AZA 31717, would involve the entire length of the power line from where the Boriانا power line ties in, southwest to the Griffith substation located in T. 19 N., R. 17 W., Sec. 6.
- d. Soils and geology in the area are suitable for placement of the power line. A geotechnical report would be completed for the sub-transmission line and breaker site. A copy of the report would be provided to the BLM for reference.
- e. Fencing would be required around the isolation breaker consisting of 8' high chain link fence with privacy slats and 1 foot barbed wire at the top, see Exhibit D2. Welding would be required to assemble the ground grid for the breaker site and tie it to the chain link fence. A new road, approximately 12' wide and 100' long, would be required from existing access to the breaker site. Power line access would be along existing access roads and washes with minimal overland travel to pole locations within the ROW. The power poles would be laid out in the ROW as part of the construction of the line. Installation should be completed within ninety (90) days. As built drawings depicting facilities and surface disturbance would be provided within ninety (90) days after construction.

#### 4. Additional Components

- a. The proposed new 69 kV power line would parallel, on the east side, an existing DOE Western Area Power Administration (WAPA) 230 kV power line, AZA 29063, on public land in Sec. 10. The existing access road for the 230 kV line would be used to access the new proposed 69 kV power line.
- b. The Kingman Energy Corp. wind/solar renewable energy project would be located on private land in T. 20 N., R. 17 W., Sec. 3. It is proposed to consist of five 400' tall 2 MW wind turbines and 500 kW of photovoltaic solar panels. Total surface disturbance is expected to be approximately 33.1 acres.
- c. A 34.5 kV – 69 kV substation would be constructed by KEC on private land in Sec. 3 to collect the generated electricity before transport into the UNSE local grid.
- d. A portion, 366.52', of the new power line would be constructed on private land in Sec. 3 and tie into the KEC substation.
- e. An isolation breaker site would also be constructed on private land in Sec. 3, see Exhibit D1 for diagram and D2 for a photograph of a similar facility. This would assure any failures on the UNSE grid do not affect the KEC Kingman Project substation.
- f. Access for the power line work would be via I40, south to Route 66, east to the Nucor Steel Mill entrance, through the steel mill property and across the railroad tracks. From this point there are a variety of existing roads associated with uses in the area including grazing, mining, power line ROW's and pipeline ROW's. These roads would be used but not maintained.
- g. Temporary construction areas are not needed and equipment storage will occur on private lands.

#### 5. Government Agencies Involved

- a. Mohave County has conditionally approved the wind project on private land via Board of Resolution numbers 2006-460, 2007-404, 2008-209, and 2009-180. Mohave County Resolution 2010-117 granted an extension of time for rezone and amendment allowing for a rezone to M-X (Heavy Manufacturing) and development of a wind and solar photovoltaic facility.
- b. KEC will be crossing the existing WAPA 230 kV Davis-Prescott & Griffith-Peacock transmission lines with underground electric facilities leading to their substation. KEC will be responsible for obtaining clearances from WAPA for this crossing.
- c. UNSE would also contact WAPA regarding use of their access road for construction and maintenance purposes and the rebuild of the existing WAPA crossing by the Boriana line [AZA-16833] would be submitted to WAPA for review and approval.

#### 6. Construction of Facilities

- a. Once all permits and easements have been acquired, the job would be released to construction. The new power line construction process would take approximately ninety days. A digger truck would be used to auger the holes, 16-20 feet deep and 24" in diameter. The holes would be covered by a wood platform (ends from empty conductor reels) until the

poles are placed in them. A geotechnical test is conducted to determine if the subsurface material would be adequate to support the poles or if concrete fill is needed. Where concrete fill is needed, always at dead-end structures, concrete would be trucked in by concrete mixer trucks. The contractor will be required to conduct concrete clean up off of Federal lands. The steel poles would be delivered to the site in two sections. The butt ends and a ground rod are placed in the holes and the holes are backfilled with the dirt removed and tamped. A line crew would attach the necessary hardware to the pole tops and they are lifted to the butt ends and jacked on. The conductor wires and fiber optic cable would be strung and tensioned and the connection would be made at a junction point on the existing Borianana 69 kV line in Section 10.

- b. The construction crew would consist of a digger truck with 2 personnel. The line crew typically consists of one large bucket truck and a standard pickup truck. Because of the pole heights, a crane may be utilized. The digger truck, bucket trucks and crane are 10 wheeled vehicles with 2 rear dual axles. No backhoe is anticipated unless rock is encountered. A rubber tired flatbed trailer with conductor reels attached would be used to string the necessary wires. The conductor would be strung separately from the fiber optic line. If vehicles are used from out of the local area they will be power washed to reduce the spread of noxious weeds.
- c. The section of the Borianana 69 kV line being rebuilt would be de-energized. The old line would be wrecked out and new poles and conductor would be installed. All poles, hardware and wire would be hauled off-site and properly disposed of. It is expected this work will be done in the existing ROW or on already disturbed areas such as the natural gas pipeline access roads.
- d. A new fiber optic cable would be under built on the 69 kV line authorized under AZA-31717. A bucket truck would move from pole to pole mounting hardware and attaching the cable. This stringing operation would be conducted inside the existing ROW and minimal disturbance is anticipated.
- e. Vegetation such as cactus, Joshua trees, yucca, would be avoided if possible and transplanted if avoidance is not feasible.
- f. UNSE construction crews adhere to all applicable OSHA standards. This includes personal protective equipment [PPE] and equipment operation. A tailgate meeting discussing the scope of the job is held before any construction is commenced to discuss aspects of the project and review any mitigation and safety concerns about individual tasks.
- g. Disposal of all liquid or solid waste produced during operation on this right-of-way shall be in an approved manner so it will not impact the air, soil, water, vegetation, and animals. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
- h. UNSE shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic

substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release of spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

## 7. Resource Values and Environmental Concerns

- a. A 100% cultural survey was conducted in 2006 by EnviroSystems Management, Inc., a consultant to KEC. A copy of the report has been submitted to the Kingman Field Office. The report indicated one substantial prehistoric/historic site and eight isolated occurrences were found on private land in Section 3. Site avoidance was recommended and would not impact continuation of the project.
- b. If during construction any previously unidentified historic or prehistoric cultural resources are found, then work in the vicinity of the discovery will be suspended and the discovery promptly reported to the BLM Area Manager. BLM will then specify what action is to be taken. If there is an approved "discovery plan" in place for the project, then the plan will be executed. In the absence of an approved plan, the BLM will evaluate the significance of the discovery, and consult with the State Historic Preservation Officer in accordance with 36 CFR Section 800.11. Minor recordation, stabilization, or data recovery may be performed by BLM or a permitted cultural resources consultant. If warranted, more extensive treatment by a permitted cultural resources consultant may be required of the operator prior to allowing the project to proceed. Further damage to significant cultural resources will not be allowed until any required treatment is completed. Failure to notify the BLM about a discovery may result in civil or criminal penalties in accordance with the Archeological Resources Protection Act of 1979 (as amended).
- c. A biological evaluation was conducted by EnviroSystems Management, Inc., a consultant to KEC in 2006. The executive summary indicates no critical habitat for any federally listed species occurs on the project site. A preconstruction survey report prepared in 2009 indicates there may be some impacts on species of special concern. Copies of these reports have been provided for BLM review.
- d. Additional environmental clearances for cultural and biological were conducted by Kingman Field Office personnel for the new proposed 69 kV power line ROW in May 2010. The project is located in Category III Desert tortoise habitat. Desert tortoise handling guidelines, Exhibit E, will be followed by UNSE personnel. No cultural artifacts were found.
- e. Visual considerations: The power poles will be self-weathering and the conductors non-specular. The standard UNSE 69 kV line design has a maximum span length of approximately 350 feet. For this line UNSE will be increasing the design span length to 600 feet and the pole design will be a heavier class, taller and re-engineered structure. These structures are also more expensive and this cost has not been tabulated. Technical and

construction considerations do not allow UNSE to match the spans of the 230 kV WAPA structures. Some poles will be adjacent to the WAPA poles and there will be intervening structures.

- f. It is anticipated construction would take place between September 16 and March 14 which is outside the migratory bird breeding season. If construction occurs between March 15 and September 15, a biologist will survey for active nests within 1-2 weeks of starting construction. If any active nests are found, construction would have to wait until young are fledged.

#### 8. Stabilization and Rehabilitation

Disturbed areas around the poles, guy anchor assemblies and temporary overland travel routes to pole locations not needed for normal operation and maintenance activities will be raked to scarify and allow natural seeding to occur.

#### 9. Operation and Maintenance

Regular maintenance of UNSE facilities consists of patrolling the 69 kV power lines on an annual basis. A service truck would be dispatched to investigate on an as-needed basis typically to determine the cause of a line outage if such occurs. Periodic access to the pole line and breakers would be required for maintenance inspections.

#### 10. Termination and Restoration

Upon termination of the right-of-way, all improvements will be removed within ninety (90) days. Disturbed areas will be ripped to a depth of 2" to promote natural seeding.

UNSE acknowledges that in the event that the public land underlying the right-of-way (ROW) encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part 2800, including any rights to have the holder apply to BLM for amendments, modifications, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the right-of-way, or portion thereof, within the conveyed land and shall be subject to applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and conditions of the ROW shall be considered a civil matter between the patentee/grantee and the ROW Holder.

#### 11. Exhibits:

- A. Map
- B. KEC Layout.
- C. Raptor-Proof pole configuration.
- D. Isolation Breaker Design and photograph of similar facility.
- E. Desert Tortoise Handling Guidelines.

# Township 20 North, Range 17 West, G&SRM, Mohave County, AZ

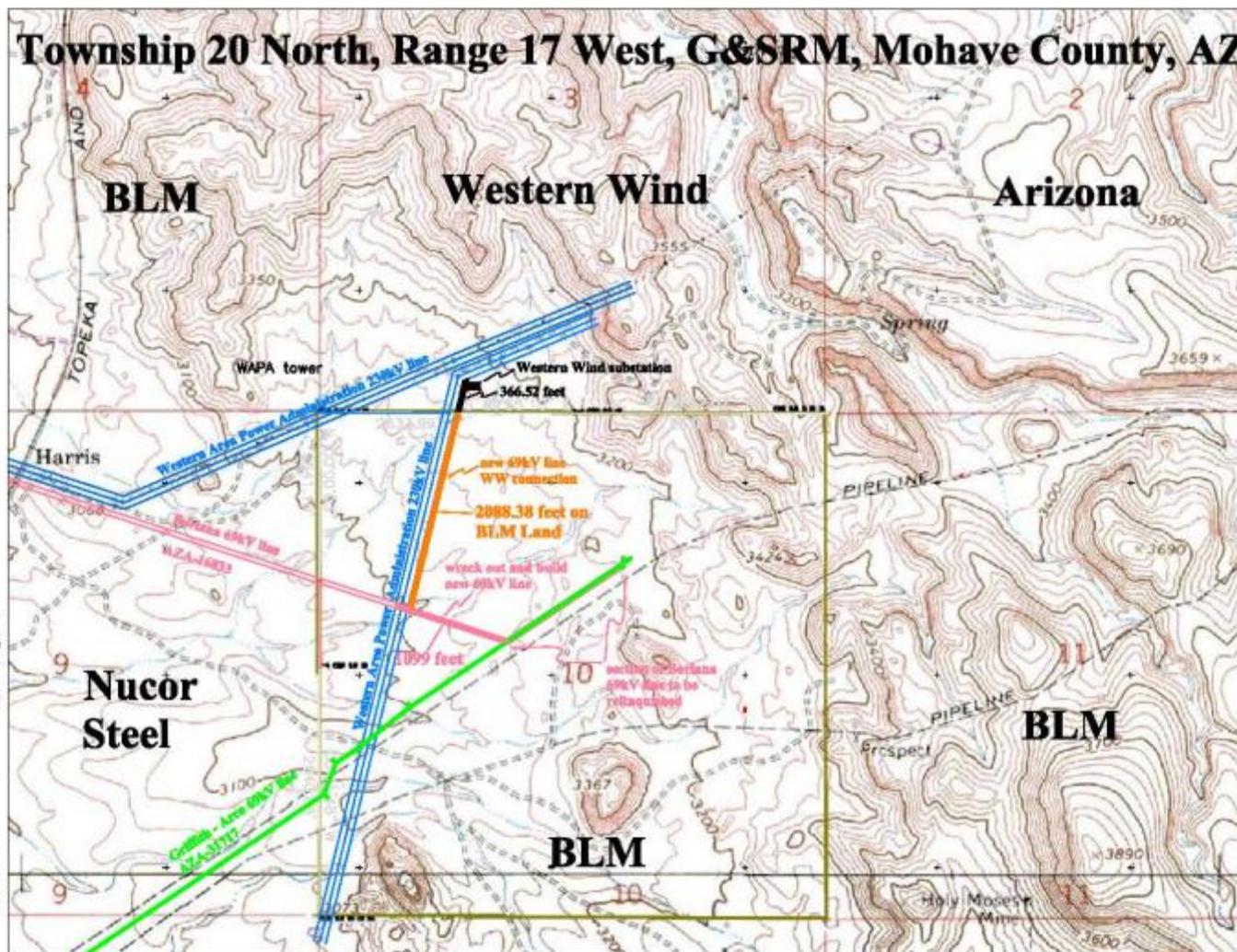
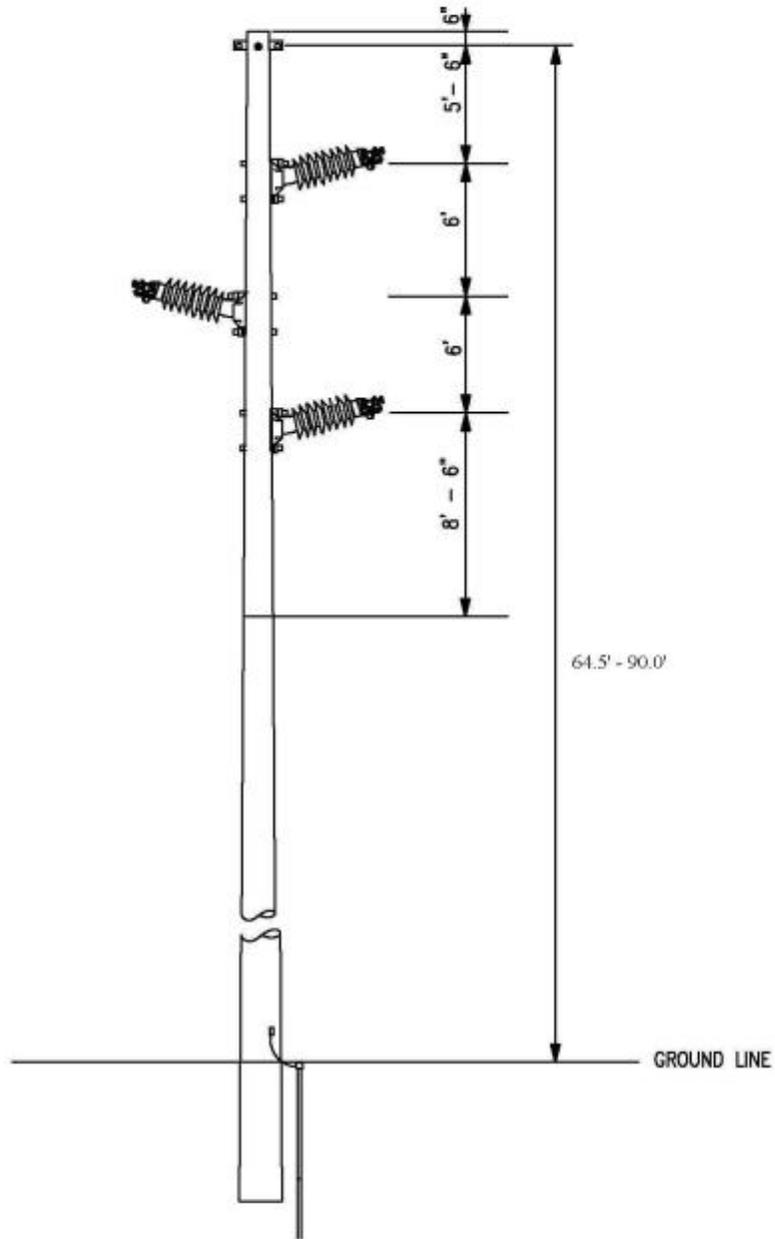
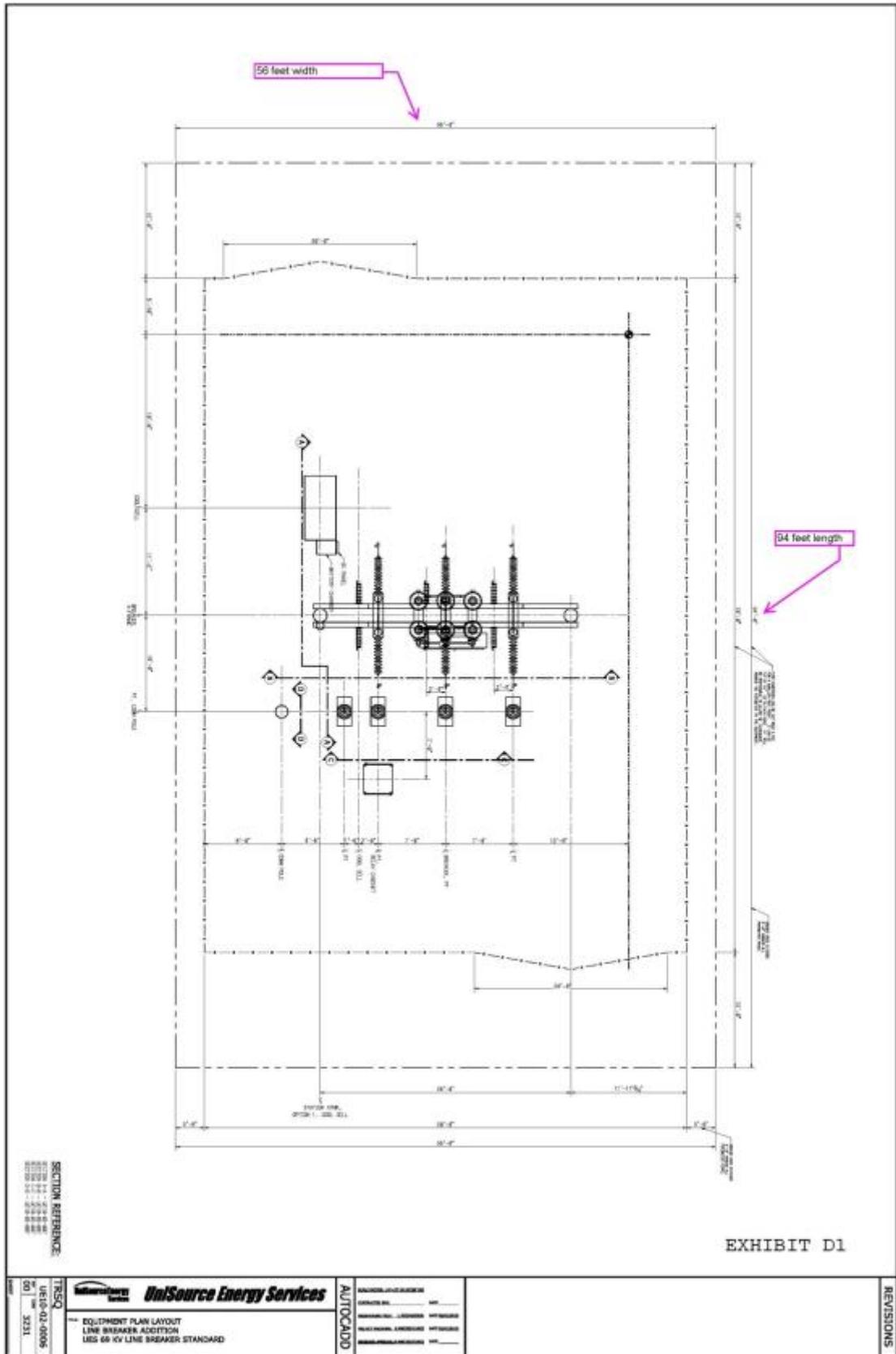


EXHIBIT A





	INITIATED BY	D. SCHWAB	REVIEWED BY	DATE	
	UNISOURCE ENGINEERING	7 - 09			





**View of similar breaker site**



**View of similar breaker site**  
**EXHIBIT D2**

## EXHIBIT E

### DESERT TORTOISE HANDLING GUIDELINES

1. Stop your vehicle and allow the tortoise to move off the road.
  2. If the tortoise is not moving, gently\*\* pick up the tortoise and move it approximately 200 feet off the road to a shaded location.
    - a. **Do not** turn the tortoise over.
    - b. Move the tortoise in the direction it was traveling. If it was crossing the road, move it in the direction it was crossing.
    - c. Keep the tortoise within 12-18 inches of the ground, move slowly so as not to cause it to become alarmed.
    - d. Release the tortoise under the shade of a bush or rock.
- \*\* Tortoise store water in their bladder. If a tortoise becomes alarmed its defense is to void its bladder onto the captor. This could lead to dehydration of the tortoise and potentially to death.
3. Prior to moving any parked vehicle or equipment at the project site check for tortoise under the vehicles.