

## CATEGORICAL EXCLUSION REVIEW

BLM OFFICE: Kingman Field Office CX No. DOI-BLM-AZ-C010-2011-0033-CX Serial No.: AZA-32315

APPLICANT: British Petroleum Wind Energy North America (BPWE)

PROPOSED ACTION TITLE/TITLE: **Amendment of Wind Energy Right-of-Way (ROW)**

LOCATION OF PROPOSED ACTION: (See Enclosures for Project Area Legal Descriptions and proposed additional MET locations).

### BACKGROUND

The applicant, British Petroleum Wind Energy North America (BPWE), has requested a right-of-way (ROW) authorization to construct, operate and maintain a 500 megawatt (MW) generating wind farm on approximately 31,338 acres of Federal land managed by the BLM and approximately 8,960 acres of Federal land managed by the Bureau of Reclamation (BOR), totaling approximately 40,298 acres of Federal land. The project area is located in the White Hills area approximately 40 miles northwest of Kingman, Arizona, approximately 9 miles south of the Colorado River, and approximately 20 miles southeast of Hoover Dam. Total electric generation capacity of the project is anticipated to be up to 500 MW. The project will consist of up to 335 wind turbine generators (WTGs), (may consist of construction in multiple phases), access roads, and ancillary facilities. The WTGs are anticipated to range in productive output from 1.5 to 3.0 MW each. To the extent possible, existing roads would be used for access to the project, supplemented with internal access/service roads to each WTG. Ancillary facilities may include pad-mounted transformers, an underground 34.5 kilovolt (kV) electrical collection system between the turbines, distribution connector lines (either underground or above-ground) tying the turbine strings to either a 345 or 500 kV electrical substation, and either a 345 or 500 kV overhead transmission line from the substation to a new switchyard where the project would interconnect with an existing transmission line in the area.

On May 5, 2010, Orion Energy, LLC submitted an application to amend ROW AZA 32315 to include 2 additional MET towers, 1 SODAR unit, and authorization to complete geo-technical testing on 10 sites on BLM administered lands within the project area. Orion Energy, LLC is currently authorized for 9 MET towers within the project area. The tower previously located in what was referred to as Phase II, will be removed. The authorization for the MET towers and the geo-technical testing would be for a 3 year term, and may be renewed consistent with 43 CFR 2807.22, plus the additional time that will allow the grant to expire on December 31 of the final year as required by 43 CFR 2805.11(b). The amended ROW will be subject to the terms and conditions of the original grant in addition to any additional terms and conditions as a result of implementation of BLM WO IM 2009-043.

**Attachment A** are the terms and conditions for MET towers and associated temporary access.

**Attachment B** is the legal descriptions for the installation and access for the additional MET towers, as well as the additional lands for reservation.

**Attachment C** is a representative figure of the proposed meteorological towers proposed.

**Attachment D** is a map of the proposed locations for geotechnical investigations that will provide necessary soil information for engineering designs, MET locations, SODAR unit, test well site, and associated access.

**Attachment E** is the design specifications for the SODAR unit.

**Attachment F** Plan of Development for Geotechnical Investigation work.

**Attachment G** (Draft Amended) Plan of Development for installation of MET towers and SODAR unit.

### PART I: PLAN CONFORMANCE REVIEW:

This proposed action is subject to the following land use plan: Kingman Resource Management Plan. Date Approved: March 1995. This proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3) and is in conformance with Decision LR 13a, "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-

Criteria	Comment (Yes or No with supporting rationale)
1. Has significant adverse effects on public health or safety.	No
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural	No

way would be used when possible to minimize surface disturbance".

**PART II: NEPA REVIEW:**

**A. Categorical Exclusion Review**

**ew.** This proposed action qualifies as a categorical exclusion under 516 DM 11.9. (E) (19), "Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition".

**B. Departmental manual review.** Department of Interior Manual 516 2.3 (A) (3) provides for the review of the following criteria to determine if exceptions apply to this project.

resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988) national monuments; migratory birds; and other ecologically significant or critical areas.	
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No
5. Establishes a precedent for future action or represents a decision in principle about future actions with significant environmental effects.	No
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	No, properties in this area are not listed or eligible for listing in the National Register of Historic Places.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	No
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	No
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	No. Access will be on existing roads and trails. Minimal additional access will be needed to access the MET and geo-tech locations.

Preparer: \_\_\_\_\_ Date: \_\_\_\_\_

**PART III: DECISION:**

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan, none of the exceptions described in 516 DM 2, Appendix 2, apply, and that no further environmental analysis is required. It is my decision to implement the project, as described above, with the mitigation measures identified below.

**Mitigation Measures/Other Remarks:**

The original right-of-way grant terms, conditions and stipulations will apply.

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Authorized Official: \_\_\_\_\_

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