

Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels and Fire Rehabilitation Actions

Project Name

NEPA Number DOI- BLM-AZ-C010-2012-0046-CX

A. Background

BLM Office: Kingman Field Office Lease/Serial/Case File No.: AZA 35336

Proposed Action Title/Type: Right-of-Way Amendment for a Wind Test Area

Location of Proposed Action: sec. 6, T. 28 N., R. 17 W., secs. 2, 10, T. 28 N., R. 18 W., sec. 36, T. 29 N., R. 18 W., all within the G&SRM.

Description of Proposed Action: Pacific Wind Development, LLC (Pacific Wind) has applied to amend its type 2 wind test area right-of-way to install an additional met tower in the NE¼ of sec. 2, T. 28 N., R. 18 W., and to add that section and sec. 10 of the same township, sec. 6, T. 28 N., R. 17 W., and sec. 36, T. 29 N., R. 18 W., all within the G&SRM. This amendment would add approximately 2,550 acres to the existing approximately 26,900 acre test area. The proposed amendment would expire on December 31, 2013, which is concurrent with the right-of-way as was granted in January 2011.

As is standard for these kinds of rights-of-way, once the met tower is installed all vehicle tracks will be raked out and vertical mulch, rocks, and other materials would be used to rehabilitate the impacts from the vehicles used to transport and install the tower. These measures would be done upon tower removal as well.

B. Land Use Plan Conformance

Land Use Plan Name: *Kingman Resource Management Plan/EIS*

Date Approved/Amended: March 1995

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

Decision L13a/V states “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.”

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9: **H(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 condition.**

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed (See Attachment 1), and none of the extraordinary circumstances described in 516 DM2 apply.

Attachment 1: Extraordinary Circumstances Review	Comment (Yes or No with supporting Rationale)
1. Have significant effects on public health or safety.	No. The impacts observed from other similar met towers have not been significant.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural 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.	No. No such natural resources and unique geographic characteristics as historic or cultural 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;; and other ecologically significant or critical areas exist in the affected environment nor would any of these resources be impacted. Migratory birds would be found within the project area however impacts to these birds is not expected. A check of the Arizona Game and Fish Department Heritage database shows that there are no records for BLM sensitive or State listed species within the project area.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	No. The proposed action is not controversial nor are there any unresolved conflicts concerning alternative uses of available resources.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No. Several met towers and wind test areas have been permitted by the BLM and no significant environmental effects have resulted.
5. Establishes a precedent for future action or represents a decision in principle about future actions with significant environmental effects.	No. Any additional proposals would be analyzed and a separate decision would be arrived at based on the analysis.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No. The effects of the proposed amendment would be limited and temporary.
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. No such properties are known to exist that could be impacted by the proposed action.
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. No listed species or species proposed to be listed or their habitat are found within the affected environment for the proposed action with the exception that the project area is within the experimental range for the California condor. See below.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	No. No laws or requirements imposed for the protection of the environment would be violated.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	No. The effects to the population as a whole resulting from the proposed action would be the same.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious	No. No limitations to access sacred or any other sites would result from the proposed action.

<p>practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).</p>	
<p>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).</p>	<p>No. A term and condition of the proposed amendment is to require all vegetative matter and soil be removed from all equipment prior to mobilizing on site.</p>

California Condor: It has been determined that there would be “no affect” to the California condor from implementation of the Proposed Action or any of the alternatives. There are no records of condors within or near the project area; the project area is located over 100 miles from a high activity center for the condor (Grand Canyon National Park, South Rim); there are no known historical, occupied, condor roost sites within the area. Given the small amount of roosting and perching habitat, the known concentrations of condors, the small number of condors, the lack of activities that attract condors, and the static levels of big game in this area (foraging opportunities for condors), it is determined that the proposed action would have no affect to this species.

Approval and Decision

Attachment 2

Compliance and assignment of responsibility: Lands and Realty

Monitoring and assignment of responsibility: Lands and Realty

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

Prepared by: / s / Andy Whitefield **Date:** 6/20/2012

Andy Whitefield, Environmental
Protection Specialist Project
Lead

Reviewed by: / s / Ramone B. McCoy **Date:** 6/25/2012

Ramone McCoy
NEPA Coordinator

Reviewed by: / s / Ruben A. Sánchez **Date:** 6/25/2012

Ruben A. Sánchez
Supervisor

Project Description: Pacific Wind Development, LLC (Pacific Wind) has applied to amend its type 2 wind test area right-of-way to install an additional met tower in the NE¼ of sec. 2, T. 28 N., R. 18 W., and to add that section and sec. 10 of the same township, sec. 6, T. 28 N., R. 17 W., and sec. 36, T. 29 N., R. 18 W., all within the G&SRM. This amendment would add approximately 2,550 acres to the existing approximately 26,900 acre test area. The proposed amendment would expire on December 31, 2013, which is concurrent with the right-of-way as was granted in January 2011.

As is standard for these kinds of rights-of-way, once the met tower is installed all vehicle tracks will be raked out and vertical mulch, rocks, and other materials would be used to rehabilitate the impacts from the vehicles used to transport and install the tower. These measures would be done upon tower removal as well

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Approved By: _____ / s / Ruben A. Sánchez _____ **Date:** 6/25/2012
Ruben A. Sánchez
Field Manager, Kingman Field Office

Exhibits:

Stipulations: See the attached draft right-of-way amendment for the specific terms and conditions of the proposed amended right-of-way.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

SERIAL NUMBER AZA 35336 Amendment#1

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

Pacific Wind Development, LLC
IBERDROLA RENEWABLES, Inc.
1125 NW Couch St., Ste 700
Portland, OR 97209

receives a right to construct, operate, maintain, and terminate a wind testing and monitoring project area on public lands (or Federal lands for MLA Rights-of-Way) described as follows:

Gila and Salt River Meridian, Arizona

T. 28 N., R. 17 W.,
sec. 6, lots 8 to 14, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ E $\frac{1}{2}$.

T. 28 N., R. 18 W.,
sec. 2, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
sec. 10, all.

T. 29 N., R. 18 W.,
sec. 36, all.

b. The right-of-way or permit area granted herein aggregates 2,553.05 acres, more or less.

- c. This instrument will terminate on December 31, 2013 unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise dispose of as directed by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A, B, and C dated June 20, 2012 attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.

- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

(Signature of Holder)

(Title)

(Date)

(Signature of Authorized
Officer)

(Title)

(Effective Date of Grant)

EXHIBIT A
PLAN OF DEVELOPMENT
Pacific Wind Development LLC
WIND ENERGY PROJECT METEOROLOGICAL TOWER DEVELOPMENT
AZA-35336 Amendment #1
June 20, 2012

1. Purpose and Need for Right-of-Way

The Applicant, Pacific Wind Development LLC (Pacific Wind), has applied for an amendment to its project area right-of-way (ROW) for an additional 2,553.05 acres in the Dolan Springs Area of Mohave County, Arizona, as described in the application executed on May 25, 2012. The application is for a wind site testing and monitoring ROW including one meteorological (met) tower proposed to be constructed in the northeastern portion of section 2, T. 28 N., R. 18 W., G&SRM., as shown on Attachment B, to collect wind data to determine if the area is appropriate for the development of a wind energy site. Pacific Wind would collect wind speed, wind direction, and temperature data. This meteorological tower may also be used for the purpose of micro-siting of wind turbines on the wind energy project as a whole. This Application is consistent with the BLM's comprehensive Wind Energy Development Program to support wind energy development on public lands. Wind energy serves the national interest in energy independence and the potential role that renewable energy, in particular wind energy, can play in providing clean, non-fossil fuel based energy.

Pacific Wind requests permission to install the tower upon the BLM's approval, and it would take up to four weeks to complete. The tower is expected to be in place for a minimum of one year, but may remain in service until the expiration of Right-of-Way AZA 35336 or additional term as permitted by the BLM.

2. Location

The met tower would be located on public land identified and as shown on topographic maps in Attachment 2.

3. Design Factors

- a. The ROW requested for the met tower is for a radius of 200' consisting of 2.9 acres. This is the total area that may experience surface disturbance. The majority of disturbance would be around a 9 square foot area where the tower base is located and approximately a 1 square foot area where each of the supporting guy wires are anchored. The tower structures are made of galvanized steel tubing, 197' tall, gray in color with a wind loading of 112 miles per hour. The tower has 4 sets of guy wires, each set connecting 7 wires to 4 guy anchors. At the tower location, the base, outer guy wire, and tower tip at lay down have been flagged. Off-road access routes, as required, are also flagged.
- b. The tower would have an access route from the nearest county road which would, to the extent possible, follow existing 4WD tracks and/or roads. The access routes would be the wheel base of a full size pickup or SUV which is approximately 10' wide, for installation, monitoring, repair, and decommissioning of the installed equipment. No blading or earth moving would be necessary and off-road access routes would consist of

driving over the surface. The towers would be accessed for maintenance as necessary (typically less than once a year per tower). Vehicle access to the site should only be for major maintenance, if required, and for decommissioning. Should data from the towers justify further investment in the site after 6 to 12 months, bat monitoring equipment would be installed. Data download intervals depend on the battery life and data storage capacity of the acoustical technology used, but could be as frequent as every two weeks.

Access routes would be in use until decommissioning when disturbed areas would be scarified.

- c. Information on sodar equipment would be submitted to the BLM office later on in the ROW period if the project meteorologist determines sodar data would be useful to augment the met tower data. Provided information would include the location, access routes, design specifications, dimensions etc.
- d. Soils and geology in the area are predominately sandy loams that are well drained with moderate to rapid permeability making them suitable for placement of the met towers.
- e. No, utilities, welding, concrete work, grading, permanent foundations, or road building would be required. Fencing around the guy wire anchor points and around the tower base would be done if the land is being ranched and is required by the BLM. No grading or excavation other than that required to drill guy anchors into the ground, would be required.

Maintenance and inspections would be performed as needed, which typically is not more than once per year. Vehicle access to the site should only be for major maintenance, if required, and for decommissioning.

4. Additional Components

No additional components are required.

- a. Any additional met towers that may be required would require an amendment to the issued authorization.
- b. No equipment storage areas are required.

5. Government Agencies Involved

- a. (List any State permits obtained)
None required.
- b. (List any County permits obtained)
As required.

6. Construction of Facilities

- a. Describe, in detail, the sequence of construction and timing.

Prior to construction the tower location is staked, including the access route from major roads. The base plate, outer guy anchors, and tower tip at lay down assembly are staked.

Typical construction for the tower would consist of:

Day one: Transport tower and equipment to the site, install anchors, assemble tower

Day two: Install instruments and test system operation, raise tower, verify operation, and cleanup the jobsite.

The meteorological tower is designed specifically for wind energy resource measurements. The tower would be up to 197 ft. and is made of galvanized steel tubing. The tubes slide together without bolts or clamps, and are made from a combination of 10ft, 5ft, and 0.5 ft sections. The sections are assembled horizontally on the ground and then tilted up using a gin pole and winch. No welding is necessary. The tower rests on a steel base plate approximately 9 square feet, or 3'x3' in size, and is supported with aircraft cable guy wires in four directions at each guy level. Guy wires are anchored with standard anchors. There are 28 guy wires per tower (7 per side, 4 sides) and they enter the ground approximately 167 ft., 146 ft and 125 ft from the tower base plate (see details in Exhibit 2). The tower supports a horizontal arm for mounting each group of sensors (wind speed and directional sensors), self contained data logger, and a solar panel approximately two (2) feet square. Four red Aviation balls 21" in diameter would be used on the guy wires to provide a visual indication for the public. There would be no lights on the tower. No cranes or concrete foundations are required. The tower would consist of 3 pieces that would be assembled on site. Pulleys for Anabat or similar bat acoustical monitoring equipment would be mounted on the tower at 164 ft. to monitor bat calls. If it is determined the wind resource warrants continued monitoring after the first 6-12 months, bat monitoring equipment would be installed.

Pacific Wind would follow the BLM's Best Management Practices for Site Monitoring and Testing as outlined the Record of Decision, dated December 2005 implementing the Wind Energy Development Program as follows:

- The area disturbed by installation of the meteorological tower (i.e., footprint) shall be kept to a minimum.
- Existing roads shall be used to the maximum extent feasible.
- Meteorological towers shall not be located in sensitive habitats or in areas where ecological resources known to be sensitive to human activities (e.g., prairie grouse) are present. Installation of towers shall be scheduled to avoid disruption of wildlife reproductive activities or other important behaviors.
- Meteorological towers installed for site monitoring and testing shall be inspected periodically for structural integrity.

- b. Describe the type of equipment that will be used and personnel involved. Include where equipment will come from—local or out of state--and if they will be washed to prevent spread of noxious weeds.

A crew of 2-5 people and 2-4 pick-up trucks would access the sites for tower erection. One or more of the pick-ups may have a trailer. No heavy loads are expected. Equipment would not need to be stored onsite. The total time needed for the installation of the meteorological tower should not be more than five days (see (a) above). No pesticides or mulching would be used on-site.

- c. Include how vegetation such as cactus, Joshua trees, yucca, will be dealt with, i.e. avoided, transplanted, salvaged and replanted, etc.

Impacts on vegetation would be avoided. Tower and guy-wire footing areas are small with little impact to land surface. To the extent practical activities would be confined to as small an area as possible around the proposed tower site during installation, subsequent monthly visits, and any repairs or maintenance visits to minimize impacts.

- d. Describe safety requirements that will be implemented during construction.

Pacific Wind would follow the safety guidelines described in NRG Systems' (tower supplier) *"Installation Manual & Specifications"*

- e. Describe how trash and construction debris will be dealt with.

All trash and construction debris would be collected and disposed of at an approved waste management location off-site.

7. Resource Values and Environmental Concerns

- a. Summarize results of the cultural survey and report.

Cultural surveys have been completed for the meteorological tower location. No historic or prehistoric artifacts were found.

In the event sub-surface cultural resource discoveries are made during any ground disturbing activities, construction activities would cease in the area of discovery and the BLM would be contacted immediately. Arrangements would then be made for a professional archaeologist to visit the site of discovery and assess the potential significance of any artifacts or features that were unearthed pursuant to 36 CFR 800.13.

If any fossils are discovered during construction, the operator shall cease construction immediately and notify the BLM Authorized Officer to determine the significance of discovery.

- b. Summarize results of biological survey and report.

A biological survey has been conducted. There are no wildlife or plant species of concern. All cacti, yuccas and Joshua trees would be avoided. The installation of the meteorological tower is not expected to have any discernable effect on the populations of fish, plant life, wildlife, or marine life, including any threatened and endangered species, or marine mammals. Meteorological towers shall not be located in sensitive habitats or in areas where ecological resources known to be sensitive to human activities are present. Installation of towers shall be scheduled to avoid disruption of wildlife reproductive activities or other important behaviors. If construction occurs between March and July and suitable habitat exists for migratory birds, a nest survey

200' around the project would be conducted within two weeks prior to construction and a report provided to the BLM.

- c. Identify any other conflicts that have been addressed, i.e. visual, recreation, etc.

Construction and operations of the wind monitoring device would have minimal impact to air quality, surface and ground water quality, streams, noise, or soil stability. The tower is distant from residences and is expected to create minimal visual intrusion.

8. Stabilization and Rehabilitation

- a. Identify how disturbed (compacted) areas will be dealt with, i.e. scarified to allow natural seeding to occur.

Tower and guy-wire footing areas are small with little impact to land surface. During construction and subsequent up to monthly maintenance/data collection, the 200 ft. radius surrounding the monitoring tower may be disturbed by vehicles or foot traffic.

Vehicle access to the site after installation should only be for major maintenance, if required, and for decommissioning. Tire tracks would be raked out after any vehicle access authorized by Pacific Wind during the testing and monitoring period.

9. Operation and Maintenance

- a. Describe if and how (frequency) measurements are taken.

The towers would operate continuously, providing wind characteristic data via solar-powered data loggers and cell phone-based remote data acquisition systems.

10. Termination and Restoration

Ninety days prior to termination of the ROW, Holder shall contact the Authorized Officer to arrange a joint inspection of the ROW. This inspection would be held to agree to an acceptable termination and rehabilitation plan. This plan would consist of removal of all improvements and scarifying the disturbed areas. It may include, but is not limited to, removal of facilities, drainage structures, or surfacing material, recontouring, topsoiling or seeding. The AO must approve the plan in writing prior to Holder's commencement of any termination actions.

AZA-35336 Amendment #1 EXHIBIT B
Terms and Conditions
June 20, 2012

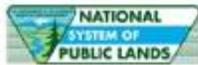
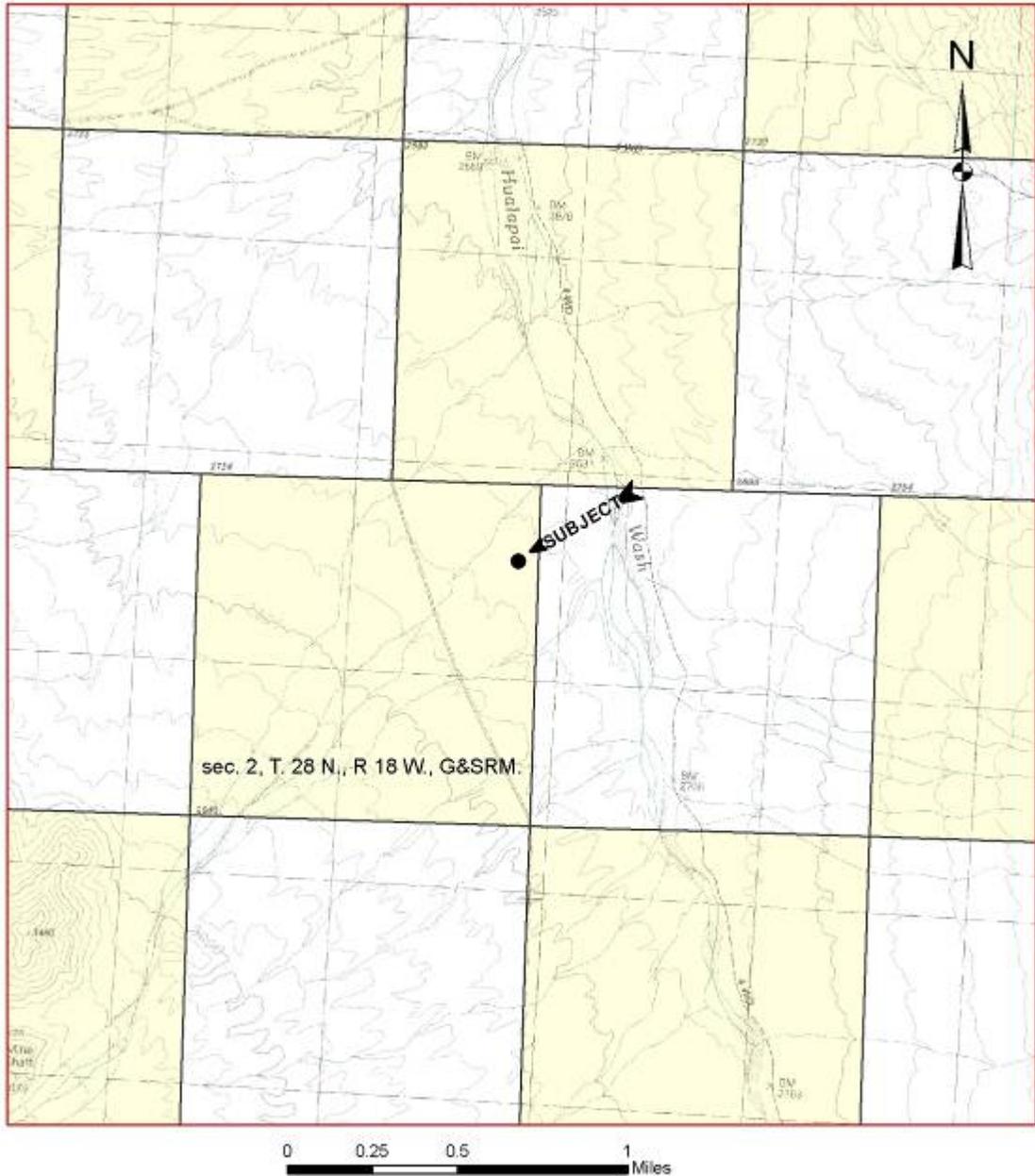
1. The Holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way (ROW) within the authorized limits of the right-of-way.
2. This right-of-way will be subject to the Plan of Development (POD) dated June 20, 2012.
3. A copy of the ROW grant including Exhibits A (POD) and B (terms & conditions), shall be on the project area and available to persons directing construction.
4. Mitigation to prevent the spread of invasive non-native species will include the following:
 - a. The holder shall wash and remove all vegetative material and soil before transporting equipment to the site. This includes trucks, trailers and all other machinery.
 - b. The holder shall be responsible for monitoring and treatment of noxious weed infestations that may occur after ROW issuance. If infestations are found, the Kingman Field Office (KFO) shall be notified immediately. The method of treatment for any infestation must be approved by the KFO.
5. The Holder shall install the met tower within 12 months of the effective date of this grant and shall provide proof of its construction to the Authorized Officer no later than 30 days after construction. If the met tower has not been installed within the subject 12 month period, the Holder shall: provide the Authorized Officer just cause as to the nature of any delay, the anticipated date of installation of facilities, and evidence of progress toward its installation.
6. The Holder shall notify the Arizona Game and Fish Department (AGFD) of the location of the met tower within 15 days of its installation and removal. The Holder shall make similar notification to the U. S. Department of Defense, Civil Air Patrol or other aviation regulatory agencies, if required by them.
7. The Holder shall follow the AGFD *Guidelines for Reducing Impacts to Wildlife from Wind Energy Development in Arizona* and consult and coordinate with BLM and AGFD personnel to develop a study plan for measuring bird and bat data. The plan shall be implemented in accordance with discussions between BLM, AGFD and the Holder. Annual reports shall be provided to BLM and AGFD within 6 months of plan implementation and yearly thereafter.
8. The Holder shall install bird flight deflectors on guy wires as coordinated with and agreed to by the AGFD.
9. In accordance with Federal regulations in 43 CFR 2803.6-3, any proposed transfer of any

right or interest in the ROW grant shall be filed with the BLM Authorized Officer. An application for assignment shall be accompanied by a showing of qualifications of the Assignee. The assignment shall be supported by a stipulation that the Assignee agrees to comply with and be bound by the terms and conditions of the grant to be assigned. No assignment shall be recognized unless and until it is approved in writing by the Authorized Officer.

10. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the Holder 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 ROW or facilities authorized under this ROW grant see 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 or 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.
11. A bond, acceptable to the authorized officer, shall be furnished by the holder prior to issuance of the ROW. The amount of this bond shall be \$2,000.00 per met tower. This bond must be maintained in effect until removal of improvements and restoration of the ROW has been accepted by the authorized officer.
12. This ROW grant may be renewed for an additional three year term upon the following conditions:
 - a. A renewal request is received 120 days before the end of the initial term.
 - b. A separate ROW application and POD is submitted for a wind energy development project prior to the end of the initial term.
 - c. Appropriate environmental and geotechnical studies and inventory information has been collected during the initial three year term in accordance with a BLM approved study design strategy. This data is an integral part of preparing the development POD. The development POD must be of sufficient detail to provide information necessary to begin environmental analysis for the proposed wind development project.
13. The Holder recognizes the existing rights of mining claimants on public lands coincident with the wind testing project area right-of-way. The Holder assumes all risk and financial liability should the exploration or development within mining claim(s) affect the operation of the right-of-way. The Holder recognizes that the right-of-way, or portion thereof, may be terminated if it interferes with the exploration or production activities on a mining claim(s) or if the mining claim(s) is conveyed out of Federal ownership. The Holder would provide appropriate measures for public safety in the event of exploration activities.
14. The Holder will obtain all permits required by Mohave County for the construction of the met tower authorized under this amendment.

15. In addition to raking out tracks after vehicle access to the met tower, the Holder will use vegetative material, rocks, and other suitable material as directed by the Authorized Officer or his/her representative to camouflage the route.

EXHIBIT C
AZA 35336 Amendment #1
June 20, 2012



No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.

LEGEND	
LAND OWNERSHIP/ADMINISTRATION	
	Bureau of Land Management
	Private
	State Trust
	Subject Well Tower Location