

United States Department of the Interior
Bureau of Land Management
Environmental Assessment DOI-BLM-CA-D070-2013-0060-EA
Case File CACA- 051552

Finding of No Significant Impact

Ocotillo Wind Energy Facility (OWEF) Project Weed Management Plan Environmental Assessment

Imperial County, California

U.S. Department of the Interior
Bureau of Land Management
El Centro Field Office
1661 South 4th Street
El Centro, CA 92243

July 2013



Finding of No Significant Impact
El Centro Field Office
Environmental Assessment DOI-BLM-CA-D070-2013-0060-EA
Case File CACA- 051552

Proposed Action Title/Type:

Use of Herbicides and Manual Weed Eradication on Public Land for Integrated Weed Management on the Ocotillo Express Wind Energy Facility Project Site.

Applicant/Proponent:

Ocotillo Express LLC, a wholly owned subsidiary of Pattern Energy.

Location of Proposed Action:

Activities would occur on approximately 730 acres of public land within the Ocotillo Wind Energy Facility (OWEF Project) area, as legally described in the BLM-issued right-of-way (ROW) Grant, dated May 11, 2012.

INTRODUCTION

Ocotillo Express LLC (OE LLC) is the holder of a federal right-of-way (ROW) grant, issued pursuant to Title V of the Federal Land Policy Management Act (FLPMA) and ROW regulations under 43 Code of Federal Regulations (CFR) 2800. The ROW, issued by the Bureau of Land Management (BLM) on May 11, 2012, and serialized as CACA-051552, authorizes OE LLC to construct, operate, maintain, and decommission a wind energy facility on public lands in Imperial County.

As described in Mitigation Measures Veg-1d and PHS-6 in the Record of Decision (ROD) for the OWEF Project, OE LLC is required to abide by non-native invasive weed control procedures developed in cooperation with the BLM and Imperial County prior to, during, and after construction. Additionally, Stipulation 19 in the ROW grant requires OE LLC to prepare and implement a Noxious Weeds and Invasive Species Control Plan (called the Weed Management Plan [WMP] in the Environmental Assessment [EA]) and to submit a Pesticide Use Proposal (PUP) to be approved by the BLM. A WMP was prepared for the OWEF Project utilizing the description of activities associated with noxious weed control in the Final Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the OWEF Project (March 2012). Additional environmental analysis pursuant to the National Environmental Policy Act (NEPA) is demonstrated in this site-specific EA (DOI-BLM-CA-D070-2013-0060-EA) analyzing the effects of the proposed methods for invasive species control. The integrated pest management method for invasive plant species control analyzed in this EA utilizes a combination of herbicides and manual removal methods. The herbicides that would be used on site would be limited to glyphosate and triclopyr for which a Pesticide Use Proposal will be submitted by OE LLC and approved by the BLM.

FINDING OF NO SIGNIFICANT IMPACT

The El Centro Field Office interdisciplinary review and analysis determined that the proposed action would not trigger significant impacts on the environment based on criteria established by regulations, policy and analysis.

Based on the findings discussed herein, I conclude that the proposed action is not a major Federal action and results in no significant impacts to the environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the 1980 California Desert Conservation Area (CDCA) land use plan, as amended. Therefore, preparation of an environmental impact statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the NEPA of 1969.

This determination is based on the rationale that the significance criteria, as defined by the Council on Environmental Quality (CEQ) (40 CFR 1508.27) have not been met. “Significantly” as used in the NEPA requires considerations of both context and intensity. In making this Finding of No Significant Impact (FONSI), the following criteria have been considered, in accordance with the CEQ, 40 C.F.R. 1508.27.

Context: The NEPA requires the consideration of the significance of an action in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long term effects are relevant.

Environmental impacts associated with the proposed action and alternatives have been assessed by an interdisciplinary team and described in EA #DOI-BLM-CA-D070-2013-0060-EA. The context of the EA analysis was determined to be at a local and regional scale in Imperial County, California. The effects of the action are not applicable on a national scale since no nationally significant values were involved.

Intensity: This refers to the severity of impact. The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal:

1) Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects.

Beneficial: Invasive weed species have the potential to out-compete native species and change the overall quality of the habitat. By removing invasive plants, the Proposed Action would result in long-term beneficial effects on wildlife communities by reducing habitat degradation therefore improving habitat and ecosystem function.

The Proposed Action also would result in beneficial effects to cultural resources, because treatment and prevention of invasive, non-native species would reduce the potential for soil erosion, potentially leading to the loss of cultural resources.

There are no adverse effects associated with the Proposed Action.

2) The degree to which the selected alternative will affect public health or safety.

The Standard Operating Procedures (SOP) for Applying Herbicides in Appendix A of the EA are designed to ensure and protect health and safety of application crews. Additionally, as analyzed in the EA, any potential human exposure risks from activities described under the Proposed Action would have minimal to no effect on public health or safety.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

The Proposed Action would result in beneficial effects to cultural resources, because invasive plants may have long-term negative impacts on cultural resource sites by displacing native vegetation and increasing the potential for soil erosion, potentially leading to the loss of cultural resources. In addition to limiting these impacts, removal of invasive vegetation would contribute to the restoration and maintenance of the ethnographic cultural landscape as discussed in the EA. Negative effects would not be significant due to the implementation of SOPs (refer to Appendix A) during treatment of invasive plants.

The Proposed Action would not occur within or adjacent to areas of critical environmental concern (ACEC)s, essential fish habitat, farmlands, livestock grazing, wild and scenic rivers, wild horses and burros, or wilderness/wilderness study areas/lands with wilderness characteristics.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Effects that would occur from implementation of the WMP are known and understood due to the description of activities in the Final EIS/EIR for the OWEF and the description

of the effects analysis in the EA. Furthermore, weed treatment using the herbicides and treatments described are common practice and the effects are known.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The Proposed Action has no known effects on the human environment which are considered highly uncertain or involve unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action does not set a precedent for future actions. Future actions would be subject to evaluation through the appropriate level of the NEPA documentation.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.

The Proposed Action is not related to other actions within the cumulative assessment area that would result in cumulatively significant impacts.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The Proposed Action would not result in additional adverse effects to districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places nor would it cause loss or destruction of significant scientific, cultural, or historical resources.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list.

The EA identified that there are no federal- or state-listed plant species within the OWEF site, and although there are two BLM-sensitive plant species on the OWEF site (Little San Bernardino Mountains linanthus [*Linanthus maculatus*] and Mountain Springs bush lupine [*Lupinus excubitus* var. *medius*]), neither was found in the areas proposed for implementing the WMP under the Proposed Action.

The EA acknowledged that 16 federally listed and/or BLM sensitive animal species were detected within the OWEF Project site during biological resource surveys conducted for the OWEF (page, 25).

Review of the Vegetation and Wildlife/Special Status Species/Threatened and Endangered Species sections of the EA indicates an overall improved/sustained ecological condition for the threatened and candidate species under the Proposed Action. The impacts associated with the Proposed Action are not expected to adversely affect the ability of species to occupy or thrive in an area. Therefore, it has been determined the proposed activities would not adversely affect any threatened or candidate species or their critical habitat.

10) Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.

The Proposed Action would not violate or threaten to violate any Federal, State, tribal or local law or requirement imposed for the protection of the environment. The Proposed Action is in conformance with all applicable 43 CFR (Code of Federal Regulations). The Proposed Action would not violate the Migratory Bird Treaty Act or Endangered Species Act. A Biological Opinion (BO) pursuant to Section 7 consultation was issued by the U.S. Fish and Wildlife Service to the BLM for the OWEF on April 26, 2012.

All practicable means to avoid or minimize environmental harm and unnecessary or undue degradation of the public land are inherent to the Proposed Action.

Reviewed by: 
Environmental & Planning Coordinator

7/11/13
Date

Approved by: 
Thomas F. Zale, Field Manager
El Centro Field Office

7/15/2013
Date

United States Department of the Interior
Bureau of Land Management
Environmental Assessment DOI-BLM-CA-D070-2013-0060-EA
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Decision Record

Ocotillo Wind Energy Facility (OWEF) Project Weed Management Plan Environmental Assessment

Imperial County, California

U.S. Department of the Interior
Bureau of Land Management
El Centro Field Office
1661 South 4th Street
El Centro, CA 93342

July 2013



Decision Record
El Centro Field Office
Environmental Assessment DOI-BLM-CA-D070-2013-0060-EA
Case File CACA- 051552

Proposed Action Title/Type:

Weed Management Plan — Proposed Use of Herbicides on Public Land for Integrated Weed Management

Applicant/Proponent:

Ocotillo Express LLC, a wholly owned subsidiary of Pattern Energy

Location of Proposed Action:

Activities would occur on approximately 730 acres of public land within the Ocotillo Wind Energy Facility (OWEF) Project area, as legally described in the BLM-issued right-of-way (ROW) Grant, dated May 11, 2012.

INTRODUCTION

Ocotillo Express LLC (OE LLC) is the holder of a federal right-of-way (ROW) grant, issued pursuant to Title V of the Federal Land Policy Management Act (FLPMA) and ROW regulations under 43 Code of Federal Regulations (CFR) 2800. The ROW, issued by the Bureau of Land Management (BLM) on May 11, 2012, and serialized as CACA-051552, authorizes OE LLC to construct, operate, maintain, and decommission a wind energy facility on public lands in Imperial County.

As described in Mitigation Measures Veg-1d and PHS-6 in the Record of Decision (ROD) for the OWEF Project, OE LLC is required to abide by non-native invasive weed control procedures developed in cooperation with the BLM and Imperial County prior to, during, and after construction. Additionally, Stipulation 19 in the ROW grant requires OE LLC to prepare and implement a Noxious Weeds and Invasive Species Control Plan (called the Weed Management Plan (WMP) in this Environmental Assessment (EA)) and to submit a Pesticide Use Proposal (PUP) to be approved by the BLM. A WMP was prepared for the OWEF Project utilizing the description of activities associated with noxious weed control in the Final Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the OWEF Project (March 2012). The level of specificity within the EIR/EIS warranted additional environmental analysis pursuant to the National Environmental Policy Act (NEPA) therefore a site-specific EA (DOI-BLM-CA-D070-2013-0060-EA) was prepared to analyze the effects of the proposed methods for invasive species control.

2.0 DECISION

2.1 ALTERNATIVES CONSIDERED

The EA described above assessed two alternatives for implementing the OWEF's WMP: the Proposed Action and the No Action Alternative.

Proposed Action

The Proposed Action is described in detail in Chapter 2.3 of the EA. The Proposed Action would include implementing the WMP utilizing two chemicals (glyphosate and triclopyr) in combination with manual methods of weed management to execute measures to lessen the potential for the dispersal or increased abundance of existing and any new non-native, invasive plant species. Chemical control is often the most efficient, least labor intensive method of killing established populations of non-native, invasive plants. The chemical application would target five invasive species on the OWEF Project site with a California Invasive Plant Council (Cal-IPC) rating of High, Moderate, or Limited, including Saharan mustard (*Brassica tournefortii*), red brome (*Bromus madritensis ssp. rubens*), red-stem filaree (*Erodium cicutarium*), prickly Russian thistle (*Salsola tragus*), and rattail fescue (*Vulpia myuros*). Removal and control of these invasives would occur on approximately 730 acres within the OWEF Project site, with up to three applications of chemicals per year, over the 30-year ROW grant term. Herbicides would not be applied in waters of the U.S.

No Action Alternative

The No Action alternative assesses the effects of not implementing the WMP as discussed in Chapter 2.4 of the EA. Under the No Action Alternative, the BLM would not allow the use of herbicide or physical treatment of invasive plant species within the project site. The No Action Alternative could contribute to the spread of weeds through known dispersal vectors, such as wind, animals and vehicular traffic, and could spread to other locations and impact habitat beyond the project site (page 27).

2.2 Alternatives Considered But Rejected

Section 2.5 discusses two alternatives considered but not carried forward for analysis. Section 2.5.1 discusses the "Physical Treatment Only" alternative, which involves both mechanical and manual treatment of invasive plant species, but no herbicide would be utilized. Section 2.5.2 discusses the "Chemical Treatment Only" alternative, which would utilize herbicide to control invasive plant species but would not utilize manual treatment. Mechanical treatment of invasive plant species are not often effective in controlling on site weed species that can grow and flower very close to the ground. Mechanical treatment is further limited by the potential for disturbance, which could be destructive if unknown cultural resources are present in the treatment areas, and is also counter-

productive to native vegetation restoration efforts. Manual treatment is not a viable option for the project size as treatments are slow and tedious and lack the responsiveness to provide rapid, consistent, and uniformed control necessary to manage germination events and rapidly spreading weeds. Treating weed management areas with only chemicals as discussed in Section 2.5.2 was rejected as a viable alternative because manual control of weeds is required around highly sensitive areas (i.e., areas containing rare plants, sensitive cultural resources, waterways of the US, etc.).

2.3 Decision and Rationale

Decision

Based upon the analysis of the potential environmental impacts described in the EA and in consideration of the public, agency, and industry comments received by the BLM, it is my decision to authorize the Proposed Action as described in the Chapter 2 of the DOI-BLM-CA-D070-2013-0060-EA for the OWEF Project. All Standard Operating Procedures (SOPs) in Appendix A of the EA will be followed during implementation of the WMP as well the additional measures listed below to protect native/special status species, cultural and archaeological resources, soils, and human health and safety:

1. Before any treatments are conducted and operational a spill contingency plan will be submitted to the BLM for approval. The plan will include information on project specifications, key personnel responsibilities and communication, safety, spill response, and emergency procedures.
2. Notify the BLM two weeks prior to any scheduled herbicide use.
3. Post (sign) treated areas and specify reentry or rest times.
4. Notify adjacent landowners prior to treatment.
5. A flat-tailed horned lizard biological monitor is required during herbicide application in areas known to have flat-tail presence.
6. All herbicides used for this project will contain the marker dye Turf Mark Blue to make herbicide visible wherever it is applied.
7. Personnel treating invasive plants with glyphosate and triclopyr will be properly trained prior to weed treatments on site.
8. To reduce the risk of water transport, glyphosate and triclopyr will not be applied prior to forecast rain events.
9. Watering of the project site for dust control will be conducted in advance of application of glyphosate and triclopyr, and watering for dust control will not be conducted immediately following herbicide applications.

10. A Pesticide Application Report (PAR) will be prepared and submitted to the El Centro Field Office during treatment activities (Attachment A).
11. An Annual Summary Report.
12. Before any treatments are conducted an archaeological monitoring plan for the undertaking will be submitted to the BLM for approval. The plan will include areas to be excluded from direct contact with herbicides and an archaeological monitoring protocol.
13. Before any treatments are conducted the BLM will delineate specific cultural resources that will be excluded from direct contact with herbicides.
14. An archaeological monitor is required during herbicide application in areas containing sensitive cultural resources.

Activities authorized by the BLM will be monitored periodically during and following weed management to ensure compliance with the SOPs and other conditions outlined with this decision.

Rationale

Implementation of the Proposed Action would be consistent with the purpose and need for action because the combination of methods proposed would effectively and efficiently reduce and control five invasive species on the OWEF Project site with a Cal-IPC rating of High, Moderate, or Limited (including Saharan mustard (*Brassica tournefortii*); red brome (*Bromus madritensis* ssp. *rubens*); red-stem filaree (*Erodium cicutarium*); prickly Russian thistle (*Salsola tragus*); and rattail fescue (*Vulpia myuros*)). Additionally, full integration of the OWEF Project's WMP will allow for an adaptive strategy that will control weed species that are already present within the work area, and also address the potential introduction of new weed species during the operations and maintenance period. Implementation of the Proposed Action would also facilitate OE LLC's conformance with Mitigation Measures Veg-1d and PHS-6 adopted in the 2012 ROD.

3.0 Consultation and Coordination

A Section 7 consultation process was undertaken with the U.S. Fish and Wildlife Service for the OWEF project between May 2011 and April 2012. A Biological Opinion (BO) was issued on April 26, 2012. The BO considered invasive weeds and the associated potential impacts to the two listed species that were analyzed (Peninsular bighorn sheep and least Bell's vireo [*Vireo bellii pusillus*]). The O&M Conservation Measure No. 3 of the BO included a requirement to control invasive plant species for the life of the project according to the measures provided in the IWMP. Section 106 consultation under the National Historic Preservation Act (NHPA) for the OWEF project was completed with the execution of the Memorandum of Agreement on May 8, 2012 (BLM et al. 2012). The BLM finds that the activities covered by the Proposed Action will take place within the defined area of potential effect for the OWEF project and that there will be no additional

adverse effects to historic properties by its implementation. No additional consultation is required pursuant to the NHPA.

4.0 Public Involvement

The EA was posted on the BLM El Centro Field Office website for a two-week public comment and review period. The comment period began on May 2, 2013 through May 16, 2013. A total of 9 comment letters were received by the BLM. The summarized comments and the BLM's responses are found in Attachment B of this document.

5.0 Consistency with Land Use Plans, Regulations and Policies

Based on information in the EA, the project record, and recommendations from the BLM specialists, I conclude that this decision is consistent with the following Land Use Plans, Regulations and Policies: The California Desert Conservation Area (CDCA) land use plan, 1980, as amended; 2007 Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States; the National Energy Policy Act of 2005 and the BLM's National Energy Policy Implementation Plan; the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

6.0 Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in accordance with the regulations in 43 CFR Part 4, and the enclosed form 1842-1. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Pacific Southwest Region, U.S. Department of Interior, 2800 Cottage Way, E-1712, Sacramento, CA 95825.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's (El Centro Field Office) internet website.



Thomas F. Zale, Field Manager
El Centro Field Office

7/15/2013
Date

UNITED STATE DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

PESTICIDE APPLICATION RECORD

Project Name: _____
Operator: _____
Pesticide Use Proposal Number: _____
NEPA Reference Number: _____

1. APPLICATOR:

a. Name of Applicator or Employee(s) Making the Application:

2. APPLICATION:

a. Application Dates: _____

b. Time Frame of Application: _____

c. Location: _____

d. Application Equipment: _____

3. PESTICIDE INFORMATION:

a. Trade Name: _____

b. Company/Manufacturer/Formulator's Name: _____

c. Pesticide Formulation Type: _____

d. Rate of Application – Per Acre:

i. Formulated Product: _____

ii. Active Ingredient/Acid Equivalent: _____

iii. Total Spray Solution Amount: _____

4. APPLICATION CONDITIONS:

a. Wind Speed: _____ Wind Direction: _____

b. Air Temperature: _____ Surface Conditions: _____



Gaddis, Nicollee <ngaddis@blm.gov>

Comments on Invasive Plant Management Weed Management Plan for the Ocotillo Wind Energy Facility

message

atomaticoandranch@netzero.net <atomaticoandranch@netzero.net> Sat, May 11, 2013 at 12:58 PM
To: ngaddis@blm.gov, jkenna@blm.gov, traml@blm.gov, Thomas Zale <tzale@blm.gov>

Date: May 11, 2013

To: Nicollee Gaddis

ngaddis@blm.gov

Subject: We would like to submit these comments for Environmental Assessment (EA) : DOI-BLM-CA-D070-2013-0060-EA Invasive Plant Management Weed Management Plan for the Ocotillo Wind Energy Facility.

You have released an Environmental Assessment and Finding of no Significant Impact (FONSI) for a plan that will expose a large area, much of it near a local community, to the herbicides glyphosate (Roundup) and triclopyr.

In this case, you are reviewing an EA with only a two week comment period. The EA is reviewing a plan that will potentially expose local people in the town of Ocotillo to these two herbicides. These herbicides are proposed to be used in large quantities and some of the wind turbine sites are very close to residential properties.

You have also issued the FONSI before the public comment deadline is up which potentially indicates approval of use of herbicides:

"FINDING OF NO SIGNIFICANT IMPACT

The El Centro Field Office interdisciplinary review and analysis determined that the proposed action would not trigger significant impacts on the environment based on criteria established by regulations, policy and analysis.

Based on the findings discussed herein, I conclude that the proposed action is not a major Federal action and results in no significant impacts to the environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in applicable land use plans."

While Roundup is a common herbicide, it is usually not used in such large quantities at one time. Glyphosate can be hazardous to human health as identified in studies:

"Symptoms of exposure to glyphosate include eye irritation, blurred vision, skin rashes, burning or itchy skin, nausea, sore throat and difficulty breathing, headache, lethargy, nose bleeds and dizziness. In lab tests, glyphosate and herbicides containing glyphosate caused genetic damage to human and animal cells. Studies of farmers and other people exposed to glyphosate herbicides link this exposure to increased risks of cancer, miscarriages and attention deficit disorder. Additional laboratory tests have confirmed the results of these studies. Laboratory evidence indicates that glyphosate herbicides can reduce production of sex hormones. Application of glyphosate herbicides increases the severity of a variety of plant diseases. Studies of glyphosate contamination of water are limited, but new results indicate that it can easily contaminate streams in both agricultural and urban areas. Glyphosate herbicides cause more off-target damage incidents than all but one other herbicide — 2, 4-D. Glyphosate herbicides cause genetic damage and harm to the immune system in



fish. In frogs, glyphosate herbicides cause genetic damage and abnormal development.”
Impacts from triclopyr are not as well known, but it is reported to be hazardous to ducks and it travels through the ground and can reach groundwater.
In the EA, you do have an alternative of “Physical Removal Only”. This is your best option. As you all know too well, Pattern Energy has done a very poor job on mitigation and we do not feel that the BLM has done nearly enough to enforce conditions of mitigation.
We actually don’t live in Ocotillo, so we do not see all of the violations as much as the locals, but these are some of the violations by Pattern that we are aware of:
1. Violated their dust mitigation conditions, exposing local people to fugitive dust and potentially Valley Fever.
2. Run over agave roasting pits and other archeological sites
3. Use more water to control dust than promised.
4. Left obtrusive night lights shining in the windows of Ocotillo Residents
5. Dumped foam and other dust suppressant chemicals all over the ground after a big rain event.
6. Had one of their employees threaten local residents.
Given the fact that there are regular violations in mitigation conditions and BLM seems to be having a particularly difficult time getting Pattern to comply with these conditions, we request that BLM:
1. Extend the length of the EA by two weeks so more people can be aware of this plan. By only giving us two weeks, you will exclude most public comments. Furthermore, that makes it very difficult to appeal the decision through the Interior Board of Land Appeals or any other appeal process that will be selected. If you wanted to exclude public opinion, you should have just approved this with a Categorical Exclusion.
2. Hold at least one public meeting to inform more people as to what the plans are.
3. Select the alternative of Physical Removal only. We do not trust Pattern Energy to take appropriate measures to protect public health from exposure to Roundup from wind events or other conditions. We also do not have faith that the BLM will do a good enough job of enforcing these conditions.
The short duration of the comment period for this EA and the fact that a Finding of no Significant Impact was already written makes it appear as though the BLM is speeding up this process to assist Pattern Energy. While that may not be the case, we feel that the agency is doing an overall poor job in protecting public health and other resources from the Ocotillo Wind Express Project.
Conclusion:
Extend the EA comment period by two weeks to make the appeal process possible, hold public meetings about herbicide use and select a “Physical Removal Only” alternative.
Thank you,
Kevin Emmerich
Laura Cunningham
Basin and Range Watch
P.O. Box 70
Beatty, NV 89003

A-3
↑ Cont.
A-4
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 EA Oco Herbicides.pdf
546K

Response to Comment Letter A

Basin and Range Watch
Kevin Emmerich and Laura Cunningham
May 11, 2013

- A-1** The herbicides glyphosate and triclopyr are proposed to be used in the Weed Management Plan, in combination with physical treatment methods for invasive non-native plant species eradication. The method of application for the herbicides includes back-pack type spray equipment, with hand-held spray applicator or sponge applicator. These application methods are designed to eliminate or substantially minimize drift of the pesticide from the target plants to adjacent plants, bare ground, or human populations. The closest sensitive receptors to the proposed weed management areas are the houses located along Shell Canyon Road. The closest house is located 0.5 mile from the weed management area. The OWEF would be required to adhere to the BLM standard operating procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. Among other requirements, the SOP mandates herbicide application be performed or directly supervised by a licensed herbicide / pesticide applicator, strictly adhering to the product label application restrictions. Thus the Weed Management Plan contains adequate controls, restrictions, and safety precautions to adequately safeguard local residents.
- A-2** The Finding of No Significant Impact (FONSI) is a provisional document which provides a succinct statement of the conclusions presented in the environmental assessment (EA). The FONSI is only adopted once the EA has been determined to be adequate, accurate, and complete. The FONSI is circulated with the EA so that public comment can be provided regarding the conclusion presented by the FONSI. This comment addresses neither the sufficiency of the EA nor the accuracy of the FONSI.
- A-3** Glyphosate-based herbicides used in the quantity proposed for the OWEF Weed Management Plan were contemplated and evaluated in the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States; thus the commenter's statement "While RoundUp is a common herbicide, it is usually not used in such large quantities at one time" is inaccurate. Glyphosate is a systemic weed killer that interferes with the production of essential amino acids. Animals do not produce these amino acids. Glyphosate only effects growing plants, so it is considered very low toxicity on animal life. Glyphosate requires a surfactant to be able to penetrate a plant's leaf surface. Surfactants are detergents that break down surface tension on the

Responses to Comments

leaf and allow the glyphosate to penetrate the leaf surface. The added surfactant in RoundUp is toxic to fish and other aquatic life, hence the label requires that RoundUp not be used in aquatic environments. There are other formulations of glyphosate which are labeled for aquatic uses, which include a surfactant that is registered for aquatic use. There are no risks associated with nearly all exposures to glyphosate at the typical or maximum application rate for both workers and members of the general public (SERA 2003a). There is low risk to children in the general public associated with accidental exposure to glyphosate consumption of contaminated water after an herbicide spill into a small pond (BLM 2007:4-184). However, no surface water or ponds exist within or adjacent to the Weed Management Area.

Workers face low risk from directed and broadcast ground spray and aerial applications at the upper ranges of exposures for both evaluated formulations of triclopyr (triclopyr acid and triclopyr butoxyethyl ester [BEE]), at the maximum application rate (SERA 2003b). At the maximum application rate, workers face low risk from accidental exposure to contaminated gloves (1 hour duration). Thus, for workers who may apply triclopyr repeatedly over a period of several weeks or longer, it is important to ensure that work practices involve reasonably protective procedures to avoid the upper extremes of potential exposure. At higher application rates, measures that limit exposure should be developed on a case-by-case basis depending on the application rate and method. There is low to moderate risk to the general public from triclopyr applications under several acute or accidental scenarios: 1) direct spray to the entire body; 2) direct spray to the lower legs; 3) dermal contact with contaminated vegetation; 4) acute consumption of contaminated fruit (maximum application rate only); and 5) acute consumption of pond water contaminated by a spill (BLM 2007:4-189).

The U.S. EPA has registered products called Roundup, as well as other formulations of glyphosate for use, and both the EPA and California Department of Pesticide Regulation consider Glyphosate-based herbicides safe for use provided all applicable label directions, safety precautions, laws, and regulations are followed. Furthermore, the OWEF would be required to adhere to the BLM standard operating procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. Among other requirements, the SOP mandates herbicide application be performed or directly supervised by a licensed herbicide / pesticide applicator, strictly adhering to the product label application restrictions.

A-4 The method of application for the herbicides includes back-pack type spray equipment, with hand-held spray applicator or sponge applicator. These application

methods are designed to eliminate or substantially minimize drift of the herbicide from the target plants to adjacent plants, bare ground, wildlife, or human populations. In addition, the herbicides may not be applied in any areas where surface water is present, or when rain is imminent; no surface water or ponds exist within or adjacent to the Weed Management Area and thus neither fish populations nor waterfowl would be affected by the proposal. Finally, the mobility of trace levels of herbicide on the surface of the xeric soils which occur within the project area would be very low; where rare cases of drift result in a thin coating of the herbicide on bare ground surface, the low moisture content and moderate effective porosity of the soil medium would lead to desiccation or dehydration of the herbicide and negligible infiltration into the soil horizon. Consequently, with proposed herbicide application methods that avoid substantial drift and presence of xeric soils, the potential is considered extremely low for groundwater supplies to become contaminated with herbicides as a result of the Weed Management Plan.

A-5 The recommendation for adoption of the Physical Removal Only alternative is noted. As explained in Section 2.5 of the EA, was rejected from further analysis because this alternative would not be effective by itself. Physical treatment may leave root systems in place which can quickly regenerate the cut-off plant; digging to remove the root system can lead to disturbance of intact soils to a greater depth thereby increasing soil erosion. In addition, mechanical methods are also not often effective in controlling on site weed species that can grow and flower very close to ground level. While there are a number of weed species to be controlled as part of the weed management program, Saharan mustard (*Brassica tournefortii*) is the primary species targeted for control on site. This species begins the growth process as a basal rosette, producing leaves close to the ground. Upon reaching maturity, the plant will bolt, producing vertical stem. Flowers, and ultimately seeds, are produced on the stem. Mechanical control of mustard is a viable option to postpone the seeding process if the vertical growth is cut during flowering and before seed production. However, this strategy is often not successful as a control method because cut weeds can produce new flowers and seed, often closer to the ground than the initial flowering effort. Eventually, the flowering and seeding portion of the plant are very near ground level, limiting the effectiveness of mechanical mowers or line trimmers. This activity is further limited by the potential for ground disturbance, which could be destructive if unknown cultural resources are present in the treatment area, and is also counter-productive to native vegetation restoration efforts. In addition, physical only treatment methods, have the potential for a greater level of overall ground disturbance, leading to fugitive dust generation and exposure to the valley fever fungus. The physical and herbicide combined approach evaluated in the EA includes targeted herbicide application via hand-held sprayer or sponge applicator where there is very low potential for herbicide application on adjacent native plant species, and physical treatment (hand removal of

Responses to Comments

- invasive plants) where necessary to avoid risks to nearby native plants, wildlife, or human populations.
- A-6** The effectiveness of mitigation measures required in environmental documents depends mostly upon adherence of the measures by the project sponsor; partly on the appropriate design of the measure; and partly upon mechanisms that mandate verification or monitoring and reporting of compliance with the mitigation. The commenter does not provide specifics of the dust violation, but making the BLM aware of this non-compliance circumstance is an element of the feedback mechanism which will ensure monitoring occurs to achieve a greater level of compliance with required mitigations in the future, including those imposed by the EA. It should also be noted that proper control of fugitive dust from construction and during long-term project operation for compliance with applicable air quality rules and regulations is enforced by the Imperial County Air Pollution Control District. The proposed Weed Management Plan is intended to minimize ground disturbance, thereby avoiding dust generation.
- A-7** See response to Comment A-6 (above). Please provide any specific information you have regarding damage or destruction of archaeological sites to the BLM for follow-up. The proposed Weed Management Plan is intended to minimize ground disturbance, thereby reducing the potential for impacts upon cultural resources.
- A-8** See response to Comment A-6 (above). Please provide any specific information you have regarding excess water consumption by the OWEF to the BLM for follow-up.
- A-9** No lighting is proposed in conjunction with the Weed Management Plan. Weed abatement activities would be carried out during daylight hours.
- A-10** See response to Comment A-6 (above). Please provide any specific information you have regarding dumping of foam and other dust suppressant following a large rain event to the BLM for follow-up. Dust suppressants (or palliatives) function by binding available moisture into a surface crust that prevents entrainment of soil by wind flowing over the ground surface. Consequently, the application of dust suppressants (in appropriate areas at intended application rates) may have been an appropriate activity. The proposed Weed Management Plan is intended to minimize ground disturbance, thereby reducing the potential for fugitive dust generation.
- A-11** Threats of physical violence are unacceptable and should not be treated lightly. Local law enforcement officials should be made aware of the threat by the person(s) so threatened. The BLM can also issue a warning to OWEF that threats by employees of physical violence toward residents or the public will not be tolerated.

Responses to Comments

- A-12** Comment is acknowledged; the comment does not address a specific deficiency in the environmental assessment and therefore a response is not required. Nonetheless, with regard to the request for a time extension, the BLM is unable to grant a comment period extension request in the interests of reaching a timely decision for the proposed action. The BLM will incorporate any comments they receive after the comment period to the best of their ability, but are unable to guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.
- A-13** Comment is acknowledged; however, the comment does not address a specific deficiency in the environmental assessment. Scoping meetings for the Environmental Impact Statement (EIS) were conducted after the publication of the Notice of Intent (NOI) and Notice of Preparation (NOP) to formally solicit public and agency input on issues to be addressed in the EIS/EIR. In addition, BLM and Imperial County coordinated with affected local, state, and federal agencies on issues of concern. The NOI was published in the Federal Register (Volume 75, No. 238) on December 13, 2010. On January 5 and 6, 2011, the BLM and Imperial County held publicly noticed Scoping Meetings at the Board of Supervisors Chambers, 2nd Floor, County Administration Center and the Ocotillo Community Park in El Centro, California, and Ocotillo, California, respectively. A Public Scoping Report was released for public review in March 2011. Presentations describing the environmental review process were delivered by representatives of the BLM and County of Imperial. Pattern Energy also delivered a presentation describing the project. A Weed Management Plan has been included as a component of the Proposed Action from the beginning, in order to address the presence of invasive plant species within the Project Area.
- A-14** Comment is acknowledged; however, the Weed Management Plan requires application of herbicides to be performed or directed by a licensed herbicide / pesticide applicator, strictly adhering to the product label application restrictions. Non-compliance with the label restrictions for herbicide application is a Federal offense, leading to at least rescission of the applicator license and penalties, if not incarceration. The California Department of Pesticide Regulation also has enforcement authority, and can perform inspections or investigate allegations of violations.
- A-15** Comments are acknowledged. The comments do not address any specific deficiencies in the EA. Nonetheless, with regard to the request for a time extension, the BLM is unable to grant a comment period extension request in the interests of reaching a timely decision for the proposed action. The BLM will incorporate any comments they receive after the comment period to the best of their ability, but are unable to

Responses to Comments

guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.

References (note that the 2 SERA references were cited in the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States):

Syracuse Environmental Research Associates, Inc. (SERA).

2003a. Glyphosate – Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-09-04a. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

2003b. Triclopyr – Revised Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-13-03b. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

U.S. Department of Interior, Bureau of Land Management (BLM). 2007. Final Programmatic Environmental Impact Statement for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. June. Available at: http://www.blm.gov/wo/st/en/prog/more/veg_eis.html.

2013. Environmental Assessment for Invasive Plant Management for the Weed Management Plan for the Ocotillo Wind Energy Facility. May 2. Available at: http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/elcentro/nepa/ocotilloexpress.Par.19093.File.dat/OWEF_Weed_EA.pdf.

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Gaddis, Nicollee <ngaddis@blm.gov>

RE: Invasive Plant Management Weed Management Plan for the Ocotillo Wind Energy Facility.

| message

Terry Weiner <terryweiner@sbcglobal.net> Wed, May 15, 2013 at 2:10 PM
To: ngaddis@blm.gov
Cc: jkenna@blm.gov, Teresa Raml <traml@blm.gov>, Thomas Zale <tzale@blm.gov>, Robert Paul <rpaul@blm.gov>

Dear Nicollee,

I am writing to request a time extension for comments on the DOI- BLM-CA-D070-2013-0060-EA Invasive Plant Management Weed Management Plan for the Ocotillo Wind Energy Facility.

Two weeks is not enough time to alert the public to the need for comments on this plan and not enough time for busy desert botanists, wildlife biologists and invasive plant experts and others with pesticide licenses. Considering the potential impacts of using herbicides broadly on the native desert plants and animals on human residents in the vicinity of some of the turbines in the Ocotillo desert area, the least the BLM can do is allow concerned parties a full 30 days to review and submit substantive and helpful comments on the BLM's alternatives.

B-1

Meanwhile, please restore your "physical weed removal only" alternative. It is the responsible thing to do.

Please don't tell us that physical removal impossible alternative. Desert plants are not growing and proliferating at this time of year, which eliminates any need for haste.

B-2

Although manual removal will be time-consuming and require vigilance and be expensive for Pattern Energy, the BLM's mission does not require assisting corporations in minimizing their costs while they reap profits off public lands that belong to everyone.

Thank you for your serious attention to the Desert Protective Council's and the public's requests for thirty days time to comment. Whether you receive a handful or an abundance of requests should not be the determining factor in doing the right thing.

B-3

I have attached a copy of this letter below.

Best,

Terry Weiner
Imperial County Projects and Conservation Coordinator
Desert Protective Council
P.O. Box 3635
San Diego CA, 92163
(619) 342-5524 cell
(858) 273-7801 FAX
terryweiner@sbcglobal.net
www.protectedeserts.org
Co- Founder, Solar Done Right
www.solardoneright.org

-

Response to Comment Letter B

Desert Protective Council

Terry Weiner

May 15, 2013

- B-1** The BLM is unable to grant a comment period extension request in the interests of reaching a timely decision for the proposed action. The BLM will incorporate any comments they receive after the comment period to the best of their ability, but are unable to guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.
- B-2** As explained in Section 2.5 of the EA, the Physical Treatment Only Alternative was rejected from further analysis because this alternative would not be effective by itself. Physical treatment may leave root systems in place which can quickly regenerate the cut-off plant; digging to remove the root system can lead to disturbance of intact soils to a greater depth thereby increasing soil erosion. In addition, mechanical methods are also not often effective in controlling on site weed species that can grow and flower very close to ground level. While there are a number of weed species to be controlled as part of the weed management program, Saharan mustard (*Brassica tournefortii*) is the primary species targeted for control on site. This species begins the growth process as a basal rosette, producing leaves close to the ground. Upon reaching maturity, the plant will bolt, producing vertical stem. Flowers, and ultimately seeds, are produced on the stem. Mechanical control of mustard is a viable option to postpone the seeding process if the vertical growth is cut during flowering and before seed production. However, this strategy is often not successful as a control method because cut weeds can produce new flowers and seed, often closer to the ground than the initial flowering effort. Eventually, the flowering and seeding portion of the plant are very near ground level, limiting the effectiveness of mechanical mowers or line trimmers. This activity is further limited by the potential for ground disturbance, which could be destructive if unknown cultural resources are present in the treatment area, and is also counter-productive to native vegetation restoration efforts. In addition, physical only treatment methods, have the potential for a greater level of overall ground disturbance, leading to fugitive dust generation and exposure to the valley fever fungus. The physical and herbicide combined approach evaluated in the EA includes targeted herbicide application via hand-held sprayer or sponge applicator where there is very low potential for herbicide application on adjacent native plant species, and physical treatment (hand removal of invasive plants) where necessary to avoid risks to nearby native plants, wildlife, or human populations.

Responses to Comments

The number of workers and/or the total hours required to eradicate non-native invasive plant species is only one of the considerations in rejecting the Physical Treatment Only Alternative. A larger labor force physically involved with the eradication of invasive species could result in greater impacts from inadvertent plant removal or trampling of native plant species, as well as increased disturbance of surface soils from a larger volume of pedestrian movements. But in fact, the Proposed Action of implementing the WMP by utilizing two chemicals in combination with manual methods of weed management would result in new employment opportunities including a Weed Control Manager, applicators with a Qualified Applicator License or a Pesticide Applicator License, and laborers to perform mechanical and manual removal methods. In addition, weed management would be conducted for the life of the project and the weed control manager (WCM) would utilize adaptive weed control measures during the 30-year operations and maintenance phase.

B-3 Comment is acknowledged; however, the comment does not address a specific deficiency in the environmental assessment. With regard to the request for an extension to the comment period, please refer to the response to comment B-1. Your comments will become part of the public record for the Proposed Action.

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Comment Letter C



Gaddis, Nicollee <ngaddis@blm.gov>

Use of Herbicides

1 message

babeofthedesert@juno.com <babeofthedesert@juno.com>
To: ngaddis@blm.gov

Fri, May 10, 2013 at 4:44 PM

I am sending this to you to voice my objection to the use of herbicides at the Ocotillo Wind Facility. We are dealing with enough here with the dust, possible Valley Fever, noise, inconvenience, and total disturbance of our lives. Don't you think we have had enough already. The use of herbicides will just add to our over exposure to elements not ment to be used near people and animals. The risk is just too great to use these products. Please read up on the health hazards these products can create. I personally am still trying to recover from the horrible dust storm on Apr 8th. Please don't infect herbicides on me too. I have an autoimmune disease and the use of these products can be deadly to me.

C-1

Sincerely
Dianne Tucker
Ocotillo resident.

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Response to Comment Letter C

Dianne Tucker

May 10, 2013

C-1 The proposed Weed Management Plan contains herbicide application restrictions to avoid the creation of a public health or safety hazard. Methods field-proven to be effective in precluding public health risks from herbicide use are also required of the OWEF project, as enunciated in the BLM Standard Operating Procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States.

During herbicide application, measures to reduce impacts to adjacent or nearby native vegetation and special status species will be implemented. These measures include, but are not limited to the following: (1) only spraying herbicide during low-wind conditions, (2) using a sponge applicator during higher wind conditions, (3) not using herbicide within 2 feet of special status plants, (4) keeping vehicles on permanent access roads to avoid crushing of plants and/or vegetation. SOPs that will be implemented for this project include, but are not limited to, the following:

- Complete vegetation treatments seasonally before pollinator foraging plants bloom.
- Time vegetation treatments to take place when foraging pollinators are least active both seasonally and daily.
- Design vegetation treatment projects so that nectar and pollen sources for important pollinators and resources are treated in patches rather than in one single treatment.
- Minimize herbicide application rates. Use typical rather than maximum rates where there are important pollinator resources.
- Use herbicides of low toxicity to wildlife, where feasible.
- Use spot applications or low-boom broadcast operations where possible to limit the probability of contaminating non-target food and water sources, especially non-target vegetation over areas larger than the treatment area.
- Use timing restrictions (e.g., do not treat during critical wildlife breeding or staging periods) to minimize impacts to wildlife.

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The application method and herbicide type ultimately chosen should effectively kill the target non-native plant while minimizing the risks of harming non-target plants. Any chemical treatment will be consistent with BLM Manual 9011 (BLM 2007a), and the BLM's Record of Decision (ROD): Vegetation Treatments Using Herbicides (BLM 2007b), as supported by the Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides (BLM 2007c). Both glyphosate and triclopyr have been approved by the BLM and the State of California.

All herbicides used for this project will contain marker dyes to make the herbicide visible wherever it is applied. This dye will allow the applicator to identify (1) which plants have been treated, thereby ensuring coverage of target plants and avoiding accidental re-treatment, (2) if drift is occurring, thereby preventing damage to native vegetation, and (3) any personal contamination, thereby facilitating rapid response.

Personnel treating invasive plants with approved herbicide (glyphosate and triclopyr) would be directly supervised by a licensed herbicide/pesticide applicator, and would be properly trained prior to applying herbicides on site. This training would help ensure resource protection and the health and safety of occupational receptors (i.e., personnel). Accordingly, effects to personnel would not be adverse. In addition, the implementation of the SOPs included as part of the Proposed Action would ensure that public receptors would not be adversely affected by herbicide use. Such SOPs include posting signs for the public in areas where herbicide use has occurred (refer to Appendix A of the EA).

To help minimize both environmental and personal risk, all herbicide use must be conducted under the direction of a professional pesticide applicator with either a Qualified Applicator License or a Pesticide Applicator License that would strictly adhere to the product label application restrictions. The applicator shall be familiar with all safety and environmental regulations, as well as be able to identify target plant species. The Weed Control Manager is responsible for meeting these requirements and for approving any trained applicators that would handle herbicides. The Weed Control Manager can be either an individual or an organization in which the person(s) actively managing the project meets the qualifications outlined below to the satisfaction of the BLM. Specifically the Weed Control Manager shall have:

- A B.S. or B.A. degree in ecology, botany, biology, landscape maintenance, range management, or related field
- A Qualified Applicator License and either have or contract with a State of California Pest Control Advisor license for recommendations regarding appropriate pest control methodology.

Responses to Comments

- At least 5 years of experience in native habitat restoration in southern California, preferably San Diego and Imperial counties.
- Demonstrated experience in non-native, invasive species control or in projects involving a similar skill set.
- Experience in identifying native and non-native, invasive plants from the Colorado Desert.

In addition, the empowerment of County compliance staff to temporarily suspend project activities in the event that a public health or safety risk is identified further decreases the potential for health or safety hazards to affect the public.

Further, there are no risks associated with nearly all exposures to glyphosate at the typical or maximum application rate for both workers and members of the general public (SERA 2003a). There is low risk to children in the general public associated with accidental exposure to glyphosate consumption of contaminated water after an herbicide spill into a small pond (BLM 2007:4-184). However, no surface water or ponds exist within or adjacent to the Weed Management Area. Workers face low risk from directed and broadcast ground spray and aerial applications at the upper ranges of exposures for both evaluated formulations of triclopyr (triclopyr acid and triclopyr butoxyethyl ester [BEE]), at the maximum application rate (SERA 2003b). At the maximum application rate, workers face low risk from accidental exposure to contaminated gloves (1 hour duration). Thus, for workers who may apply triclopyr repeatedly over a period of several weeks or longer, it is important to ensure that work practices involve reasonably protective procedures to avoid the upper extremes of potential exposure. At higher application rates, measures that limit exposure should be developed on a case-by-case basis depending on the application rate and method. There is low to moderate risk to the general public from triclopyr applications under several acute or accidental scenarios: 1) direct spray to the entire body; 2) direct spray to the lower legs; 3) dermal contact with contaminated vegetation; 4) acute consumption of contaminated fruit (maximum application rate only); and 5) acute consumption of pond water contaminated by a spill (BLM 2007:4-189). The U.S. EPA has registered products called Roundup, as well as other formulations of glyphosate for use, and both the EPA and California Department of Pesticide Regulation consider Glyphosate-based herbicides safe for use provided all applicable label directions, safety precautions, laws, and regulations are followed.

In addition, the herbicides may not be applied in any areas where surface water is present, or when rain is imminent; no surface water or ponds exist within or adjacent to the Weed Management Area and thus neither fish populations nor waterfowl would be affected by the proposal. Finally, the mobility of trace levels of herbicide on the

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surface of the xeric soils which occur within the project area would be very low; where rare cases of drift result in a thin coating of the herbicide on bare ground surface, the low moisture content and moderate effective porosity of the soil medium would lead to desiccation or dehydration of the herbicide and negligible infiltration into the soil horizon. Consequently, with proposed herbicide application methods that avoid substantial drift and presence of xeric soils, the potential is considered extremely low for groundwater supplies to become contaminated with herbicides as a result of the Weed Management Plan

Per the reasons detailed above, the Weed Management Plan contains adequate controls, restrictions, and safety precautions to adequately safeguard humans, wildlife, and native (beneficial) plant species. As the EA concluded, any potential human exposure risks from activities described under the Proposed Action would have minimal to no effect on public health or safety. A full list of SOPs for Applying Herbicides designed to ensure and protect health and safety of application crews can be found in Appendix A of the EA.

References (note that the 2 SERA references were cited in the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States):

Syracuse Environmental Research Associates, Inc. (SERA).

2003a. Glyphosate – Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-09-04a. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

2003b. Triclopyr – Revised Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-13-03b. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

U.S. Department of Interior, Bureau of Land Management (BLM). 2007. Final Programmatic Environmental Impact Statement for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. June. Available at: http://www.blm.gov/wo/st/en/prog/more/veg_eis.html.

2013. Environmental Assessment for Invasive Plant Management for the Weed Management Plan for the Ocotillo Wind Energy Facility. May 2. Available at: http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/elcentro/nepa/ocotilloexpress.Par.19093.File.dat/OWEF_Weed_EA.pdf.

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Gaddis, Nicollee <ngaddis@blm.gov>

Health dangers of Monsanto 5 cannot be ignored

jake robbins <kukumat@gmail.com>
To: "Gaddis, Nicollee" <ngaddis@blm.gov>

Tue, May 14, 2013 at 7:43 PM

Then please add my concerns that honey bees using the endangered ocotillo wild flowers could be harmed by use of the insecticides Pattern Energy recommends. Thank you.

D-1

On Tue, May 14, 2013 at 4:56 PM, Gaddis, Nicollee <ngaddis@blm.gov> wrote:
Good Afternoon Mr. Robbins,

Thank you for your request for an extension of the comment period. However, we will be unable to grant your request in the interests of reaching a timely decision. We will incorporate any comments we receive after the comment period to the best of our ability, but we are unable to guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.

Thank You,

Nicollee Gaddis
Planning & Environmental Coordinator
Bureau of Land Management
1661 S. 4th Street
El Centro, CA 92243
P (760) 337-4427
F (760) 337-4490
ngaddis@blm.gov

On Sat, May 11, 2013 at 8:56 PM, jake robbins <kukumat@gmail.com> wrote:
Dear Nicollee Gaddis,

It has been brought to my attention that Pattern Energy wants to use the most cost-convenient option, Monsanto 5, to damage the health of residents in Ocotillo, California.

D-2

This cannot stand.

A 30 day period of public comment is entirely necessary to fully gauge community opinion on this matter in this sensitive desert wildflower ecosystem.

D-3

Love,

Jake

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Response to Comment Letter D

Jake Robbins

May 14, 2013

D-1 The EA identified that there are no federal- or state-listed plant species within the OWEF site, and although there are two BLM-sensitive plant species on the OWEF site (Little San Bernardino Mountains linanthus [*Linanthus maculatus*] and Mountain Springs bush lupine [*Lupinus excubitus* var. *medius*]), neither was found in the areas proposed for implementing the Weed Management Plan under the Proposed Action. Herbicides will not be applied to any native plant species, including those included under the broad classification of “wild flowers”. Please also see response to Comment D-3 (below). With regard to honey bee populations, the avoidance of negative effects upon bees are addressed in the following standard operating procedures (SOPs) that will be implemented for this project:

- Complete vegetation treatments seasonally before pollinator foraging plants bloom.
- Time vegetation treatments to take place when foraging pollinators are least active both seasonally and daily.
- Design vegetation treatment projects so that nectar and pollen sources for important pollinators and resources are treated in patches rather than in one single treatment.
- Minimize herbicide application rates. Use typical rather than maximum rates where there are important pollinator resources.

D-2 It is unclear to what the commenter is referring to as “Mansanto 5”. If the commenter is referring to the Mansanto brand of RoundUp, the Weed Management Plan only specifies that a glyphosate based herbicide will be used, it does not stipulate RoundUp. Glyphosate is a systemic weed killer that interferes with the production of essential amino acids. Animals do not produce these amino acids. Glyphosate only affects growing plants, so it is considered very low toxicity on animal life. Glyphosate requires a surfactant to be able to penetrate a plant’s leaf surface. Surfactants are detergents that break down surface tension on the leaf and allow the glyphosate to penetrate the leaf surface. The added surfactant in RoundUp is toxic to fish and other aquatic life, hence the label requires that RoundUp not be used in aquatic environments. There are other formulations of glyphosate which are labeled for aquatic uses, which include a surfactant that is registered for aquatic use. There are no risks associated with nearly all exposures to glyphosate at the typical or maximum application rate for both workers and members of the general public (SERA 2003a). There is low risk to children in the general public associated with

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accidental exposure to glyphosate consumption of contaminated water after an herbicide spill into a small pond (BLM 2007:4-184). However, no surface water or ponds exist within or adjacent to the Weed Management Area.

Workers face low risk from directed and broadcast ground spray and aerial applications at the upper ranges of exposures for both evaluated formulations of triclopyr (triclopyr acid and triclopyr butoxyethyl ester [BEE]), at the maximum application rate (SERA 2003b). At the maximum application rate, workers face low risk from accidental exposure to contaminated gloves (1 hour duration). Thus, for workers who may apply triclopyr repeatedly over a period of several weeks or longer, it is important to ensure that work practices involve reasonably protective procedures to avoid the upper extremes of potential exposure. At higher application rates, measures that limit exposure should be developed on a case-by-case basis depending on the application rate and method. There is low to moderate risk to the general public from triclopyr applications under several acute or accidental scenarios: 1) direct spray to the entire body; 2) direct spray to the lower legs; 3) dermal contact with contaminated vegetation; 4) acute consumption of contaminated fruit (maximum application rate only); and 5) acute consumption of pond water contaminated by a spill (BLM 2007:4-189).

The U.S. EPA has registered products called Roundup, as well as other formulations of glyphosate for use, and both the EPA and California Department of Pesticide Regulation consider Glyphosate-based herbicides safe for use provided all applicable label directions, safety precautions, laws, and regulations are followed. OWEF is also required to adhere to the BLM standard operating procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. Among other requirements, the SOP mandates herbicide application be performed or directly supervised by a licensed herbicide / pesticide applicator, strictly adhering to the product label application restrictions. Thus the Weed Management Plan contains adequate controls, restrictions, and safety precautions to adequately safeguard humans, wildlife, and native (beneficial) plant species.

D-3 As explained in the Vegetation and Wildlife/Special Status Species/Threatened and Endangered Species sections of the EA, an overall improved/sustained ecological condition for the threatened and candidate species under the Proposed Action are the impacts associated with the Proposed Action, which are not expected to adversely affect the ability of native species to occupy or thrive in an area. The physical and herbicide combined approach evaluated in the environmental assessment includes targeted herbicide application via hand-held sprayer or sponge applicator where there

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is very low potential for herbicide application on adjacent native plant species, and physical treatment (hand removal of invasive plants) where necessary to avoid risks to nearby native plants, wildlife, or human populations. These application methods are designed to eliminate or substantially minimize drift of the herbicide from the target plants to adjacent plants, bare ground, wildlife, or human populations. In addition, the herbicides may not be applied in any areas where surface water is present, or when rain is imminent; no surface water or ponds exist within or adjacent to the Weed Management Area and thus neither fish populations nor waterfowl would be affected by the proposal. Finally, the mobility of trace levels of herbicide on the surface of the xeric soils which occur within the project area would be very low; where rare cases of drift result in a thin coating of the herbicide on bare ground surface, the low moisture content and moderate effective porosity of the soil medium would lead to desiccation or dehydration of the herbicide and negligible infiltration into the soil horizon. Consequently, with proposed herbicide application methods that avoid substantial drift and presence of xeric soils, the potential is considered extremely low for groundwater supplies to become contaminated with herbicides as a result of the Weed Management Plan. Therefore, it has been determined the proposed activities would not adversely affect any threatened or candidate species or their critical habitat, and would be adequately protective of all native plant species. With regard to the request for an extension to the comment period, the BLM is unable to grant a comment period extension request in the interests of reaching a timely decision for the proposed action. The BLM will incorporate any comments they receive after the comment period to the best of their ability, but are unable to guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.

References (note that the 2 SERA references were cited in the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States):

Syracuse Environmental Research Associates, Inc. (SERA).

2003a. Glyphosate – Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-09-04a. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

2003b. Triclopyr – Revised Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-13-03b. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

U.S. Department of Interior, Bureau of Land Management (BLM). 2007. Final Programmatic Environmental Impact Statement for Vegetation Treatments Using Herbicides on Bureau of

Responses to Comments

Land Management Lands in 17 Western States. June. Available at: http://www.blm.gov/wo/st/en/prog/more/veg_eis.html.

2013. Environmental Assessment for Invasive Plant Management for the Weed Management Plan for the Ocotillo Wind Energy Facility. May 2. Available at: http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/elcentro/nepa/ocotilloexpress.Par.19093.File.dat/OWEF_Weed_EA.pdf.

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Gaddis, Nicollee <ngaddis@blm.gov>

Ocotillo Herbicide spraying

1 message

Linda Ewing <battlegroundranch@gmail.com>
To: ngaddis@blm.gov
Cc: ewingduo@aol.com, writerink@cox.net

Wed, May 15, 2013 at 11:42 PM

Ms Gaddis

I can't help being horrified after reading every single answer from you to the people of this community with the same controversial comment "we are unable to grant your request for a time extension in the interest of reaching a timely decision". The people of Ocotillo are opposing the proposed mass herbicide spraying using the chemical commonly known as Roundup, a chemical so dangerous that it's caused death in individuals unable to tolerate it. This community has been subjected to the massive wind turbine farm surrounding our homes less than half a mile from our front doors, the horrible destruction of the surrounding desert, unbelievable dust storms that pound our homes, unrelenting blinking red lights at night, huge turbine blades producing the sound of helicopters hovering over our homes, and now we learn that the BLM has yet another antic planned for this community, Timely decision? . Postponing your spraying to hear every possible piece of evidence against contaminating the desert valley any further should be a priority for BLM, the custodians of our public lands. Don't be so fast to destroy and contaminate the lands, harm the wildlife and sterilize the soil, yet be so slow to listen to the people who live here and how this horrible herbicide will affect them. We have children and grandchildren in our households and we are in the direct path of your spraying. I am highly allergic to pesticides, which is a huge reason I chose to live away from your contaminated farmlands. I'm horrified that you would take away any voice we have against the choices you've made. There is no such thing as pushing this through in a timely interest. I think it's time you took an interest ...

Linda Ewing
Ocotillo Resident

E-1
E-2

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Response to Comment Letter E

Linda Ewing

May 15, 2013

- E-1** Comment is acknowledged; however, the term “mass herbicide spraying” is not accurate with respect to the proposed OWEF Weed Management Plan. Mass herbicide spraying occurs with regard to farming operations. The proposed targeted herbicide application with hand-held spray applicator or sponge applicator presents an entirely different, and substantially reduced, exposure profile than farming-related pesticide and herbicide application. In farming practice, herbicides and pesticides are typically aerially applied with crop dusters or via mechanized spray rigs mounted on or towed by tractors. The potential for the drift of applied herbicides is effectively eliminated under the targeted application approach proposed, and the volume of herbicide applied is minimal compared to the farming example. Under the proposed Weed Management Plan, even targeted spray application cannot occur if wind speed exceeds 10 miles per hour, or if a rain storm is imminent. Finally, if invasive non-native plants migrate to the immediate proximity of residences off-site, such invasive plants would be removed using physical treatment methods. All of these precautions ensure the avoidance of local residents to the applied herbicides. Persons with compromised respiratory or immune systems may have intolerance for a wide range of chemicals; glyphosate has not been demonstrated to cause fatalities in humans or animals. Comment regarding adequacy of the comment period is also noted.
- E-2** Most of the comment addresses circumstances of the constructed/in operation OWEF, and not the proposed Weed Management Plan or EA adequacy. However, the comment also asserts the effects of herbicide application were not adequately evaluated or disclosed in the EA for the Weed Management Plan. In order to address the existence of invasive plants within the project site, and potential for increased propagation of these weedy species via site disturbance associated with the Ocotillo Wind Energy Facility (OWEF), the EIR/EIS included a mitigation measure (Veg-1d) requiring the implementation of an Weed Management Plan (WMP). Thus, a weed management plan has been contemplated in conjunction with the OWEF implementation and was included in the initial very comprehensive environmental review for the project. A conceptual WMP was prepared and included in the Final EIR/EIS for OWEF; a more detailed WMP was completed during project implementation design, which is the subject of the EA. The integrated pest management method for invasive plant species control analyzed in the EA utilizes a combination of herbicides and manual removal methods. The proposed application of herbicides via hand-held sprayer or sponge applicator greatly reduces the potential for herbicide drift onto non-target plant species, bare ground, or humans (including

Responses to Comments

personnel performing the application). Further, physical removal of plants is proposed where native plants, wildlife, waters of the US, or human populations are located in immediate proximity to the target invasive plant species. OWEF is also required to adhere to the BLM standard operating procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. Among other requirements, the SOP mandates herbicide application be performed or directly supervised by a licensed herbicide / pesticide applicator, strictly adhering to the product label application restrictions. Thus the Weed Management Plan contains adequate controls, restrictions, and safety precautions to adequately safeguard humans, wildlife, and native (beneficial) plant species.

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Gaddis, Nicollee <ngaddis@blm.gov>

OWEF-Weed Abatement

1 message

joemtymax@cox.net <joemtymax@cox.net>
To: ngaddis@blm.gov

Wed, May 15, 2013 at 1:43 PM

Nicollee Gaddis,

It has been brought to my attention that the El Centro BLM office is considering spraying the Ocotillo desert with roundup or similar substance due to the massive invasion of weeds caused by the Ocotillo Wind Farm. This is an area that my family and children visit frequently as the dry desert air helps my children with their asthma. By spraying toxins into the air to help clean up a mess that nobody wanted is completely absurd. How can you justify polluting the air to take care of a natural occurring weed. If the weed is so invasive, why didn't you and your department take care to prevent this when the OWEF was in the planning stages. What else will be killed by spray. Have you thought about that yet. Or do the animals and other plants not matter to your and your land management bureau.

F-1

Thank you

Joe Flanagan

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Response to Comment Letter F

Joe Flanagan

May 15, 2013

F-1 In order to address the existence of invasive plants within the project site, and potential for increased propagation of these weedy species via site disturbance associated with the Ocotillo Wind Energy Facility (OWEF), the EIR/EIS included a mitigation measure (Veg-1d) requiring the implementation of an Integrated Weed Management Plan (IWMP). A conceptual WMP was prepared and included in the Final EIR/EIS for OWEF; a more detailed WMP was completed during project implementation design, which is the subject of the EA. The integrated pest management method for invasive plant species control analyzed in the EA utilizes a combination of herbicides and manual removal methods. The proposed application of herbicides via hand-held sprayer or sponge applicator greatly reduces the potential for herbicide drift onto non-target plant species, bare ground, or humans (including personnel performing the application). Further, physical removal of plants is proposed where native plants, wildlife, waters of the US, or human populations are located in immediate proximity to the target invasive plant species. OWEF is also required to adhere to the BLM standard operating procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. Among other requirements, the SOP mandates herbicide application be performed or directly supervised by a licensed herbicide / pesticide applicator, strictly adhering to the product label application restrictions. Thus the Weed Management Plan contains adequate controls, restrictions, and safety precautions to adequately safeguard humans, wildlife, and native (beneficial) plant species.

Also, the statement “spraying toxins into the air” is inaccurate with regard to the herbicide application methods contained in the Weed Management Plan. Large-scale airborne spraying would be associated with commercial farming operations. In farming practice, herbicides and pesticides are typically aerially applied with crop dusters or via mechanized spray rigs mounted on or towed by tractors. The potential for the drift of applied herbicides is effectively eliminated under the targeted application approach proposed, and the volume of herbicide applied is minimal compared to the farming example. Even targeted spray application cannot occur if wind speed exceeds 10 miles per hour, or if a rain storm is imminent. Finally, if invasive non-native plants migrate to the immediate proximity of residences off-site, such invasive plants would be removed using physical treatment methods.

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Comment Letter G



Gaddis, Nicollee <ngaddis@blm.gov>

Herbicides

1 message

babeofthedesert@juno.com <babeofthedesert@juno.com>
To: ngaddis@blm.gov

Wed, May 15, 2013 at 11:53 AM

Again I must stress the need for an alternative method (3) of hand pulling the weeds by Pattern employees. By the way Pattern stated jobs, jobs, jobs, well here is their change to make that hapen. I implore you NOT TO USE HERBICIDES. The risk is just too great. I for one am very scarred and depressed by this latest development. It in all seriousness could be life threating to me. Do you want that on your heads. I already don't feel the greatest due to issues that have already affected me LIKE THE DUST. My dog died from Valley Fever. And I have the records to prove it. What is it going to take? You don't live here we do.

|
| G-1
|

Dianne Tucker
Ocotillo Resident

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Response to Comment Letter G

Dianne Tucker

May 15, 2013

G-1 Please see responses to Comment Letter C, submitted by D. Tucker on May 10, 2013.

As explained in Section 2.5 of the EA, the Physical Treatment Only Alternative was rejected from further analysis because this alternative would not be effective by itself. Physical treatment may leave root systems in place which can quickly regenerate the cut-off plant; digging to remove the root system can lead to disturbance of intact soils to a greater depth thereby increasing soil erosion. In addition, mechanical methods are also not often effective in controlling on site weed species that can grow and flower very close to ground level. While there are a number of weed species to be controlled as part of the weed management program, Saharan mustard (*Brassica tournefortii*) is the primary species targeted for control on site. This species begins the growth process as a basal rosette, producing leaves close to the ground. Upon reaching maturity, the plant will bolt, producing vertical stem. Flowers, and ultimately seeds, are produced on the stem. Mechanical control of mustard is a viable option to postpone the seeding process if the vertical growth is cut during flowering and before seed production. However, this strategy is often not successful as a control method because cut weeds can produce new flowers and seed, often closer to the ground than the initial flowering effort. Eventually, the flowering and seeding portion of the plant are very near ground level, limiting the effectiveness of mechanical mowers or line trimmers. This activity is further limited by the potential for ground disturbance, which could be destructive if unknown cultural resources are present in the treatment area, and is also counter-productive to native vegetation restoration efforts. In addition, physical only treatment methods, have the potential for a greater level of overall ground disturbance, leading to fugitive dust generation and exposure to the valley fever fungus. The physical and herbicide combined approach evaluated in the EA includes targeted herbicide application via hand-held sprayer or sponge applicator where there is very low potential for herbicide application on adjacent native plant species, and physical treatment (hand removal of invasive plants) where necessary to avoid risks to nearby native plants, wildlife, or human populations.

In regards to job creation, the Proposed Action of implementing the WMP by utilizing two chemicals in combination with manual methods of weed management would require a Weed Control Manager, applicators with a Qualified Applicator License or a Pesticide Applicator License, and laborers to perform mechanical and manual removal methods. In addition, weed management would be conducted for the

Responses to Comments

life of the project and the weed control manager (WCM) would utilize adaptive weed control measures during the 30-year operations and maintenance phase.

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Responses to Comments

Comment Letter H



Gaddis, Nicollee <ngaddis@blm.gov>

extend the comment period

2 messages

babeofthedesert@juno.com <babeofthedesert@juno.com>
To: ngaddis@blm.gov

Wed, May 15, 2013 at 12:32 PM

Another thing -We need to extend the comment period. Two weeks is not nearly enough time for all the persons involved to make their comments regarding this latest development. Again I oppose the use of herbicides and vote of a third alternative of hand pulling only. They (Patten) and you at the BLM should have given this project more thought than you did by cramming it down our throats and now not only are we being choked we are being poisoned.

H-1
H-2

Dianne Tucker
Ocotillo Resident

Opposed to OWF

Gaddis, Nicollee <ngaddis@blm.gov>
To: "babeofthedesert@juno.com" <babeofthedesert@juno.com>

Wed, May 15, 2013 at 12:47 PM

Good Afternoon Ms. Tucker,

Thank you for your request for an extension of the comment period. However, we will be unable to grant your request in the interests of reaching a timely decision. We will incorporate any comments we receive after the comment period to the best of our ability, but we are unable to guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.

Thank You,

Nicollee Gaddis
Planning & Environmental Coordinator
Bureau of Land Management
1661 S. 4th Street
El Centro, CA 92243
P (760) 337-4427
F (760) 337-4490
ngaddis@blm.gov
[Quoted text hidden]

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Response to Comment Letter H

Dianne Tucker

May 15, 2013

H-1 The BLM is unable to grant a comment period extension request in the interests of reaching a timely decision for the proposed action. The BLM will incorporate any comments they receive after the comment period to the best of their ability, but are unable to guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.

As explained in Section 2.5 of the EA, the Physical Treatment Only Alternative was rejected from further analysis because this alternative would not be effective as it would be too time-consuming and too invasive. Physical treatment may leave root systems in place which can quickly regenerate the cut-off plant; digging to remove the root system can lead to disturbance of intact soils to a greater depth thereby increasing soil erosion. In addition, mechanical methods are also not often effective in controlling on site weed species that can grow and flower very close to ground level. While there are a number of weed species to be controlled as part of the weed management program, Saharan mustard (*Brassica tournefortii*) is the primary species targeted for control on site. This species begins the growth process as a basal rosette, producing leaves close to the ground. Upon reaching maturity, the plant will bolt, producing vertical stem. Flowers, and ultimately seeds, are produced on the stem. Mechanical control of mustard is a viable option to postpone the seeding process if the vertical growth is cut during flowering and before seed production. However, this strategy is often not successful as a control method because cut weeds can produce new flowers and seed, often closer to the ground than the initial flowering effort. Eventually, the flowering and seeding portion of the plant are very near ground level, limiting the effectiveness of mechanical mowers or line trimmers. This activity is further limited by the potential for ground disturbance, which could be destructive if unknown cultural resources are present in the treatment area, and is also counter-productive to native vegetation restoration efforts.

The physical and herbicide combined approach evaluated in the EA includes targeted herbicide application via hand-held sprayer or sponge applicator where there is very low potential for herbicide application on adjacent native plant species, and physical treatment (hand removal of invasive plants) where necessary to avoid risks to nearby native plants, wildlife, or human populations.

H-2 Comment is acknowledged; however, the comment does not address a specific deficiency in the environmental assessment.

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BLM/EI Centro Field Office
1661 S. 4th Street
EI Centro, Ca. 92243

Re: OWEF – Weed Environmental Assessment
http://www.blm.gov/ca/st/en/fo/elcentro/nepa/ocotillo_express_wind.html

Attention: Nicollee Gaddis

First of all I would like to request an extension of the 15 day comment period. Residents of Ocotillo and other concerned citizens deserve additional time to allow them to comment on such a controversial subject that will have direct health impacts.

I-1

Also, I request that an Alternative (3) be re-considered, which would only allow **manual weeding of invasive plants**. Per 2.5 Alternatives Considered but rejected, “the Physical Treatment Only Alternative was rejected from further analysis due to the facts that this alternative would not be effective as it would be too time-consuming and too invasive.” I disagree with this statement, with properly trained manpower this alternative would be just as environmentally effective and equally intrusive as Alternative (1). After all, whether a small team of workers with backpack sprayers walk the entire 730 acres sorting out which weed to spray or sponge, a team of workers walking the entire 730 acres and hand pulling the weeds would be an equal impact to the immediate terrain. Pattern Energy has already disturbed over 560 acres resulting from the construction of their wind turbine facility. An additional 170 acres of very mild disturbance from the use of a small weed removal tool would hardly justify the use of potential spraying of herbicides that has the potential to harm humans, other plant species and wildlife.

I-2

I adamantly “oppose” the use of herbicide spraying (glyphosate and triclopyr) in the vicinity of the Ocotillo Wind Energy Project site or anywhere in the Yuha Desert or Anza Borrego State Park areas, due to the following;

I-3

1) New scientific studies have proven that glyphosate and triclopyr are more toxic than previously declared, and the EIR recently prepared does not adequately reveal the true potential of proven health effects.

2) POE-15 (polyethoxylated, tallowamine) was not discussed in the EIR, and the toxicology of “mixtures” cannot be fully understood without knowing the differential toxicity of the various compounds of the formulations and their “combined” effects.
<http://gmoseralini.org/wp-content/uploads/2012/11/2012.-Mesnage-et-al.-Ethoxylated-adjuvants-of-glyphosate-based-herbicides-are-active-principles-of-human-cell-toxicity.pdf>

I-4

3) One of the deciding factors for the approval of the Ocotillo Wind Energy Facility was the project would create jobs in an economically depressed area. Manual

I-5

Responses to Comments

Page 2

weeding would certainly create more jobs. I find it very interesting that Pattern Energy was so happy to employ workers here in Imperial County but now that the project is mostly complete those concerns appear to be no longer relevant. Employing workers to

I-5
Cont.

manually remove invasive weeds would be an economical benefit to Imperial County, since a few more workers would be provided jobs.

4) The potential for contamination to hikers, visitors and residents is too great. We were told by Pattern Energy representatives "that the area would remain open for whatever we did before the project was constructed." Blocking off areas of the project to allow for herbicide spraying would contradict what Pattern Energy has told us. Is this a pattern of what Pattern Energy represents? Basically a switch and bait tactic...

I-6

5) Unlike the Imperial County farming areas, as far as I know the Ocotillo area has been herbicide free. One reason that I decided to reside in Ocotillo is for that very reason. We already feel that we are a "sacrifice area" for a failing industrial wind turbine facility. We don't need to be a future study for the effects of spraying herbicides near residents.

I-7

6) There are many beneficial plants "wildflowers" that attract desert visitors during the spring. Selectively spraying, with up to a 10 mph wind is hardly an efficient method of controlling cross contamination and the killing of other plant life. People from all over the world visit the desert during the "desert bloom" and can boost economic benefits to local businesses. The chance of killing wildflowers is too great and could have a negative impact to local business.

I-8

7) The map attached to the Weed Abatement Assessment, highlighting in "red" the affected areas of the invasive mustard weed is inaccurate. Many of the areas highlighted are not consistent with photos that we have on file. This leads me to believe that several of the highlighted areas are incorrect and could possibly have been incorrectly identified.

I-9

8) Pattern Energy received an award from their peers congratulating them on their environmental analysis of the Ocotillo Wind Energy Facility. In my opinion, Pattern Energy is responsible for all impacts to the area within the boundaries of their project. If an invasive weed is present, they should be responsible for its removal by implementing a 100% safe method to insure the future good health of all people in the area. Herbicidal spraying cannot assure 100% safety to humans, wildlife and beneficial vegetation.

I-10

Page 3

9) Per the "Agreement to implement health, safety, environmental and related measures for the Ocotillo Wind Energy Facility on certain BLM-Administered Federal Lands within the County of Imperial, California ("Implementation Agreement")

1. Compliance with Law

Ocotillo Express shall comply with all local, state and/or federal laws, regulations, ordinances, and/or standards as they may pertain to the project. All construction and

operations shall be conducted with consistency with applicable laws, conditions, adopted County policies, plans and the application so that OWEF will be in harmony with the area and not conflict with public health, safety, comfort convenience, and general welfare of those residing in the area.

12. Health and Safety Hazard

If the county planning and development services department's designated staff determines that a significant public health or safety hazard exists, such staff may

require appropriate measures and Ocotillo Express shall implement such measure to mitigate the health hazard. If the hazard to the public is determined to be imminent, such measures may be imposed immediately and may include temporary suspension of activities, the measures imposed by the County Health Officer shall not prohibit Ocotillo Express from requesting a meeting with the Planning Director, provided Ocotillo Express bears all related costs.

Note: In addition to possible herbicidal spraying, the OWEF turbine 156 has recently thrown a 173' long turbine blade that weighs nearly 10 tons. The health and safety risks to the community, visitors, commuters, hikers, campers, off roaders, workers and anyone else entering the vicinity of the OWEF is at risk. This project and other projects that utilize the Siemens 2.3-108 blades, are shut down due to several other "blade incidents" that have occurred all over the world. Because there is no benefit of so called "green" electrical generation, which was the primary reason to approve the OWEF, this project should be suspended and the area within the project boundaries should be restored to its original condition.

Please see the following links that will reveal the hazards of glyphosate, triclopyr and POE-15.

I-11

I-12

I-13

I-14

Responses to Comments

Page 4

<http://gmoseralini.org/roundup-is-more-toxic-than-declared-new-ciiigen-study/>

http://www.hort.uconn.edu/cipwg/art_pubs/GUIDE/consideration.htm

http://www.organicconsumers.org/articles/article_27101.cfm

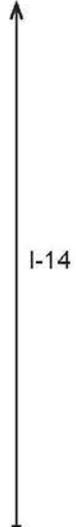
<http://gmoseralini.org/wp-content/uploads/2012/11/2012.-Mesnage-et-al.-Ethoxylated-adjuvants-of-glyphosate-based-herbicides-are-active-principles-of-human-cell-toxicity.pdf>

<http://gmfreescotland.blogspot.com/2013/03/roundup-is-not-safe-to-eat.html>

http://gmwatch.org/index.php?option=com_content&view=article&id=14655

<http://www.ensser.org/media/0113/>

<http://www.hormonesmatter.com/inert-ingredients-in-glyphosate-herbicide-toxic/>



Thank you,

Parke Ewing (Ocotillo Resident)

Response to Comment Letter I

Parke Ewing

May 17, 2013

- I-1** The BLM is unable to grant a comment period extension request in the interests of reaching a timely decision for the proposed action. The BLM will incorporate any comments they receive after the comment period to the best of their ability, but are unable to guarantee that late comments will receive the same detailed attention as those received prior to the close of the comment period.
- I-2** As explained in Section 2.5 of the EA, the Physical Treatment Only Alternative was rejected from further analysis because this alternative would not be effective by itself. Physical treatment may leave root systems in place which can quickly regenerate the cut-off plant; digging to remove the root system can lead to disturbance of intact soils to a greater depth thereby increasing soil erosion. In addition, mechanical methods are also not often effective in controlling on site weed species that can grow and flower very close to ground level. While there are a number of weed species to be controlled as part of the weed management program, Saharan mustard (*Brassica tournefortii*) is the primary species targeted for control on site. This species begins the growth process as a basal rosette, producing leaves close to the ground. Upon reaching maturity, the plant will bolt, producing vertical stem. Flowers, and ultimately seeds, are produced on the stem. Mechanical control of mustard is a viable option to postpone the seeding process if the vertical growth is cut during flowering and before seed production. However, this strategy is often not successful as a control method because cut weeds can produce new flowers and seed, often closer to the ground than the initial flowering effort. Eventually, the flowering and seeding portion of the plant are very near ground level, limiting the effectiveness of mechanical mowers or line trimmers. This activity is further limited by the potential for ground disturbance, which could be destructive if unknown cultural resources are present in the treatment area, and is also counter-productive to native vegetation restoration efforts. In addition, physical only treatment methods, have the potential for a greater level of overall ground disturbance, leading to fugitive dust generation and exposure to the valley fever fungus. The physical and herbicide combined approach evaluated in the EA includes targeted herbicide application via hand-held sprayer or sponge applicator where there is very low potential for herbicide application on adjacent native plant species, and physical treatment (hand removal of invasive plants) where necessary to avoid risks to nearby native plants, wildlife, or human populations.
- I-3** However, the scientific references cited by the commenter discuss the toxicity of chemicals other than glyphosate which are used in the formulation of some versions

of commercially distributed herbicides generally called “RoundUp”. The name Roundup lost its trademark status and many companies make products called “Roundup” of various formulations containing glyphosate and surfactant. No new evidence in the cited scientific papers alters the documented toxicity of either glyphosate or triclopyr. The health effects of these two chemical compounds is adequately and accurately addressed in the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States (incorporated by reference in the EA), and in the EA analysis itself. There are no risks associated with nearly all exposures to glyphosate at the typical or maximum application rate for both workers and members of the general public (SERA 2003a). There is low risk to children in the general public associated with accidental exposure to glyphosate consumption of contaminated water after an herbicide spill into a small pond (BLM 2007:4-184). However, no surface water or ponds exist within or adjacent to the Weed Management Area. Workers face low risk from directed and broadcast ground spray and aerial applications at the upper ranges of exposures for both evaluated formulations of triclopyr (triclopyr acid and triclopyr butoxyethyl ester [BEE]), at the maximum application rate (SERA 2003b). At the maximum application rate, workers face low risk from accidental exposure to contaminated gloves (1 hour duration). Thus, for workers who may apply triclopyr repeatedly over a period of several weeks or longer, it is important to ensure that work practices involve reasonably protective procedures to avoid the upper extremes of potential exposure. At higher application rates, measures that limit exposure should be developed on a case-by-case basis depending on the application rate and method. There is low to moderate risk to the general public from triclopyr applications under several acute or accidental scenarios: 1) direct spray to the entire body; 2) direct spray to the lower legs; 3) dermal contact with contaminated vegetation; 4) acute consumption of contaminated fruit (maximum application rate only); and 5) acute consumption of pond water contaminated by a spill (BLM 2007:4-189).

I-4 Comment is acknowledged; however, POE-15 is a compound used in formulating only some versions of RoundUp (See response to Comment I-3). The Weed Management Plan only specifies that a glyphosate based herbicide will be used, it does not stipulate RoundUp. Glyphosate is a systemic weed killer that interferes with the production of essential amino acids. Animals do not produce these amino acids. Glyphosate only affects growing plants, so it is considered very low toxicity on animal life. Glyphosate requires a surfactant to be able to penetrate a plant’s leaf surface. Surfactants are detergents that break down surface tension on the leaf and allow the glyphosate to penetrate the leaf surface. The added surfactant in RoundUp is toxic to fish and other aquatic life, hence the label requires that RoundUp not be used in aquatic environments. There are other formulations of glyphosate which are

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labeled for aquatic uses, which include a surfactant that is registered for aquatic use. The U.S. EPA has registered products called Roundup, as well as other formulations of glyphosate for use, and both the EPA and California Department of Pesticide Regulation consider Glyphosate-based herbicides safe for use provided all applicable label directions, safety precautions, laws, and regulations are followed.

- I-5** The number of workers that would be required to implement a physical treatment only alternative versus the physical and herbicide combined approach has not been quantified. The number of workers and/or the total hours required to eradicate non-native invasive plant species is only one of the considerations in rejecting the Physical Treatment Only Alternative. A larger labor force physically involved with the eradication of invasive species could result in greater impacts from inadvertent plant removal or trampling of native plant species, as well as increased disturbance of surface soils from a larger volume of pedestrian movements. But in fact, the Proposed Action of implementing the WMP by utilizing two chemicals in combination with manual methods of weed management would result in new employment opportunities including a Weed Control Manager (WCM), applicators with a Qualified Applicator License or a Pesticide Applicator License, and laborers to perform mechanical and manual removal methods. In addition, weed management would be conducted for the life of the project and the WCM would utilize adaptive weed control measures during the 30-year operations and maintenance phase.
- I-6** Comment is acknowledged; however, restricted access to the site (or portions of the site) for invasive weed eradication would only occur twice per year, for a period of several weeks each occurrence. The site would remain accessible to the public during approximately 85% of the year, or more. Preventing access by the public during herbicide application, or shortly thereafter, is an appropriate management procedure to eliminate such direct exposure risks as skin or eye irritation.
- I-7** Comment is acknowledged; however, the proposed targeted herbicide application with hand-held spray applicator or sponge applicator presents an entirely different, and substantially reduced, exposure profile than farming-related pesticide and herbicide application. In farming practice, herbicides and pesticides are typically aerially applied with crop dusters or via mechanized spray rigs mounted on or towed by tractors. The potential for the drift of applied herbicides is effectively eliminated under the targeted application approach proposed, and the volume of herbicide applied is minimal compared to the farming example. Even targeted spray application cannot occur if wind speed exceeds 10 miles per hour, or if a rain storm is imminent. Finally, if invasive non-native plants migrate to the immediate proximity of residences off-site, such invasive plants would be removed using physical treatment methods.

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- I-8** Comment is acknowledged; however, a wind speed in excess of 10 mph is not the only restriction prohibiting targeted spray application. Overall measures to prevent damage to non-target plants and areas include, but are not limited to the following: (1) only spraying herbicide during low-wind conditions, (2) using a sponge applicator during higher wind conditions, (3) not using herbicide within 2 feet of special status plants, (4) keeping vehicles on permanent access roads to avoid crushing of plants and/or vegetation. Within two feet of native plant species, physical treatment methods must be employed to remove invasive plants.
- I-9** The map attached to the EA for the Weed Management Plan is for general information purposes to illustrate the approximate magnitude of area affected by invasive weeds. The area occupied by invasive plant species is expected to be dynamic over time; for this reason, twice each year Pattern Energy will perform an inventory, once in mid-winter following the first few rain events of the rainy season and once again in spring. The inventory will identify the areas where invasive plant species exist at that time, so that an appropriate eradication effort can be planned and carried out.
- I-10** In order to address the existence of invasive plants within the project site, and potential for increased propagation of these weedy species via site disturbance associated with the Ocotillo Wind Energy Facility (OWEF), the EIR/EIS included a mitigation measure (Veg-1d) requiring the implementation of a Weed Management Plan (WMP). A conceptual WMP was prepared and included in the Final EIR/EIS for OWEF; a more detailed WMP was completed during project implementation design, which is the subject of the EA. The integrated pest management method for invasive plant species control analyzed in the EA utilizes a combination of herbicides and manual removal methods. The proposed application of herbicides via hand-held sprayer or sponge applicator greatly reduces the potential for herbicide drift onto non-target plant species, bare ground, or humans (including personnel performing the application). Further, physical removal of plants is proposed where native plants, wildlife, waters of the US, or human populations are located in immediate proximity to the target invasive plant species. OWEF is also required to adhere to the BLM standard operating procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. Among other requirements, the SOP mandates herbicide application be performed or directly supervised by a licensed herbicide / pesticide applicator, strictly adhering to the product label application restrictions. Thus the Weed Management Plan contains adequate controls, restrictions, and safety precautions to adequately safeguard humans, wildlife, and native (beneficial) plant species.

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- I-11** The proposed Weed Management Plan has been prepared in order to provide permitting agencies with the data and program content necessary to confirm compliance with local, state, and federal laws and regulations which govern herbicide application and natural resources protection.
- I-12** The proposed Weed Management Plan contains herbicide application restrictions to avoid the creation of a public health or safety hazard. Methods field-proven to be effective in precluding public health risks from herbicide use are also required of the OWEF project, as enunciated in the BLM standard operating procedures (SOP) for herbicide application, developed in conjunction with the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States. The empowerment of County compliance staff to temporarily suspend project activities in the event that a public health or safety risk is identified further decreases the potential for health or safety hazards to affect the public.
- I-13** Comment is acknowledged; however, turbine design selection and operation are not topics included in the proposed Weed Management Plan, and therefore are not required to be addressed in the EA.
- I-14** The provided links for references do not contain any new evidence which counters the documented toxicity of either glyphosate or triclophyr. POE-15 is a compound used in formulating only some versions of RoundUp (See response to Comment I-3). The Weed Management Plan only specifies that a glyphosate based herbicide will be used, it does not stipulate RoundUp.

References (note that the 2 SERA references were cited in the Final Programmatic Environmental Impact Statement (PEIS) for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States):

Syracuse Environmental Research Associates, Inc. (SERA).

2003a. Glyphosate – Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-09-04a. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

2003b. Triclopyr – Revised Human Health and Ecological Risk Assessment Final Report. SERA TR 02-43-13-03b. Prepared for the U.S. Department of Agriculture Forest Service, Arlington, Virginia. Fayetteville, New York.

U.S. Department of Interior, Bureau of Land Management (BLM). 2007. Final Programmatic Environmental Impact Statement for Vegetation Treatments Using Herbicides on

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Bureau of Land Management Lands in 17 Western States. June. Available at: http://www.blm.gov/wo/st/en/prog/more/veg_eis.html.

2013. Environmental Assessment for Invasive Plant Management for the Weed Management Plan for the Ocotillo Wind Energy Facility. May 2. Available at: http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/elcentro/nepa/ocotilloexpress.Par.19093.File.dat/OWEF_Weed_EA.pdf.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

- 1. NOTICE OF APPEAL**..... A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).
- 2. WHERE TO FILE**
- NOTICE OF APPEAL..... U.S. Department of Interior, Bureau of Land Management, El Centro Field Office, 1661 S. 4th Street El Centro, CA 92243
- WITH COPY TO SOLICITOR... U.S. Department of the Interior, Office of the Solicitor, Pacific Southwest Region, 2800 Cottage Way, Room E-1712, Sacramento, CA 95825-1890
- 3. STATEMENT OF REASONS** Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).
- WITH COPY TO SOLICITOR..... U.S. Department of the Interior, Office of the Solicitor, Pacific Southwest Region, 2800 Cottage Way, Room E-1712, Sacramento, CA 95825-1890
- 4. ADVERSE PARTIES**..... Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).
- 5. PROOF OF SERVICE**..... Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).
- 6. REQUEST FOR STAY**..... Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.
- Standards for Obtaining a Stay.** Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that **all** communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)