

United States Department of the Interior
Bureau of Land Management
Environmental Assessment DOI-BLM-CA-D070-2014-0090
Case File CACA- 049698

Decision Record

Tule Wind Project
Weed Management Plan Environmental Assessment

San Diego County, California

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

January 2016



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Proposed Action Title/Type:

Use of Herbicides and Physical Removal Methods on Public Land for Integrated Weed Management on the Tule Wind Project Site.

Applicant/Proponent:

Tule Wind, LLC, a wholly owned subsidiary of Iberdrola Renewables

Location of Proposed Action:

Activities would occur within a 579-acre project-designated weed management area, of which approximately 459 acres are on BLM-public lands within the Tule Wind project right-of-way (ROW) in McCain Valley and In-Ko-Pah Mountains, north of the community of Boulevard, San Diego County, California.

1.0 INTRODUCTION

Tule Wind, LLC is the holder of a federal 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 grant, issued by the Bureau of Land Management (BLM) on April 10, 2012, as amended, and serialized as CACA – 049698, authorizes Tule Wind, LLC to construct, operate, maintain, and decommission a wind energy facility on public lands in San Diego County.

As required in Mitigation Measure MM BIO-3a in the Record of Decision (ROD) for the Project, as well as Stipulation 19 of the ROW grant, Tule Wind, LLC prepared a Noxious Weed and Non-Native Species Control Plan (NWNSCP) (Iberdrola Renewables, 2013) for the Project, utilizing the description of activities associated with weed control in the *Final Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the East County Substation, Tule Wind, and Energia Sierra Juarez Gen-Tie Projects* (CPUC 2011). Additional environmental analysis pursuant to the National Environmental Policy Act (NEPA) is demonstrated in this site-specific Environmental Assessment (EA) (DOI-BLM-CA-D070-2014-0090) analyzing the effects of the proposed methods for invasive plant species control. The integrated pest management method for invasive plant species control analyzed in this EA utilizes a combination of three herbicides (glyphosate, triclopyr, and 2,4-D) and physical (manual and mechanical) removal as the method for

prevention and treatment of invasive species, for which a Pesticide Use Proposal will be submitted by Tule Wind, LLC to be approved by the BLM. The Weed Management Plan and Habitat Restoration Plan will be combined into one comprehensive document for this project.

2.0 SELECTED ALTERNATIVE

2.1 Description

The BLM's Selected Alternative is the Proposed Action, which is described in detail in Chapter 2.3 of the EA. The Proposed Action would include implementing the NWNSCP by using three herbicides (glyphosate, triclopyr, and 2,4-D) in combination with physical methods to control weeds on the Tule Wind project site and to prevent the spread of weeds to adjacent lands. Target species would include 19 invasive plant species found on the project site (refer to Table 1 and Figure 3 in the EA), and other non-native plant species on the project site (refer to Table 2 and Figure 3 in the EA). Weed control and management would occur throughout the project footprint, including areas temporarily disturbed during construction and in fuel management areas, for the first five years following construction as part of the habitat revegetation program dictated by the NWNSCP. For the remainder of the life of the project, weed control would be focused within the permanent footprint and fuel management areas, which includes removing targeted species from within 200 feet of wind turbines, 50 feet of buildings and structures, and 30 feet of permanent access roads.

Weed control during the first five years of the operations and maintenance (O&M) phase (i.e., the habitat revegetation period) would occur typically three times per year: mid-winter, following the first few rain events of the rainy season; spring; and summer/early fall to remove plants that establish from summer rains or species adapted for later germination. The proposed schedule would be modified each year based on the timing and amount of rainfall and other environmental conditions, with the basic mandate that target species would be controlled or removed before they produce seed. Weed control for the remainder of the life of the project (following the habitat revegetation period) could occur up to two times per year, but is expected to be a single weed control event in the spring of each year. If necessary, a second weed control event would be conducted during the summer if invasive weed species occur within the weed management areas.

The term of the ROW grant for the Tule Wind project is 30 years.

2.2 Mitigation and Monitoring Measures

All Standard Operating Procedures (SOP) in Appendix A of the EA will be followed during implementation of the NWNSCP, as well as meeting the following additional measures to protect cultural resources, human health and safety, soils, and vegetation/special status species/threatened and endangered species:

1. Personnel treating invasive plants with glyphosate, triclopyr, and 2,4-D will be properly trained and certified as necessary by local or state agencies prior to weed treatments on site.
2. To reduce the risk of water transport, glyphosate and triclopyr will not be applied prior to forecast rain events.

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

3.0 CONSISTENCY WITH LAND USE PLANS, REGULATIONS, AND POLICIES

Based on information in the EA, the project record, and recommendations from 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.

4.0 FINDING OF NO SIGNIFICANT IMPACT (FONSI)

The BLM's Selected Alternative, the Proposed Action, was analyzed in EA DOI-BLM-CA-D070-2014-0090 and was found not to have significant impacts. The BLM prepared a Finding of No Significant Impact (FONSI) to document this finding and posted it to the BLM's public website.

As the Proposed Action was found not to have significant impacts to the quality of the human environment, individually, or cumulatively with other action in the general area under NEPA, preparation of an Environmental Impact Statement is not required.

5.0 CONSULTATION AND COORDINATION

A Section 7 consultation process was undertaken with the U.S. Fish and Wildlife Service for the Tule Wind project and was completed in 2011. A Biological Opinion (BO) was issued on September 2, 2011 for the Project. The BO considered invasive weeds and the associated potential impacts to the two listed species that were analyzed (Quino checkerspot butterfly [*Euphydryas editha quino*] and Peninsular bighorn sheep [*Ovis canadensis nelson*]). The O&M Conservation Measure No. 14 of the BO included a requirement to control invasive plant species for the life of the Tule Wind Project.

Section 106 consultation under the National Historic Preservation Act (NHPA) for the Tule Wind project was completed with the execution of the Memorandum of Agreement on November 16, 2011. The BLM finds that the activities covered by the Proposed Action will take place within the defined area of potential effect for the Tule Wind 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.

6.0 PUBLIC INVOLVEMENT

The EA was posted on the BLM El Centro Field Office website for a 30-day public comment and review period. The comment period began on October 23, 2015 and ended on November 23, 2015. No comment letters were received by the BLM.

7.0 DECISION RATIONALE

7.1 The Selected Alternative Would Meet the Purpose and Need for Action

Implementation of the Selected Alternative (the Proposed Action) would be consistent with the purpose and need for action because the combination of methods (chemical and physical treatment) proposed would effectively and efficiently reduce and control 19 invasive plant species that were documented on the Tule Project site with a California Invasive Plant Council (Cal-IPC) rating of High, Moderate, or Limited (refer to Table 1 in Section 2.3 of the EA), as well as other non-native plant species on the project site (refer to Table 2 and Figure 3 in the EA). Additionally, full integration of the Tule Wind Project's NWNSCP will allow for an adaptive management 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 both the construction period and the operations

and maintenance period, consistent with the requirements in MM BIO-3a and Stipulation 19 in the ROW grant.

7.2 The Selected Alternative Would Meet the Purpose and Need Better than the Alternatives

The No Action Alternative was the only alternative carried forward for analysis in the EA (refer to Section 2.5 of the EA for a discussion of alternatives considered but rejected). Under the No Action Alternative, the BLM would not implement the NWNSCP; therefore the BLM would not allow the use of herbicide or physical treatment of invasive plant species within the project site. Implementation of the No Action Alternative could contribute to the continued spread of invasive plants on the Tule Wind project site, which could result in potentially irreversible adverse effects on soil quality through changes in organic matter content, diversity, abundance of soil organisms, and nutrient and water availability. Therefore, unlike the Selected Alternative, the No Action Alternative would not meet the Purpose and Need and could result in adverse effects to the human environment.

7.3 Program-Specific Requirements

As described in Section 2.2 of this Decision, Standard Operating Procedures included in the EA DOI-BLM-CA-D070-2014-0090 are required per the BLM's 2007 PEIS for Vegetation Treatments.

Based on information in the EA and consultation with my staff, I have decided to approve the Selected Alternative.

8.0 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.

/s/ Thomas F. Zale

Thomas F. Zale, Field Manager
El Centro Field Office

February 11, 2016

Date