

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

Finding of No Significant Impact

Tule Wind Energy Facility (Tule) 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 92243

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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, Inc.

Location of Proposed Action:

Activities would occur within a 579-acre project-designated weed management area on approximately 459 acres of public land 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.

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 right-of-way 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 noxious 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 EA (DOI-BLM-CA-D070-2014-0090) 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 three herbicides (glyphosate, triclopyr, and 2,4-D) and

physical (manual and mechanical) methods to control invasive species. A Pesticide Use Proposal will be submitted by Tule Wind LLC and approved by the BLM prior to the use of chemicals.

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 National Environmental Policy Act 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 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 Council on Environmental Quality (CEQ), 40 C.F.R. 1508.27.

Context: 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 Environmental Assessment (EA) # DOI-BLM-CA-D070-2014-0090. The context of the EA analysis was determined to be at a local and regional scale in San Diego 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.

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

The Proposed Action is considered to be beneficial to soil function and biodiversity, due to invasive species' ability to alter soil nutrient availability for native species and to alter soil constituents that slow the rate of natural plant succession.

Negative effects to soils can occur from removal of invasive plant species. Herbicide treatments can affect soil fertility and function, and can harm soil organisms. Herbicide applications inevitably result in contact with soils, either intentionally for systematic treatments, or unintentionally as spills overspray, or spray drift. In addition to direct application, transmission to soil may occur when an herbicide is transported through the plant from sprayed above-ground portions to roots, where it may be released into the soil.

Wind and water can transport herbicides that have absorbed to soil particles. The potential for wind and water transport depends on timing of the application, amount of herbicide applied, absorption rates of the soil, wind speeds (for windblown transport), and amount and intensity of rain events (for water transport). To reduce the risk of wind transport, herbicides would be applied during low wind (less than 10 miles per hour) conditions, as localized applications (using either a backpack sprayer or a sponge applicator), and at the minimum volume necessary to treat the invasive weeds present. To reduce the risk of water transport, herbicides would not be applied prior to forecasted rain events.

Physical treatment methods could disturb soil, leading to soil erosion and loss of soil structure. However, as previously stated, the use of herbicide and physical methods to treat weeds would improve overall ecosystem function and health, including soil health.

There are no significant or adverse impacts 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 due to utilization of SOP, which are also intended to minimize potential for off-site transport of herbicides via wind and water during and post application.

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 historic and ethnographic cultural landscapes as discussed in the EA. Negative effects would not be significant due to the implementation of SOPs (refer to Appendix A), and establishing environmentally sensitive area (ESA) avoidance buffers for known or potentially present sensitive resources during construction and 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 NWNSCP are known and understood due to the description of activities in the Final EIS/EIR for the Tule Wind Project 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 well-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 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 affect significant scientific, cultural, or historical resources with implementation of SOPs and site-specific avoidance measures (i.e. establishment of ESA buffers).

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.*

As stated in the EA, there are no federal- or state-listed plant species within the Tule Wind Project site. A total of 14 special status plant species were observed, four of which are also considered BLM sensitive species. A total of 21 Federal, State, County, and/or BLM sensitive animal species were detected on the Tule Wind project site during biological resource surveys (CPUC and BLM 2011) (EA, page 23); one of which is listed as federally endangered: Quino checkerspot butterfly (*Euphydryas editha quino*).

A Review of the Vegetation and Wildlife/Special Status Species/Threatened and Endangered Species sections of the EA indicates a low risk factor of affecting non-target plants due to proposed application rates, quantities, and methods (would not include

aerial/broadcast application, which would increase the probability of reaching non-target plants) and proposed applicator training.

Risks associated with wildlife consumption of contaminated vegetation or absorption are overall anticipated to be low to moderate due to proposed methods of treatment. Accidental deaths due to physical removal are anticipated to be low due to advanced training for employees to avoid such accidents from occurring.

An overall improved/sustained ecological condition for the threatened and candidate species is anticipated with implementation of the proposed action and is 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 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, 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 Tule Wind Project on September 2, 2011.

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: /S/ Carrie L. Simmons
Resources Branch Supervisor

February 11, 2016
Date

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

February 11, 2016
Date