U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PALM SPRINGS – SOUTH COAST FIELD OFFICE

ENVIRONMENTAL ASSESSMENT
EA Number CA-660-05-36

DATE:	February 14, 2005
TITLE/PROJECT TYPE:	Right of Way (R/W) for wind energy monitoring towers
CASE FILE:	**C**ACA 46286
FUNDING CODE: 1430	**PROGRAM ELEMENT:**
BLM OFFICE:	Palm Springs South Coast Field Office 690 W. Garnet Avenue P.O. Box 581260 North Palm Springs, CA 92258-1260
APPLICANT:	SeaWest Windpower, Inc
LOCATION OF PROPOSED ACTION:	Section 28, T.3 S, R. 4 E, SBBM
USGS TOPOGRAPHIC MAP:	Palm Springs 7.5' Quadrangle

LAND USE PLAN CONFORMANCE and Other Regulatory Compliance

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the 1980 California Desert Conservation Area Plan (CDCA), as amended.

The proposed action was addressed by the Fish and Wildlife Service in the Biological Opinion on the Leasing of Federal Land for the Purpose of Wind Energy Development in the Coachella Valley, Riverside County (1-6-99-F-49). The Biological Opinion (BO) addressed the proposed action of wind energy development on nine (9) separate rights of way in the Coachella Valley. The BO specifically addressed the expected redevelopment of the lands in section 28, T.3S., R.3E., with new wind energy facilities. The BO addressed the effects of wind energy development on the two listed species (Coachella Valley Fringe-toed lizard and the Coachella Valley Milkvetch) likely to be present in section 28, T.3S., R.4E.

The public lands were surveyed for cultural and historical resources in 1983 prior to the first wind energy development of the lands in the Coachella Valley.

NEED FOR THE PROPOSED ACTION

The purpose of the proposed action is to collect wind data to prepare a plan of development for a wind energy production facility. Site specific wind information is needed to determine the optimal type of wind turbines, turbine spacing, height, etc., for site development.

DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES

Background

SeaWest Windpower, Inc has submitted an application to install two (2) meteorological towers on public lands for a period of three (3) years. The purpose of the towers is to collect wind data to prepare a plan of development for wind energy. The applicant is expected to submit a separate application within 6 months with a proposed plan to develop the lands for wind energy purposes. Any future development of the land for wind energy would be subject to a separate approval and authorization process.

The public lands were previously developed for wind energy in the mid 1980s. The facilities were abandoned in the late 1990s when the holder went into bankruptcy, and the abandoned facilities were removed in 1999and 2000 as part of a salvage operation.

Summary of the proposed action

A BLM right-of-way grant for this action would authorize:

a. Installation of two (2) towers to collect wind data to prepare a plan of development for wind energy. (**see map Exhibit B**)
b. The towers would be authorized as part of site testing and monitoring project area right of way as described in Washington Office Instruction Memorandum No. 2002-020, Interim Wind Energy Development Policy.

1. Proposed Action

The proposed action is to remove two (2) existing 130’ tall meteorological towers and replace them with two new towers at the same location. The two new meteorological towers would operate for a period of up to three (3) years. Each tower would be 197 feet tall and secured in place by guy wires attached to screw-in anchors.

Each tower consists of a 2’x2’ steel base plate, a steel tubular tower 8 inches in diameter at the base, tapering to 4.5 inches at the top, twelve (12) guy wires, twelve (12) anchors, three (3) horizontal arms for mounting sensors (wind speed and directional sensors), a self contained data logger, a solar panel approximately two (2) feet square and one cell phone antenna.

The towers would hauled to the site in sections, assembled in place, and tilted upright, by rubber tired pickup trucks (up to 2 ton capacity). Guy wire anchors would be screwed into the ground

using hand operated power tools. Total disturbed area would be approximately 10 square feet for each tower.

Access to the existing towers will mostly be over existing roads, but approximately 150-200 feet of cross-country travel may be necessary to reach each tower site. No more than two cross-country round trips will be required to remove the existing towers and install the new towers. Removal and installation would be accomplished over a period of two days.

No grading will be involved and installation will be completed using two rubber-tired pick-up trucks utilizing existing roads and hand operated power tools. No fencing, utilities, welding, concrete work, grading, permanent foundations, or road building will be required. No regular maintenance will be required and installation will be completed within ninety (90) days.

The proposed project is on public lands within Section 28, Township 3 South, Range 3 East, San Bernardino Base and Meridian (**see map Exhibit A**).

2. **No Action Alternative**

Under the no action alternative, site specific wind data would not be collected. The applicant would have to prepare a plan of development without the benefit of site specific wind data.

AFFECTED ENVIRONMENT

1. Area description

Air Quality

The project is subject to air quality standards as defined by the Federal Clean Air Act, 42 U.S.C. 7401 et seq. (1970), the Air Quality Element of the Riverside County Comprehensive General Plan, the threshold criteria of the Air Quality Handbook, 1993, South Coast Air Quality Management District and the 1990 State Implementation Plan for PM10 (fine dust and particulates). The western district areas of Riverside County, in which the project is located, are generally non-attainment areas with regard to PM10.

Winds flowing through the San Gorgonio Pass pick up and carry fine particulate matter (PM10) and transport other air pollutants throughout the area. In addition to winds that control the rate and direction of pollution dispersal, Southern California is notorious for strong temperature inversions that limit the vertical depth for which pollution can be mixed. These inversions, in conjunction with calm winds, trap pollutants such as automobile exhaust near their source. While these inversions may lead to air pollution “hot spots” in heavily developed coastal areas of the basin, there is not enough traffic in the Coachella Valley to cause any substantial winter air pollution problems. Thus, while summers are periods of hazy visibility and occasionally unhealthful air, winter is often a period of much greater visibility and better air quality in the San Gorgonio Pass and Coachella Valley.

Cultural Resources

The site lies within the alluvial floodplain of the Whitewater River, and is subject to flood events which periodically remove, redistribute and deposit sand and rocks in the area. The area was previously surveyed for cultural and historical resources in 1983 by transects spaced 30 meters apart. No resources were located. Because the site is located in the alluvial floodplain, it is unlikely to contain sensitive historic properties or other cultural resources. In addition, the proposed action is determined to have no effect on historic properties included or eligible for inclusion in the National Register of Historic Places.

Biological Resources

The CDCA Plan Amendment for the Coachella Valley identified the public lands as a Coachella Valley Wildlife Habitat Management Area. The public lands are considered important both as habitat, and as a source of windblown sand for other habitat in the Coachella Valley. The lands are in the alluvial floodplain of the Whitewater River, and are subject to flood events which periodically remove, redistribute and deposit sand and rocks in the area. The habitat in the alluvial floodplain is highly dynamic, with flooding and wind constantly changing habitat conditions.

Portions of the public lands in the general area of the proposed action are suitable habitat for the Coachella Valley milkvetch and the Coachella Valley Fringe-toed lizard, which are both listed species under the federal Endangered Species Act. The public lands are also proposed critical habitat for the Coachella Valley milkvetch. The public lands are not considered to be habitat for the Coachella Valley triple-ribbed milkvetch or the desert tortoise, although the possibility of the occurrence of those species on the site cannot be entirely ruled out. In addition, the public lands are also habitat for the Flat-tailed Horned Lizard (FTHL).

Noise

The primary existing sources of noise in the project vicinity are from the Union Pacific Railroad one mile to the north, Interstate Highway 10 located two miles to the north and approximately525 wind turbine generators located within one mile to the north, northeast, northwest and on the western portion of the site. There are no sensitive receptors (homes, hospitals, schools, libraries or nursing homes) located within 3,000 feet of the project site. The nearest existing residential area from the site is located approximately 5,580 feet south and west of the closest turbine. Existing wind farms and semi-disturbed vacant desert land characterizes the remainder of the outlying areas surrounding the project activity.

Visual Resource Management

In accordance with the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002), the subject public lands are designated as Visual Resource Management Class 4. The objective of this class is to provide for management activities which require major modifications of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major

focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.

2. Land Status

1. **Land Use Classification:** The public lands affected by this proposal are designated for Limited Use under the CDCA Plan. Wind energy generating facilities may be allowed on these lands after National Environmental Policy Act requirements are met.
2. **Valid Existing Rights:** The applicant was the high bidder for a preference right to apply for a right of way on the public lands.

ENVIRONMENTAL CONSEQUENCES

A. Critical Elements

The following table summarizes potential impacts to various elements of the human environment, including the "critical elements" listed in BLM Manual H-1790-1, Appendix 5. Elements for which there are no impacts will not be discussed further in this document.

Environmental Element	Proposed Action	No Action Alternative
Air Quality	Increase in dust & emissions.	No impact
ACECs	N/A	N/A
Cultural Resources	No impact	No impact
Native American Concerns	N/A	N/A
Farmlands	N/A	N/A
Floodplains	No impact	No impact
Energy (E.O. 13212)	No impact	Possible adverse impacts
Minerals	No impact	No impact
T&E Animal Species	Not likely to be adversely affected.	No impact
T&E Plant Species	Not likely to be adversely affected.	No impact
Invasive, Nonnative Species	No impact	No impact
Wastes (hazardous/solid)	No impact	No impact

Water Quality (surface and ground)	No impact	No impact
Wetlands/Riparian Zones	N/A	N/A
Wild and Scenic Rivers	N/A	N/A
Wilderness	N/A	N/A
Health and Safety Risks to Children	N/A	N/A
Environmental Justice	No impact	No impact
Visual Resource Mgmt.	Consistent with VRM Class 4 objectives	No impact

B. Discussion of Impacts

1. Proposed Action:

Air Quality

The project is not expected to significantly affect air quality as defined by the Federal Clean Air Act, 42 U.S.C. s/s 7401 et seq. (1970), the Air Quality Element of the Riverside County Comprehensive General Plan, the threshold criteria of the Air Quality Handbook, 1993, South Coast Air Quality Management District and the 1990 State Implementation Plan for PM10 (fine dust and particulates). The western desert areas of Riverside County are generally non-attainment areas with regard to PM10.

During the construction phase, local increases in emissions and particulates would result from operation of construction equipment, use of on site roads and surface disturbance resulting from site preparation.

The project would not exceed air quality threshold criteria and is not considered a substantial dust or blow sand source due to applied mitigation in the project description and 20 mph speed limits within the project boundaries. Further, these impacts are considered temporary and would diminish once construction has been completed.

Cultural Resources

No resources or impacts are identified.

Biological Resources

Generally, wind energy development in the Whitewater floodplain is considered compatible with preserving wildlife habitat and a functioning sand transport ecosystem.

The proposed action is not likely to result in the destruction or adverse modification of proposed critical habitat for the Coachella Valley Milkvetch. Destruction or adverse modification of critical habitat is generally considered to be any direct or indirect alteration of habitat that would appreciably diminish its value for the survival or the recovery of a listed species. To the extent possible, the proposed action has been located to avoid any existing sandy habitat considered suitable for the Coachella Valley Milkvetch. Because the proposed action would replace existing towers and occupy no more than 20 square feet, and this disturbance would last for no more than three years, no appreciable diminishment of the value of habitat is expected.

The proposed action may affect, but is not likely to affect the Coachella Valley Fringe-toed lizard and the Coachella Valley Milkvetch. Although the proposed action has been located to the extent possible to avoid the sandy habitat normally occupied by the milkvetch and the fringe-toed lizard, construction traffic on existing roads to the project site could run over fringe-toed lizards. Given the dynamic nature of the sandy habitat, it is also possible that suitable habitat could develop and become occupied immediately before, during or after the towers have been installed.

Noise

The proposed action would result in a short term increase in local noise associated with construction activities. The nearest existing residence to the property (approximately 5860 feet south of the nearest proposed tower) would perceive a peak construction noise of approximately 24.8 to 28.8 db. The increase in ambient noise levels would cease as soon as construction was completed. Additionally, these noise levels are based upon worst case conditions and do not take into account attenuation factors such as a "masking" effect created by intervening topography and noise sources surrounding the area such as the Interstate Highway 10, the Union Pacific Railroad and existing wind turbine generators.

Visual Resource Management

Of the four basic elements of the characteristic landscape (form, line, color, and texture), the vertical line of the proposed meteorological towers relative to the horizontal line of the property on which they would be constructed represents the greatest potential for contrast of the project with the existing landscape when viewed from Highway 111 (the key observation point). This is particularly true if the towers are constructed of reflective materials that would shine during daylight hours.

Nevertheless, the contrast of the proposed project is rated as weak. Contrasts may be seen but would not attract attention of the casual observer for the following reasons: (1) diameters of the various elements of the project are small (the widest part of each tower is eight inches at the base; the solar panels are approximately two feet square), making the towers and supporting wires difficult to see from a distance, and (2) the project is located in an area dominated by large wind turbines; the proposed project would mimic the vertical nature of these facilities to a much smaller degree. Further, the proposed project *replaces* existing meteorological towers, so existing visual impacts are only slightly increased due to the added height of the new towers. Overall, contrasts determined to be weak are consistent with VRM Class 4 management objectives.

2. No Action Alternative

Because the proposed meteorological towers would not be constructed, no impacts to public land resources would occur. The project proponent would have to prepare a plan of development for wind energy facilities without the benefit of additional site specific wind data. The lack of this information may result in less than optimal development of wind energy production.

C. Mitigation Measures

1. Construction traffic would be limited to 20 mph speed limit on unpaved access roads, to minimize wind blown dust.

2. Surfaces of the meteorological towers should not be reflective. They should be similar in reflectivity to existing wind turbine towers in the general area.

3. The proposed action would be subject to applicable terms and conditions contained in the *Biological Opinion on the Leasing of Federal Land for the Purpose of Wind Energy Development in the Coachella Valley, Riverside County (1-6-99-F-49).* Additionally, the proposed action would be subject to the applicable measures BLM previously proposed in the request for consultation. The proposed action would also be subject to applicable mitigation measures in the Flat-tailed Horned Lizard Rangewide Management Strategy (2003 Revision)

The applicable biological mitigation measures are as follows:

1. The right of way (R/W) holder shall designate a field contact representative (FCR) who will be responsible for overseeing compliance with protective measures for the Coachella Valley Fringe-toed lizard, the Coachella Valley Milkvetch and the FTHL, involved in compliance coordination with the BLM, and authorized to halt any construction related actions that may be in violation of protective measures for threatened or endangered species, or the FTHL.

2. Prior to initiating any surface disturbing activities, the holder shall prepare and present an endangered species education program and FTHL education program to all employees/contractors involved in any construction activities. The content of the education program must be reviewed and approved by the authorized officer and the Fish and Wildlife Service at least seven days prior to presentation of the information. The program will contain, at a minimum, the following topics: (1) Coachella Valley Fringe-toed lizard, Coachella Valley Milkvetch, and triple-ribbed milkvetch, FTHL distribution and occurrence, (2) general behavior and ecology; (3) species sensitivity to human activities; (4) legal protection; (5) penalties for violation of State or Federal Laws; (6) reporting requirements; and (7) project protection mitigation measures. Education programs previously prepared and approved by BLM & the FWS for wind energy development projects in the area may be used without further approval, provided the program has incorporated the required topics.

3. Guy anchor locations shall be chosen to avoid habitat suitable for the Coachella Valley Fringe-toed lizard and the Coachella Valley Milkvetch to the maximum extent possible. Patches of blowsand > 900 square meters in surface area shall not be impacted and no surface disturbance shall occur within 5 meters of such patches. Work area boundaries shall be conspicuously staked, flagged or marked to minimize surface disturbance to surrounding habitat.

4. All vehicles shall be confined to existing access routes to the maximum extent possible. Anchors located off existing routes shall be installed with power equipment hand carried to the location.

5. Tower and guy wire installed shall be completed by avoiding crushing or removing perennial vegetation to the maximum extent possible.

6. All trash and food items shall be properly contained and regularly removed from the project site. No pets shall be permitted on the project site.

7. The holder shall hire a qualified biological monitor (as defined in the FTHL Rangewide Management Strategy) to be present during tower removal and construction. The biological monitor may also function as the FCR and shall perform the functions specified in the Flat-tailed Horned Lizard Rangewide Management Strategy (2003 Revision).

8. Mesquite hummocks and desert willow hummocks shall be avoided, with no disturbance to occur within 5 meters.

9. Immediately prior to initiating tower replacement, the biological monitor/FCR shall survey the area for milkvetch Any Coachella Valley Milkvetch plants present shall be marked with a flagged stake and protected from damage, by avoiding any surface impacts within 5 meters of the plant. If any triple-ribbed milkvetch are found, the holder shall suspend operations in the vicinity, and notify BLM to determine whether the plants may be affected by the holder's actions.

10. The FCR/biological monitor shall maintain a record of the date time and location of all fringe-toed lizards, milkvetch species, and FTHL found in the right of way. Any damage, injury or death to any of these species shall be recorded.

11. Within 90 days of installing the towers, the FCR shall prepare and submit (to BLM and the F&WS) a brief report (5-10 pages) summarizing the project. The report shall include a description of the project and compliance with stipulations, 5 color photographs of the project with before, during and after photos, any listed species sighted, killed, disturbed or injured during the project.

D. Residual Impacts

Minor, temporary residual impacts to air quality, noise and visual resources are unavoidable. No residual impacts to biological resources are likely to occur if the biological mitigation measures are properly implemented.

E. Cumulative Impacts

The proposed action would incrementally affect the following resources.

During the construction phase, a temporary local increase in emissions and particulates would be caused by operation of construction equipment and use of existing access roads. The increase in emissions and particulates would contribute to cumulative impacts to air quality in the Coachella Valley from other authorized activities as well as natural sources.

The cumulative impacts to biological resources as a result of the proposed action would generally be limited to impacts from ongoing operation and development of wind energy facilities in the Whitewater floodplain, on nearby public and private lands. The proposed action's contribution to cumulative impacts is considered to be negligible.

The proposed project, in conjunction with other wind turbine projects in the region, would incrementally increase the cumulative impacts to visual resources within the San Gorgonio Pass and Upper Coachella Valley region. There are an estimated 1,000 wind turbines in the general vicinity of this project. The addition of these 2 meteorological towers for the project represents a nominal addition to the visual impact of wind turbines in the area as a whole.

Implementation of the project would result in a temporary increase of noise over ambient conditions. However, primary noise impacts would be those generated by the near-by turbines themselves which are localized to the project site and the immediate surrounding area. Project traffic would be minor (1 to 2 trips monthly) after completion of the construction phase and would not substantially increase vehicle noise emanating from local roadways.

PERSONS/AGENCIES CONSULTED

PREPARED BY: Claude Kirby

REVIEWED BY: _____ _____
Environmental Coordinator Date

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PALM SPRINGS SOUTH COAST FIELD OFFICE

DECISION RECORD
CA-660-05-36

NAME OF PROJECT: SeaWest Windpower, Inc. CACA-46286

DECISION: It is my decision to approve the proposed action as described in Environmental Assessment (EA) number CA-660-05-36. The approved action is in conformance with applicable land use plans and would not cause unnecessary or undue degradation. Compliance with the mitigation measures identified in the EA is hereby required. These measures are incorporated into this decision record as stipulations by reference. A copy of this Decision Record and attendant conditions of approval (stipulations) shall be in the possession of the on site operator during all undertakings approved herein.

FINDING OF NO SIGNIFICANT IMPACT: Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and would result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. 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.

APPEALS: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842.1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs South Coast Field Office, Bureau of Land Management, U.S. Department of Interior, 690 W. Garnet Avenue, P.O. Box 581260, North Palm Springs, CA 92258-1260, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

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 Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. 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 (see 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.

APPROVED BY: _____ _____

Field Manager — Date
Palm Springs-South Coast Field Office
Bureau of Land Management
U.S. Department of the Interior
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North Palm Springs, CA 92258-1260