

Appendix B

NEPA Tiering Review Procedures

2012

Power Company of Wyoming, LLC.

Chokecherry and Sierra Madre Wind Energy Project

NEPA Tiering Review Procedures

Bureau of Land Management
Rawlins Field Office, Wyoming
June 2012

Contents

1.0	Introduction	1
1.1	Project Overview	1
1.2	Overview of Project-wide Level EIS Analysis	1
2.0	Need for Tiering Review Procedures	2
3.0	Procedures for Tiering Review	2
3.1	Tiering Procedure for Submittal of Site-Specific POD Proposals.....	3
3.1.1	Determination of NEPA Adequacy (DNA).....	3
3.1.2	Categorical Exclusion (CX).....	6
3.1.3	Environmental Assessment (EA).....	6
3.1.4	Environmental Impact Statement (EIS).....	6
3.2	Tiering Procedure for Project Redesign During Field Implementation.....	7
3.2.1	Level 1: Variances Accomplished Through Field Resolution.....	8
3.2.2	Level 2: Variances Beyond Field Resolution, Not Requiring an Amendment to the BLM ROW Grant(s).....	8
3.2.3	Level 3: Variances Requiring an Amendment to the BLM ROW Grant.....	10

List of Figures

Figure 1	NEPA Tiering Review Procedure – CCSM Wind Energy Project.....	4
Figure 2	BLM ID Team NEPA Tiering Decision Making Process	5

List of Attachments

Attachment A	Determination of NEPA Adequacy (DNA) Worksheet
Attachment B	Variance Request Form

1.0 Introduction

1.1 Project Overview

Power Company of Wyoming, LLC (PCW) is proposing to construct, operate, maintain, and decommission a nominal 2,000-3,000 megawatt (MW) nameplate capacity wind project in south central Wyoming within Bureau of Land Management (BLM), Rawlins Field Office (RFO) jurisdiction. The project is known as the Chokecherry and Sierra Madre Wind Energy Project (CCSM Project). A general description of the CCSM Project proposed by PCW can be summarized as follows:

- A 2,000 to 3,000-MW wind farm project consisting of up to 1,000 WTGs with a nameplate capacity ranging from 1.5- to 3-MW;
- Development of step-up transformers, underground and overhead electric collection and communication lines, electric substations, rail distribution facility (RDF), a water extraction site, operations and maintenance facilities, and laydown areas;
- Haul road and transmission connection between the Chokecherry and Sierra Madre sites;
- Construct new roads and upgrade existing roads; and
- Transmit power produced via overhead and underground transmission lines that would connect the WTGs to new substations in the project area.

A detailed description of PCW's proposal is included in **Appendix A** of the Environmental Impact Statement (EIS). A project-wide level Plan of Development (POD) will be prepared concurrent with the Record of Decision (ROD) that incorporates all of the project-wide level information resulting from the EIS process.

Upon completion of the project-wide level EIS, PCW may submit four separate PODs for distinct aspects of the project, including: 1) internal haul road, water extraction site, and RDF; 2) transmission line between the two sites; 3) Sierra Madre; and 4) Chokecherry development. The site-specific POD proposals would be tiered to the analysis and decision described in the ROD associated with the project-wide level EIS. Right-of-way (ROW) grants for these PODs must comply with the National Environmental Policy Act (NEPA) and would include site-specific terms and conditions tiered back to the project-wide level EIS. Upon review of the individual PODs, additional NEPA analysis may be required prior to issuance of any ROW grants. The final turbine and support facility layouts would adhere to the terms and conditions of the ROD and any ROW grants issued by the BLM.

1.2 Overview of Project-wide Level EIS Analysis

Impacts for the CCSM Project were evaluated on a broad, project-wide level to enable the BLM to determine whether the Wind Site Testing and Monitoring Application Area (Application Area) is suitable for development of the proposed CCSM Project and identify the appropriate development plan. The impact analysis in the project-wide level EIS was based on resource-specific assumptions, estimated project disturbance, and appropriate project-specific stipulations across the Application Area using a conceptual area of development within an alternative boundary. The conceptual area of development includes the area where turbines and associated roads would most likely be developed based on wind potential considerations as well as environmental constraints and applicant-committed measures. The project-wide level EIS analysis used the most current wind resource potential, environmental constraints, and baseline information to quantify impacts (i.e., acreages of vegetation types, numbers of animal unit months per allotment, number of drainage crossings, etc.). While micro-siting of turbine locations, roads, transmission lines, and support facilities was not completed as part of the project-wide level EIS, each alternative analyzed the largest possible area of disturbance, and, therefore, it was assumed that

impacts identified at the time of micrositing would not exceed those described in the project-wide level EIS.

However, there is a potential for deviations from the selected alternative in the project-wide level ROD to occur during micrositing. Additional site-specific studies (including geotechnical investigations, threatened and endangered species surveys, and cultural surveys) will be conducted as part of the site-specific PODs to determine the facility locations, which may result in facilities located outside of the conceptual area of development, exceed the disturbance estimates analyzed in the project-wide level EIS, or result in the need for additional facilities not previously identified. For this reason, subsequent NEPA analysis tiered to the analysis conducted in the project-wide level EIS would be required prior to issuance of any ROW grants. The environmental constraints (including constraints identified in the Avian Protection Plan [APP], Biological Opinion [BO], cultural programmatic agreement [PA], and mitigation measures) identified in the project-wide level ROD would be incorporated by reference into any additional NEPA analysis and considered as stipulations of approval in the ROW grants.

2.0 Need for Tiering Review Procedures

It is the responsibility of the BLM to ensure that projects on public lands are in compliance with NEPA as well as the environmental conditions and requirements contained in the ROW grant (which includes the POD; other federal, state, and local permits; and project construction drawings and staking plans). Follow-up tiered NEPA is required because the CCSM project-wide level EIS provided conceptual siting analysis, but was not able to provide site-specific siting (i.e., micro-siting) analysis. It is possible that, at times, updated and new information for the project area or from stipulations or mitigation provided in these subsequent PODs or changing federal policies may result in changes or deviations in the project design that are necessary to accommodate or mitigate site-specific circumstances.

Tiering review procedures would be necessary under the following circumstances.

1. During review of a site-specific POD for processing a ROW grant, or
2. To respond to minor changes or deviations from stipulations/mitigation provided in the ROW grant during field implementation

Experience with other projects has shown that project changes or deviations requiring further agency approval can result in delays that can be extremely costly and possibly affect meeting construction windows. Therefore, the NEPA Tiering Review Procedures were created to expedite subsequent site-specific and variance analysis.

3.0 Procedures for Tiering Review

Information regarding tiering and NEPA procedures contained in this document are summarized from the BLM Handbook H-1790-1. Tiering is using the coverage of general matters in broader NEPA documents in subsequent, narrower NEPA documents (40 Code of Federal Regulations [CFR] 1508.28, 40 CFR 1502.20). This allows the tiered NEPA document to narrow the range of alternatives and concentrate solely on the issues not already addressed. Tiering is appropriate when the analysis for the proposed action will be a more site-specific or project-specific refinement or extension of the existing NEPA document. There are three levels of subsequent NEPA analysis that may be required as determined through the Determination of NEPA Adequacy (DNA): Categorical Exclusion (CX), Environmental Assessment (EA), or EIS. Procedures for each are provided in the following subsections.

Tiering procedures can occur at two specific times during the process, both of which are discussed in the subsequent sections: submittal of site-specific POD proposals and project redesign during field implementation. **Figure 1** provides a diagram of the process and where NEPA tiering procedures would occur. The NEPA Tiering Review Procedure also includes a feedback loop with PCW to allow them the opportunity to modify their site-specific proposal using information resulting from the BLM Interdisciplinary Team (ID Team) review. The ID Team review process is shown in **Figure 2**.

3.1 Tiering Procedure for Submittal of Site-Specific POD Proposals

Once site-specific POD proposals are submitted to the BLM, the ID Team will evaluate the proposal to determine whether or not the proposal is sufficiently analyzed in the project-wide level EIS or if additional NEPA analysis is required to address new information or the proposal deviates from the project-wide level EIS. This evaluation is documented in a DNA form (detailed in Section 3.1.1).

The tiered documents focus only on those issues and mitigation measures specifically relevant to the site-specific POD proposal but not analyzed in sufficient detail in the project-wide level EIS. For example, the cumulative impact analysis in the project-wide level EIS should not need to be revisited. The alternatives analyzed in the project-wide level EIS are not reexamined in the tiered document. The tiered NEPA document will:

- State that it is tiered to another NEPA document;
- Identify the NEPA document to which it is tiered; and
- Incorporate by reference the relevant portions of the NEPA document to which it is tiered (cite and summarize, as described in section 5.2.1 of BLM Handbook H-1790-1).

3.1.1 Determination of NEPA Adequacy (DNA)

The DNA process should be used to document the BLM ID Team evaluation process used to determine whether the project-wide level EIS sufficiently analyzed the site-specific effects and considered the site-specific POD proposal or if additional NEPA documentation is necessary. The following questions should be answered in the DNA evaluation:

1. Is the site-specific POD proposal sufficiently analyzed in the project-wide level EIS?
2. Is the site-specific POD proposal a feature of, or essentially similar to, the selected alternative identified in the project-wide level ROD? Is the site-specific POD proposal within the conceptual area of development, or if the location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the project-wide level EIS? If there are differences, can it be explained as to why they are not substantial?
3. Is the existing analysis in the project-wide level EIS valid in light of any new information or circumstances (such as rangeland health standard assessments, recent endangered species listings, updated lists of BLM-sensitive species)? Can it be reasonably concluded that new information and circumstances would not substantially change the analysis of the site-specific POD proposal?
4. Are the direct, indirect, and cumulative effects that would result from implementation of the site-specific POD proposal similar (both quantitatively and qualitatively) to those analyzed in the project-wide level EIS?
5. Is the public involvement and interagency review conducted on the project-wide level EIS adequate for the site-specific POD proposal?

Documentation of the answers to these questions with substantive and detailed information will be included in a DNA worksheet (**Attachment A**). The DNA worksheet will include specific citations to the

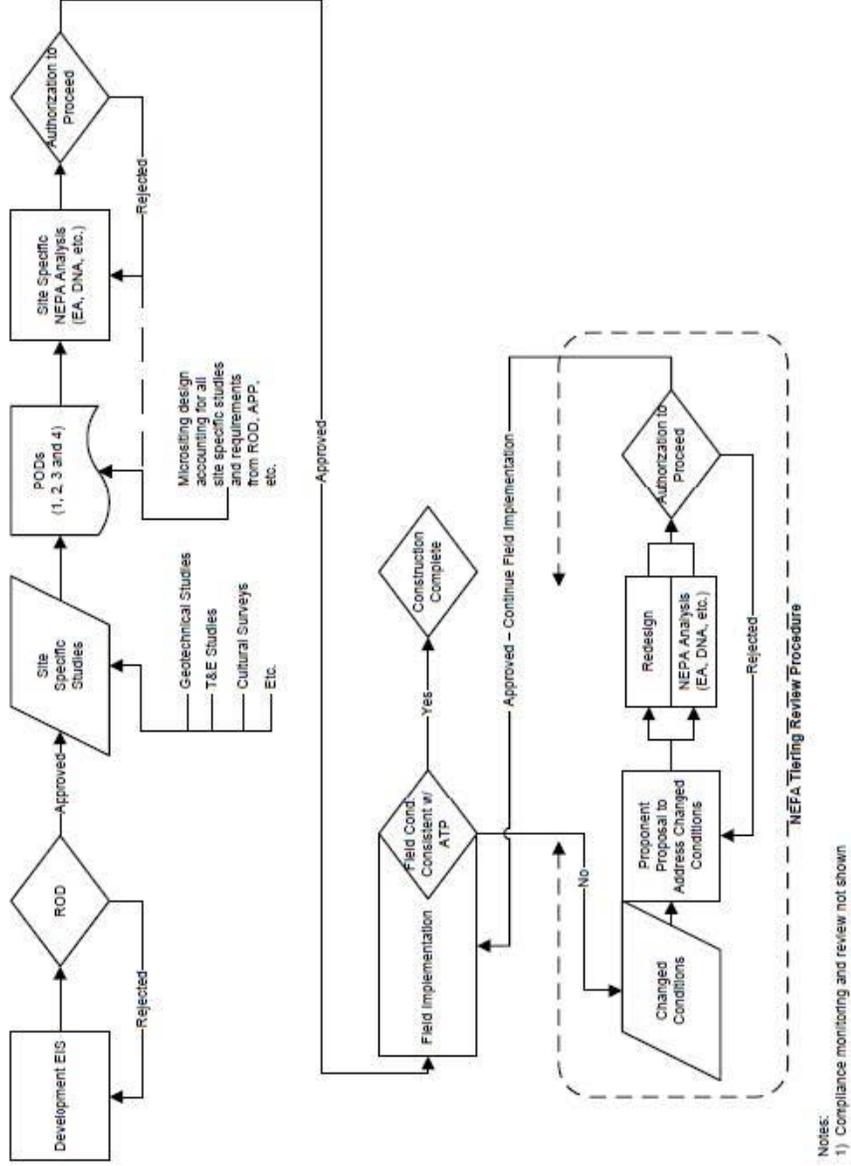
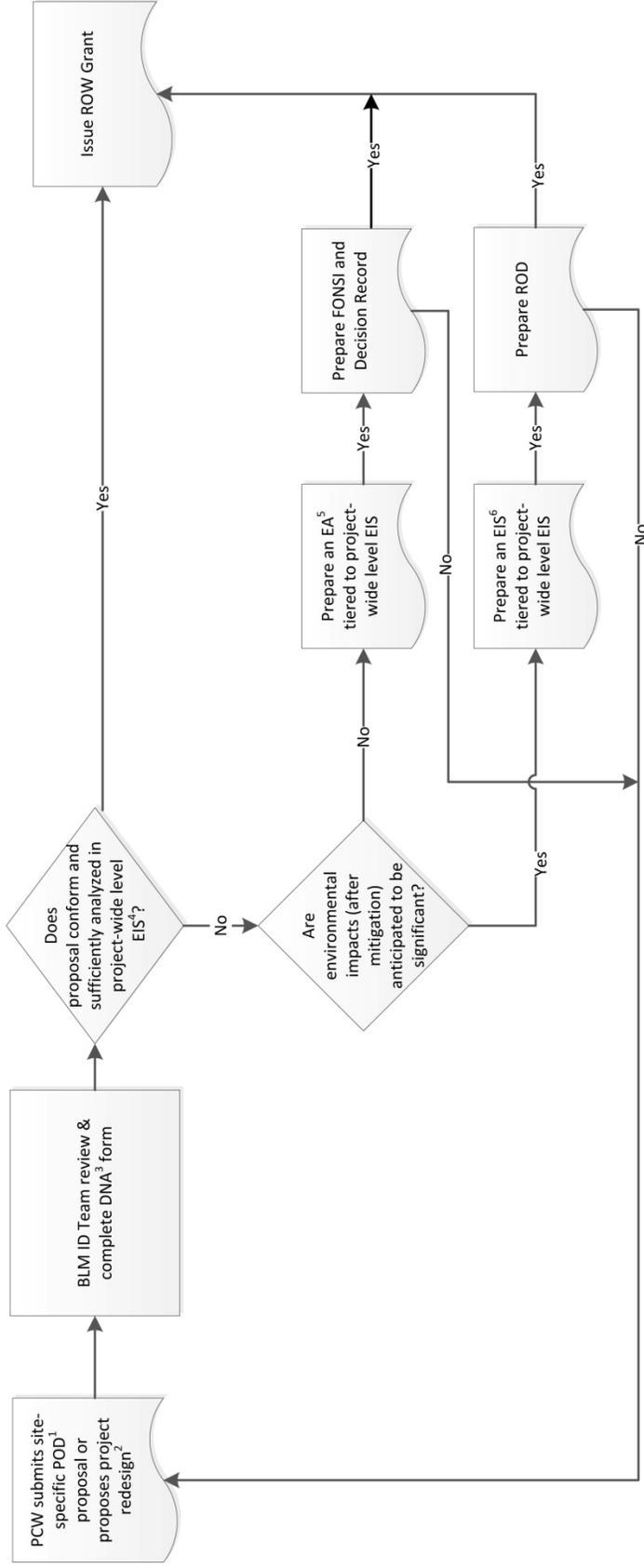


Figure 1 NEPA Tiering Review Procedure – CCSM Wind Energy Project



Notes

- 1) See Tiering Procedure for Submittal of Site-specific POD Proposals, Section 3.1
- 2) See Tiering Procedure for Project Redesign During Field Implementation, Section 3.2
- 3) See Determination of NEPA Adequacy (DNA), Section 3.1.1
- 4) BLM may contact PCW to determine if the proposal can be modified to conform to the project-wide level EIS
- 5) See Environmental Assessment (EA), Section 3.1.3
- 6) See EIS, Section 3.1.4

Figure 2 BLM ID Team NEPA Tiering Decision Making Process

project-wide level EIS. If all questions are answered “yes”, then additional NEPA review is not necessary. If any of the questions are answered “no”, then PCW may be asked to either modify the site-specific POD proposal to conform with the analysis in the project-wide level EIS or BLM will direct preparation of additional NEPA documentation.

For example, site-specific POD proposal #1 may propose installation of an underground pipeline instead of a surface road between the water extraction site on the North Platte River and the laydown area in the Chokecherry site, which would vary from the project-wide level EIS. The ID Team will examine the proposal to determine whether the action was sufficiently analyzed in the project-wide level EIS and whether it would result in effects that would be similar to those analyzed in the EIS. If the ID Team determines that the effects from the underground pipeline are sufficiently similar and any differences are not considered substantial, then the decision is documented in the DNA form and the ROW grant is issued. However, if the differences are considered substantial by the ID Team, then PCW is provided the option to modify their proposal to conform with the project-wide level EIS or, if the action cannot be modified, then additional NEPA documentation will be prepared.

3.1.2 Categorical Exclusion (CX)

Upon review of the Departmental and BLM designated Categorical Exclusions (516 DM 2, Appendix 1 and 516 DM 11.9), no actions associated with submission of a site-specific POD proposal would meet the requirements of a categorical exclusion.

3.1.3 Environmental Assessment (EA)

Section 7.1 of BLM H-1790-1 provides a thorough discussion of actions requiring an EA, which is summarized in this section. An EA and Finding of No Significant Impact (FONSI) would be prepared if the deviation of the site-specific POD proposal from the project-wide level EIS requires additional NEPA analysis that would not result in remaining effects that are considered significant. If the remaining effects would be considered significant, then an EIS would be prepared (see Section 3.1.4) as tiering to the project-wide level EIS would not provide the necessary analysis to support a FONSI for the site-specific POD proposal.

In some instances, the project-wide level EIS might fully analyze significant effects on some resources affected by the site-specific POD proposal, but not all resources. The tiered EA for the site-specific POD proposal does not need to re-analyze the effects on resources fully analyzed in the project-wide level EIS, but may instead focus on the effects of the site-specific POD proposal not analyzed in the project-wide level EIS. The FONSI for the site-specific POD proposal would rely on the analysis in the project-wide level EIS as well as the tiered EA, and would explain which parts of the EIS it is relying upon.

An EA may demonstrate that a proposed action would have effects that are significant but could be reduced or avoided through mitigation. A mitigated FONSI may be used in lieu of an EIS if it is reasonably concluded, based on the EA analysis, that the mitigation measures would be effective in reducing effects to nonsignificance. The FONSI would clearly identify whether the mitigation measures are needed to reduce effects to nonsignificance. A description of the mitigation measures adopted would be incorporated into the decision documentation, and monitoring would be required to ensure the implementation of these measures.

3.1.4 Environmental Impact Statement (EIS)

Section 7.2 of BLM H-1790-1 provides a thorough discussion of actions requiring an EIS. An EIS would need to be prepared for the site-specific POD proposal only if there are significant effects that have not been analyzed in the project-wide level EIS and it is anticipated that they cannot be mitigated to a level

of non-significance. In such instances, focus the EIS on determining if, and how, any new circumstances or information would change the effects anticipated by the action.

3.2 Tiering Procedure for Project Redesign During Field Implementation

A critical part of Project construction is ensuring the Project is constructed in compliance with environmental conditions and requirements contained in the BLM ROW grant, which includes the POD; other federal, state, and local permits; landowner agreements; and Project construction drawings and staking plans. Infrequently, minor changes or deviations from stipulations/mitigation provided in these documents are necessary to accommodate or mitigate unexpected on-site circumstances. These deviations may be necessary to facilitate construction or provide for more effective protection of environmental resources.

When changes from Project requirements are identified, PCW's Environmental Inspector (EI), an employee working directly for the applicant, may wish to file variance requests for approval of these changes. Additionally, the BLM may pursue similar or other types of alterations. Requests may vary in significance from minor changes (i.e., slightly shifting the location of an access road) to more complex requests (i.e., construct a new access road). These variance procedures apply only to activities taking place on BLM lands.

Tiered Variance System During Construction

A system using three variance levels (Level 1, 2, and 3) will categorize variance requests, according to their significance and level of effort associated with the change.

- Level 1. Those which do not require an amendment to the POD,
- Level 2. Those requiring an amendment to the POD, and
- Level 3. Those requiring an amendment to the BLM ROW grant(s).

Levels 1 and 2 variances may be used to modify or amend the POD. Level 3 variances will require an amendment to the BLM ROW grant. In this case, a Standard Form 299 will be required.

A third-party contractor under the direct supervision and control of the BLM, but funded by PCW, will serve as the Environmental Compliance Monitor (ECM) during the construction phase of the project, consisting of a manager and a full-time field monitor providing weekly reports directly to the BLM. The ECM will be authorized to address proposed/needed deviations from grant stipulations and the approved POD associated with the ROW grant for minor variances after consulting with the BLM Project Manager to expedite construction while protecting resource values. The ECM will consult with the BLM Project Manager, or designated BLM representative, to determine if a variance will require amendment to the POD or the BLM ROW grant. The ECM may approve Level 1 variances and the BLM Project Manager may approve Level 2 variances.

If a variance is requested by the BLM, a BLM representative can initiate a variance request in consultation with the ECM, PCW representative, and the construction contractor, as appropriate. The request needs to be in writing using the Variance Request Form (**Attachment B**). Supporting attachments, such as an alignment sheet or other project drawings, or photos, and cultural and/or biological clearances (including surveys for invasive weeds if necessary) will be required to process a variance request. The request, and PCW's input to the request, would be documented in the ECM weekly report.

3.2.1 Level 1: Variances Accomplished Through Field Resolution

A Level 1 variance is a minor field adjustment within the approved BLM ROW grant that conforms to the POD. These variances can be handled in the field by the ECM in consultation with the PCW representative. Such adjustments would be documented on the Variance Request Form. The ECM would inform the PCW representative and the BLM Project Manager of these minor changes by including them in his/her weekly progress reports.

Examples of minor field adjustments include, but are not limited to, the following:

- Relocation of erosion control devices (note: This may also require a modification to the Stormwater Pollution Prevention Plan (SWPPP));
- Locating temporary fences inside authorized work areas;
- Constructing ditch plugs and wildlife escape ramps in cable trenches, if needed;
- Permitting waterbars to be extended, if applicable, off the area designated for a cable trench or the transmission line, and into native vegetation "one dozer length" (this includes providing permission for construction equipment to work outside designated work areas);
- Allowing rubber-tired vehicles to use additional designated access roads (in addition to those approved in BLM approval documents) where improvements to the road would not be necessary (note: not intended for authorizing additional haul roads for equipment and materials); and
- Temporarily (for not more than 7 days) placing turbine parts or other assemblies outside areas designated in the POD but within the authorized project area. This does not include any surface disturbance associated with temporary storage.

Level 1 Variance Approval or Denial

The ECM can approve or deny Level 1 variance requests in the field after consulting with the BLM Project Manager. Level 1 variance requests may be approved if the results of implementing the changes are not significant. If a Level 1 variance request is approved in the field by the ECM, signatures on the Variance Request Form will also be required from the PCW representative. A Level 1 variance request can be implemented in the field as soon as it is approved and signed by the ECM. The ECM will document the approved variance and submit to BLM daily.

If the Level 1 variance is denied, the ECM will inform the PCW representative within 24 hours. The construction contractor's representative may choose to resubmit the request as a Level 2 variance, or to discontinue pursuit of the request.

Level 1 Variance Distribution

The ECM will give/send the approved Level 1 variance request to the appropriate PCW representative, who will then distribute the variance on the construction side of the project. The ECM will provide the BLM Project Manager copies of approved Level 1 variances daily. The ECM will generate a report at the end of each week identifying all Level 1 variances approved during the previous week.

3.2.2 Level 2: Variances Beyond Field Resolution, Not Requiring an Amendment to the BLM ROW Grant(s)

This type of variance involves a deviation that exceeds the field decision authority of the ECM. Level 2 variances require approval by the BLM Project Manager with concurrence of BLM RFO specialists. These alterations generally involve project changes that would affect an area outside of the previously approved work area, but within the corridor previously surveyed for cultural resources, wetlands, and

sensitive species. Such variance requests typically require review of supplemental documents, correspondence, and records to be provided with the request.

Examples include, but are not limited to the following:

- Shifting extra workspace outside the approved construction corridor a short distance, but within the previously surveyed corridor where overall disturbance type and acreage remains approximately the same, and no cultural, paleontological, biological resources, or invasive weed infestations could be affected;
- Shifting temporary workspace to previously disturbed areas;
- Permitting project work to be completed in raptor areas during the construction closure window;
- Moving proposed culvert location(s) to better accommodate natural drainages (note: this may also require a modification to the SWPPP);
- Providing extra work space for topsoil and spoil material storage to prevent mixing of soils;
- Moving a range fence a specified number of feet laterally and permanently installing it to avoid proposed construction (note: this may also require an amendment to the Allotment Management Plan, if applicable.);
- Modifying seed mixes specified in the POD (due to unavailability; note: this may also require a modification to the Reclamation Plan); and
- Modification of an access road due to safety hazards.

Variance requests may also be submitted for minor changes that would extend beyond the previously surveyed work area and corridor for sensitive resources. In these situations, additional cultural, biological, and invasive weed surveys would be required. Documentation of the surveys and other applicable correspondence would need to be submitted with the variance request. If sensitive biological resources are encountered during the additional surveys, documentation of consultation with applicable agencies must be provided with the variance request. All BLM approved stipulations, and the Terms and Conditions of the U.S. Fish and Wildlife Service's (USFWS) Biological Assessment/Opinion must be adhered to, in order for the variance to be approved.

To initiate a Level 2 variance request, the construction contractor will determine the need for the variance. The request form, with attached supporting documents, will be prepared by the PCW representative and discussed with the ECM. The ECM will submit the request form and attachments to the BLM Project Manager. The BLM Project Manager, after consulting with BLM RFO specialists, will provide the PCW representative written approval or denial (including an explanation) of the request by using the spaces provided on the form. The BLM Project Manager or BLM representative may request additional information, or a modification of the request, before the variance can be approved. In addition, the PCW representative will be informed if an amendment to the BLM ROW grant will be required.

Level 2 Variance Approval or Denial

The BLM Project Manager will review the variance request form and any attachments in consultation with the appropriate BLM RFO specialists. If additional information or a modification to the request is required, PCW will submit the requested information within 5 business days. The BLM Project Manager will provide PCW or their representative written approval of the request by using the spaces provided on the form within five business days from receipt of a complete request.

If a Level 2 variance is denied, the BLM Project Manager will provide PCW or their representative a written denial (including an explanation) of the request by using the spaces provided on the form within

five business days from receipt of a complete request. PCW may choose to resubmit the request as a Level 3 variance, or to discontinue pursuit of the request.

Level 2 Variance Distribution

Distribution of Level 2 variance requests are the same as stated above for Level 1 variance requests.

3.2.3 Level 3: Variances Requiring an Amendment to the BLM ROW Grant

This type of variance requires an amendment to the BLM ROW grant, completion of an application on a Standard Form 299 (SF 299), and a decision by the BLM Authorized Officer through a variance request form (**Attachment B**).

The PCW representative will prepare the SF 299 with supporting documentation, including a POD and map (1:24,000 scale), for submittal to the BLM RFO. The BLM will process the amendment application pursuant to 43 CFR 2800. The BLM may request additional information, or a modification of the request, before the amendment can be approved. Approval of the amendment also requires issuance of a Notice to Proceed (NTP) addressing the amendment, if a NTP is a requirement of the original BLM ROW grant.

The BLM Project Manager will assist the ECM and PCW representative in determining whether a significant proposed change, outside the approved BLM ROW grant, will necessitate submittal of an amendment, or whether the change can be handled with a Variance Request Form.

Examples of a variance requiring an amendment to the BLM ROW grant are as follows:

- Relocation of project components onto BLM land; or
- Expansion of the project area from the one defined in the BLM ROW grant and POD.

Level 3 Variance Approval or Denial

The BLM Authorized Officer will review the SF 299, variance request form, and any attachments in consultation with the appropriate BLM RFO specialists. If additional information or a modification to the request is required, PCW will submit the requested information within five business days. The BLM Project Manager will provide PCW or their representative written approval of the request by using the spaces provided on the form (**Attachment B**) within five business days from receipt of a complete request. The decision is documented in the new or amended ROW grant.

If a Level 3 variance is denied, the BLM Project Manager will provide PCW or their representative a written denial (including an explanation) of the request by using the spaces provided on the form (**Attachment B**) within five business days from receipt of a complete request. PCW may choose to discontinue pursuit of the request or proceed with additional NEPA documentation as discussed in Section 3.1.

Level 3 Variance Distribution

Distribution of Level 3 variance requests are the same as stated above for Level 1 variance requests.

Attachment A – Determination of NEPA Adequacy (DNA) Worksheet

U.S. Department of the Interior Bureau of Land Management

OFFICE:

TRACKING NUMBER:

CASEFILE/PROJECT NUMBER:

PROPOSED ACTION TITLE/TITLE:

LOCATION/LEGAL DESCRIPTION:

APPLICANT (if any):

A. Description of the Proposed Action and any applicable mitigation measures

B. Land Use Plan (LUP) Conformance

LUP Name* _____

Date Approved _____

Other Document _____

Date Approved _____

Other Document _____

Date Approved _____

** List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto)*

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

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

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

D. NEPA Adequacy Criteria

1. Is the site-specific POD proposal sufficiently analyzed in the project-wide level EIS?

Documentation of answer and explanation:

2. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Documentation of answer and explanation:

3. **Is the existing analysis valid in light of any new information or circumstances (such as rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Documentation of answer and explanation:

4. **Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Documentation of answer and explanation:

5. **Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Documentation of answer and explanation:

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
-------------	--------------	------------------------------------

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion (If you found that one or more of these criteria is not met, you will not be able to check this box.)

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

Signature of Project Lead

Signature of NEPA Coordinator

Signature of the Responsible Official

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Attachment B – Variance Request Form

Variance Request Form				
Power Company of Wyoming LLC.		Variance Request No.: _____		
Chokecherry/Sierra Madre Wind Farm Project		Date Submitted: _____		
		Date Approval Required: _____		
		BLM Approval Reference No.: _____		
Location: _____				
Alignment Sheet/				
Construction Drawing/Station Number: _____		Approval Agency: _____		
Current Land Use/Vegetative Cover: _____				
Nearby Features (Washes, Wetland, Noxious Weed Area, Residence (distance): _____				
Variance Level	<input type="checkbox"/> Level 1	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 3	
Variance requested in →	<input type="checkbox"/> Permit	<input type="checkbox"/> Plan/Procedure	<input type="checkbox"/> Specification	
	<input type="checkbox"/> Mitigation Measure	<input type="checkbox"/> Drawing	<input type="checkbox"/> Other	
Detailed Description of Variance: Attachments? <input type="checkbox"/> Yes <input type="checkbox"/> No Photos? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Variance Justification:				
Additional Surveys Required			Surveyed Corridor Description	
Cultural Survey <input type="checkbox"/> Y <input type="checkbox"/> N				
T & E <input type="checkbox"/> Y <input type="checkbox"/> N				
Weeds <input type="checkbox"/> Y <input type="checkbox"/> N				
Request prepared by:				
Sign-off (as appropriate)	Name (Print)	Approval Signature	Date	Conditions Attached
Environmental Manager				<input type="checkbox"/> Y <input type="checkbox"/> N
Chief Inspector				<input type="checkbox"/> Y <input type="checkbox"/> N
BLM <u>1</u> /				<input type="checkbox"/> Y <input type="checkbox"/> N
For use in approval only.				
Variance Approval: _____ Variance Denied: _____ Beyond Authority: _____				
Approval Number: _____			Date: _____	
Signature: _____		Stipulations: _____		

If the ECM is authorized (in the POD or other document included in the BLM ROW authorization documents) to act/sign on behalf of BLM, include the name of ECM with the signature.

Chokecherry/Sierra Madre Wind Farm Project		
Relating to Wind Turbine Generator Number (if applicable): _____		
Variance Conditions (refer below for individual requesting the condition and specific condition(s)).		
Name:	Title:	Organization:
Conditions:		
Name:	Title:	Organization:
Conditions:		
Name:	Title:	Organization:
Conditions:		