

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

Finding of No New Significant Impacts (FONNSI)

PHASE I WIND TURBINE DEVELOPMENT

for the

**Chokecherry and Sierra Madre (CCSM)
Wind Energy Project (EA 2)
DOI-BLM-WY-D030-2016-0046-EA**

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DOI-BLM-WY-D030-2016-0046-EA

FONNSI

ENVIRONMENTAL ASSESSMENT

NEPA Number: DOI-BLM-WY-D030-2016-0046-EA

Phase I Wind Turbine Development

I. Finding

The Chokecherry and Sierra Madre (CCSM) Wind Energy Project Phase I Wind Turbine Development Environmental Assessment (EA 2) analysis shows that the Proposed Action to authorize the construction, operation, maintenance, and decommissioning of the Phase 1 Wind Turbine Development described in EA 2, initiated from a right-of-way application submitted by Power Company of Wyoming LLC (PCW), would have no significant effects beyond those already analyzed and disclosed in the 2012 Chokecherry and Sierra Madre (CCSM) Wind Energy Project Final Environmental Impact Statement (FEIS). EA 2 is tiered to the CCSM Project FEIS and conforms with the Bureau of Land Management (BLM) Rawlins Field Office (RFO) Resource Management Plan (RMP), as amended by the CCSM Project ROD, the Greater Sage-Grouse Regional ROD, and the Wyoming Approved RMP Amendment (Wyoming ARMPA).

I have determined that the proposed action will not cause significant impacts to the human environment beyond those previously described in the CCSM Project FEIS. No new significant impacts were disclosed while completing the analysis for EA 2. Therefore, consistent with Department of the Interior regulations implementing the National Environmental Policy Act (NEPA) (43 Code of Federal Regulations [CFR] Part 46), the BLM does not need to complete an additional or supplemental EIS before authorizing the Phase I Wind Turbine Development.

The Proposed Action, which incorporates all of the environmental constraints, applicant-committed measures and mitigation measures contained in CCSM Project ROD Appendix D, as well as all of the conditions of the CCSM Project ROD, would not create any additional significant effects (above those already disclosed in the CCSM Project FEIS), which would have sufficient context and intensity, as defined in Section 7.3 of the BLM NEPA Handbook (Manual H-1790-1, page 70), to be considered significant. Appendix D in the CCSM Project FEIS (Appendix C in EA 2) includes timing and distance stipulations to reduce impacts to multiple resources. Chapter 4 of EA 2 describes the impacts of the Proposed Action on the applicable resources and sets forth the reasons, with respect to each resource, why the Proposed Action would either have no significant impacts or no new significant impacts beyond the scope and intensity of the impacts analyzed in the CCSM Project FEIS. Based on the significance criteria identified in the CCSM Project FEIS, significant impacts to the following resources could occur: bats, greater sage-grouse, mule deer, raptors, passerine birds, soils, livestock grazing within individual pastures, historic properties where setting is an aspect of integrity, and noise impacts on two residences.

Following the tiering procedures described in Appendix C of the CCSM Project ROD, the BLM concludes that some impacts from the facilities proposed in the Phase 1 Wind Turbine Development site-specific plan of development (SPOD 4) may warrant additional evaluation beyond the analysis in the CCSM Project FEIS. The BLM prepared EA 2 to evaluate those impacts. The CCSM Project FEIS analyzes and discloses environmental impacts including significant impacts to some environmental resources. EA 2 compares the SPOD 4 against the analysis conducted in the CCSM Project FEIS to identify and evaluate any additional or new environmental impacts that were not addressed in the EIS.

EA 2 screens the Phase I Wind Turbine Development SPOD and the additional impacts described in the EA for Infrastructure Components: Phase I Haul Road and Facilities, West Sinclair Rail Facility, and Road Rock Quarry, against the analysis conducted in the CCSM Project FEIS to assess and disclose any additional or new environmental impacts; no new significant impacts were identified. EA 2 incorporates the analysis and other content contained in the CCSM Project FEIS (BLM 2012b) and the CCSM Project ROD (BLM 2012a). In addition, EA 2 incorporates by reference analyses presented in the U.S. Fish and Wildlife Service (USFWS) 2016 FEIS for an Eagle Take permit for the CCSM Phase I Wind Energy Project (USFWS FEIS). The analysis for impacts to Greater Sage-grouse as a result of wind energy development presented in the BLM's 2015 Greater Sage-Grouse RMP amendments is also incorporated by reference.

The direct take of an eagle from the Phase I Wind Turbine Development is anticipated and PCW has applied for a programmatic eagle take permit (ETP) from the USFWS for the Proposed Action. After preparing an EIS to analyze the environmental effects of issuing ETPs for the first phase of wind turbine development, the USFWS authorized the issuance of ETPs on January 12, 2017.

The impacts to migratory birds from the Phase I Wind Turbine Development are within the impacts disclosed in the CCSM Project FEIS (BLM 2012b) and disclosed in the USFWS FEIS (USFWS 2016). In addition, the USFWS indicates their migratory bird fatality estimate is likely high, based on preliminary results of post-construction mortality monitoring from other existing wind energy facilities in Wyoming (USFWS 2016).

The CCSM Project FEIS estimated 5,400 migratory bird fatalities per year with a range of 300 to 13,200 birds per year with construction of up to 3,000 megawatts (MW) of wind energy generation; this loss was considered significant (BLM 2012b). The impacts to migratory birds from the Phase I Wind Turbine Development are within the impacts disclosed in the CCSM Project FEIS. The CCSM Project FEIS discloses the reasonably foreseeable mortality associated with operation of the entire CCSM project in terms of a range, the high end of which, when applied to Phase I of the Project, suggests that up to 6,600 migratory birds could be taken per year, based on the upper estimated mortality rate of 4.4 mortalities per megawatt per year. In addition, to mitigate impacts to avian species PCW has worked cooperatively with the USFWS and Wyoming Game and Fish Department to develop a Bird and Bat Conservation Strategy (BBCS) for Phase I of the CCSM Project. PCW has committed to implement the measures and compensatory mitigation set out in its ECP and BBCS. The USFWS issued a letter of concurrence on the ECP and BBCS on January 13, 2017.

The Finding of No New Significant Impacts is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance, 40 CFR 1508.27, both regarding the context and intensity of impacts described in EA 2 and supporting documents. The interdisciplinary team checklist in Appendix B of EA 2 and the analysis in Chapter 4 of EA 2 provide detail on the expected impacts of the separate elements of the Proposed Action on the resources present in the project area and the reasons why those impacts are either not significant or are within the range of impacts previously analyzed in the CCSM Project FEIS. The context and intensity of impacts are discussed further below.

II. Context

The project identifies site-specific actions involving 3,035 acres of initial surface disturbance and 485 acres of long-term surface disturbance on public, state, and private lands in Carbon County, Wyoming. PCW has applied for a right-of-way grant for the construction, operation, maintenance and decommissioning of the Phase I Wind Turbine Development.

The Phase I Wind Turbine Development includes 500 wind turbine generators and associated facilities for the CCSM Project such as roads, electrical lines, substations, operation and maintenance buildings, meteorological towers, utilities, and temporary construction features.

The initial surface disturbance for the CCSM Project analyzed in the CCSM Project FEIS (BLM 2012b) was 7,733 acres, with a long-term disturbance of 1,545 acres. Table 1 below (included in EA2 as Table 2-1) identifies the estimated initial surface disturbance and long-term surface disturbance for the CCSM Project by project component based on the information provided in the Phase I Wind Turbine Development SPOD and the infrastructure component SPODs. Table 1 provides a cumulative comparison of surface disturbance acreages to those provided in the CCSM Project FEIS (BLM 2012b). The CCSM Project FEIS (BLM 2012b) analyzes the entire CCSM Project; therefore, Table 1 compares the surface disturbance of the entire CCSM Project with the surface disturbance for the CCSM Project Infrastructure Components, Phase I Wind Turbine Development, and Phase II Wind Turbine Development (as anticipated). In addition, Table 1 identifies the acres of activity areas by project component. Surface disturbance estimates presented below represent the best available information.

Table 1. Surface Disturbance Acreage for the Proposed Action Compared to the Chokecherry and Sierra Madre Final Environmental Impact Statement

CCSM Project Component	Project Phase	EA Number	Initial Disturbance ¹ (acres)	Long-Term Disturbance ¹ (acres)	Activity Area ² (acres)
Phase I Haul Road and Facilities	I	1	875	225	0
West Sinclair Rail Facility			370	121	0
Road Rock Quarry			184	18	0
Phase I Wind Turbine Development	I	2	3,035	485	440
Phase II Wind Turbine Development ³	II	3	2,866	482	409
Current Disturbance Estimate	N/A	N/A	7,330	1,331	N/A
CCSM Project FEIS Disturbance Estimate	N/A	N/A	7,733	1,545	N/A
Change	N/A	N/A	-403	-214	N/A

Sources: BLM 2012a, 2012b; PCW 2014a, 2014b, 2014c, 2015.

¹Initial disturbance areas are defined as the total area of surface disturbance and includes both the areas that would be reclaimed and the long-term disturbance. The initial disturbance areas would be reclaimed following construction in accordance with the Master Reclamation Plan, included as Appendix D of the CCSM Project FEIS (BLM 2012b) and the site-specific reclamation plan, included as Appendix L of the Phase I Wind Turbine Development SPOD (PCW 2015a). Long-term disturbance is defined as areas that would be reclaimed in accordance with these plans following decommissioning.

²Activity areas are areas where project activities may occur that do not require ground disturbance (would not be cleared or graded); thick vegetation higher than one foot may be trimmed to allow for safe vehicle access and minimize fire potential.

³The Phase II Haul Road and Facilities will be included in the Phase II Wind Turbine Development site-specific plan of development.

CCSM Chokecherry and Sierra Madre
EA Environmental Assessment
FEIS Final Environmental Impact Statement
N/A not applicable

III. Intensity

The considerations listed in 40 CFR 1508.27(b) (1-10) were used to evaluate the intensity of the effects described in EA 2:

1. There would be no new significant effects as a result of approving the Proposed Action beyond those already disclosed in the CCSM Project FEIS as discussed in detail in EA 2. See the discussions in Chapter 4 of EA 2 for the analysis of the impacts of the Proposed Action on the respective resources described. The Proposed Action would result in both beneficial and adverse impacts.

2. The public's health and safety would not be significantly affected (see Section 4.2.9 and 4.2.15 of EA 2). There would be no new adverse social or economic effects beyond those disclosed in the CCSM Project FEIS (see Section 4.2.7).
3. Neither the Rawlins RMP review nor interdisciplinary review found any new unique characteristics in the geographic area or ecologically critical areas which would be adversely affected, beyond those disclosed in the CCSM Project FEIS (see EA 2 Appendix B, Interdisciplinary Team Checklist). EA 2 Appendix B categorized each resource for analyzing impacts, as follows:
 - "Not Present" (NP) – the resource does not occur in the CCSM Project Area for the proposed action and is not carried forward for detailed analysis.
 - "Not Impacted" (NI) – the resource was sufficiently analyzed in the CCSM Project FEIS (BLM 2012b) or it can be reasonably concluded that the resource would not be affected to a degree that requires analysis and therefore it is not carried forward for detailed analysis.
 - "Potentially Impacted" (PI) – the resource is present in the CCSM Project Area for the proposed Phase I Wind Turbine Development, and, based on the BLM's review of the results of scoping and procedures outlined in Appendix A of EA 2, it may be potentially impacted.
4. The effects of the Proposed Action are within the scope and scale of effects analyzed in the CCSM Project FEIS. Air and Atmospheric Values, Cultural Resources and Native American Concern, National Scenic and Historic Trail, Paleontological Resource, Range Resource, North Platte River Special Recreation Management Area (SRMA), Socioeconomic, Soil, Transportation, Vegetation (including Noxious Weeds and Invasive Species), and Wetlands and Riparian Zones, Visual Resource, Water Resource, Wildlife and Fisheries Resource, Special Status Species, and Noise and Human Health were included in EA 2 for description in Chapter 3 (Affected Environment) and analysis in Chapter 4 (Environmental Consequences). For some resources, new site-specific information was available based on site investigations conducted during 2012 and 2013, and this information is presented in Chapter 3 of EA 2 to the extent that it is relevant to the Phase I Wind Turbine Development SPOD.
5. The effects of constructing, operating and maintaining the Proposed Action are as described in EA 2. There would not be a high uncertainty of the effects, nor any new unique or unknown risks not previously discussed in the CCSM Project FEIS. The CCSM Project ROD determined that wind energy development is appropriate within the 219,707-acre conceptual area of development described in detail and referred to as the Application Area.
6. This proposal does not set a precedent for future actions with significant effects beyond those described in the CCSM Project FEIS, and does not represent a decision in principle about a future consideration. The CCSM Project ROD allows for issuance of multiple ROW grants. The Phase I Wind Turbine Development will be granted under a wind energy development grant.
7. The Proposed Action is Phase I of the wind energy development project analyzed in the CCSM Project FEIS. This proposal is not related to other actions with individually insignificant but cumulatively significant effects beyond those that were considered in the CCSM Project FEIS. The BLM has reviewed the list of current and planned projects disclosed in Table 5.0-1 of the CCSM Project FEIS (BLM 2012b; pages 5-2 through 5-5), to determine if any new projects, not included in this table, are applicable to EA 2. No new reasonably foreseeable actions were identified. As a result, the reasonably foreseeable actions disclosed in the CCSM Project FEIS (BLM 2012b) are applicable to the proposed action of EA 2.
8. The proposal will not adversely affect districts, sites, highways, structures or objects listed in the National Register of Historic Places in a manner or degree beyond that disclosed in the CCSM Project FEIS (see Sections 4.2.2 and 4.2.11 of EA 2). Eight sites considered eligible for listing in the NRHP

were identified during the Class III cultural resources inventories within the Phase I Wind Turbine Development Site. Impacts and mitigation to these sites are addressed in the cultural Programmatic Agreement and Compensatory Mitigation Plan.

9. There would be no new effects to threatened or endangered species, including to their habitat, beyond those disclosed in the CCSM Project FEIS. Construction timing restrictions, design features and additional mitigation measures would minimize or prevent adverse effects to other wildlife species and their habitat (see Sections 4.2.13 and 4.2.14 of EA 2).
10. Approving the Proposed Action would not violate any federal, state, or local laws or regulations imposed for the protection of the environment (see section 1.5 and 1.6 of EA 2).

For the reasons set forth above and as explained in EA 2, I conclude that the Proposed Action will have no new significant impacts on the human environment that were not adequately disclosed in the CCSM Project FEIS.



Dennis G. Carpenter
Rawlins Field Manager

JAN 17 2017
Date

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