

APPENDIX A

BLM KINGMAN RMP CONFORMANCE REVIEW

BP WHITE HILLS WIND PROJECT
RMP CONFORMANCE REVIEW
May 18, 2009

Reference NEPA Handbook H-1790-1.5

Wind energy development was not disallowed or addressed in the plan.

NEPA guidance states “If the LUP is silent about an activity, review the plan direction including the broad and programmatic goals and objectives. In this evaluation, there are four possible conclusions:

1. The activity contributes to meeting plan goals and objectives and is not inconsistent with the plan, and hence it can be considered to be in conformance;
2. The proposal is not in conformance, but the proposal can be modified to be in conformance;
3. The proposal is not in conformance, but amendment of the LUP is warranted to allow the activity;
4. The proposal is not in conformance, and the proposal does not warrant further consideration through an LUP amendment.”

It has been determined that Conclusion Number 1 above applies to the BP Wind Energy Proposal based on the following:

RMP Resource Area Goals

The proposed BP Wind Project is consistent with the following goal as stated on page 17 of the RMP:

“Manage public lands in a manner that recognizes the nation’s need for domestic sources of energy, minerals, livestock, wildlife, recreation opportunities and other products from the public lands and the importance of these resources to local and regional economies.”

RMP Management Guidance

The proposed BP Wind Project is consistent with the following management guidance regarding Land Use Authorizations as stated on page 21 of the RMP:

“Land use authorizations (rights-of-way, leases, permits) will continue to be issued on a case-by-case basis and in accordance with the approved Resource Management Plan. Rights-of-way will be issued within existing right-of-way routes, including joint use, whenever possible.”

RMP Conflicts

The BP Wind Project would conflict with RMP Decision LR13 which states:

“Major transmission facilities will be restricted to the eleven corridors listed on page 66, where practical. The powerline corridors are restricted to aerial rights-of-way. All other corridors are restricted to buried rights-of-way, with the exception of Highway 93 and Interstate 40, which may be used for both.”

A portion of the application includes land within the Mead-Phoenix one mile wide power transmission line corridor. This conflicts with RMP Management Guidance regarding Utility Corridors as stated on page 21 of the RMP:

“All major utility systems are required to route their systems through the designated corridors under the approved Resource Management Plan. This requirement will prevent the proliferation of major utility systems across public lands and will reduce adverse environmental impacts to sensitive resources.”

The intent of establishing corridors was to provide for long distance infrastructure needs, prevent proliferation of major utility systems across public lands and to reduce adverse environmental impacts to sensitive resources. Turbine development would not be authorized within the corridor as it would be inconsistent with the intended purpose of the corridor. The land within the corridor should be voluntarily withdrawn from the application.

Power Transmission Line

Another component of the BP Wind Project is the need for a power transmission line to tie into the national grid. This action would be in conformance with the following RMP decision LR13a (page 66-67) which states:

“All other minor rights-of-way would be evaluated through the environmental review process and granted or rejected on a case by case basis. Existing rights-of-way would be used when possible to minimize surface disturbance.”

This decision has been interpreted to apply to not only minor rights-of-way but would also apply to short transmission facilities, such as grid tie-in transmission lines.

Land Use

The public lands included in the BP Wind Project Area are generally used for grazing, dispersed recreation, rights-of-way, mineral development, and wildlife habitat. The RMP designated the land in the project area for long-term retention and no changes in land tenure will result from the proposed action. While this project may create impacts to other public land uses, the uses would continue to exist and be authorized. Impacts will be analyzed in the proposed Environmental Impact Statement.

CONCLUSION

The BP Wind Project is in conformance with the Kingman RMP and no LUP amendment is needed.

In order to assure continued compliance with the Kingman RMP, the proponent would need to take the following RMP goals and decisions into consideration during project development:

Goals (Page 17 and 18)

Manage public lands and resources under the concept of multiple use to attain the optimum combination of uses.

Manage to balance the use and conservation of renewable resources to provide sustained productivity.

Provide special management emphasis in areas with unique features or special management needs.

Manage cultural resources to maintain and enhance their scientific and public use values.

Maintain cooperative relationships and programs with public land users, interest groups and other government agencies.

Manage for diverse recreation opportunities for the increasing number of visitors to public lands.

Maintain and enhance wildlife habitat to ensure viable populations and natural diversity.

Manage public land resources in consultation with adjacent federal or state management agencies to avoid unnecessary adverse impacts.

Rehabilitate all surface disturbances to the extent practicable at the end of use to protect soil, vegetation, water and other environmental values and to blend the disturbed site into surrounding terrain and settings.

Use special stipulations where applicable and prudent to minimize long-term impacts to the visual quality of sensitive landscape characteristics.

Maintain/enhance the existing visual quality.

Decisions

CL01 Protect the scientific information potential of sites, enhance the public use values of sites and manage sites for conservation (Page 74).

HM03 Reduce hazards to the public and natural resources on public lands from toxic materials (Page 86).

RR16 Provide outdoor recreation opportunities for the public while continuing the BLM policy of providing dispersed and backcountry recreation (Page 75).

RR17 Recreation sites, interpretive sites, trails and roads will be maintained and developed where needed to enhance recreation opportunities and allow public use (Page 26).

RR25 Allow off-road use by authorized public land users that hold a permit or license in areas where vehicles are limited to existing roads, trails and navigable washes and in areas not designated as ACECs or wilderness, if such travel is required to fulfill their license or permit. (Page 79)

RR27 Require prior BLM approval for any off-road vehicle travel in areas where vehicles are limited to designated roads, trails and navigable washes. (Page 79)

TE03 BLM will manage for conservation of candidate and BLM-sensitive species and their habitats. BLM will ensure that actions authorized will not contribute to the need to list any of these species as threatened or endangered. (Page 29)

VP 06 Require that all plants disturbed during land clearing operations be salvaged. (Page 558) (focus on cactus, yucca, ocotillo)

VR01 Designate and manage visual resources according to the Visual Resource Management Classes as shown on Map 19, page 81 and Table 16, page 138.

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