

6450-01-P

DEPARTMENT OF ENERGY

Bonneville Power Administration

Execution of Agreements to Install Additional
Wind Turbines at the Wyoming Windpower Plant

AGENCY: Bonneville Power Administration (BPA), Department of Energy (DOE).

ACTION: Notice of Availability of Record of Decision (ROD).

SUMMARY: BPA has decided to execute one or more agreements with SeaWest Corporation, a wind developer, of San Diego, California, to install additional turbines at the Wyoming Windpower Plant in Carbon County, Wyoming. To acquire the additional output from the turbines, BPA may also execute agreements with PacifiCorp, an Oregon corporation, and/or others for interconnection, wheeling, and shaping services. BPA will market the electrical output of the turbine additions and expects to execute Power Sale Agreements (PSA) with interested customers. This notice announces the availability of the ROD to execute these agreements, relying on the Kenetech/PacifiCorp Windpower Project Environmental Impact Statement (Wind Project EIS) (DOE/EIS-0255 August, 1995). BPA was a cooperating agency, with the Bureau of Land Management (BLM) the lead agency, in preparation of the Wind Project EIS. BPA previously adopted the Wind Project EIS in a July 1997 ROD that was issued to execute a Power Purchase Agreement (PPA) to acquire a 15.32-megawatt (MW) share of nominal project capacity from the Wyoming Windpower Plant. This ROD is tiered to the July 1997 ROD.

ADDRESS: Copies of this ROD, the July 1997 ROD, and the Wind Project EIS may be obtained by calling BPA's toll-free document request line: 1-800-622-4520.

FOR FURTHER INFORMATION, CONTACT: Kathy Fisher - ECP, Environmental Project Lead, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon, 97208-3621, phone number (503) 230-4375, fax number (503) 230-5699.

Issued in Portland, Oregon, on September 1, 1998.

/s/ Jack Robertson
Jack Robertson
Acting Administrator and
Chief Executive Officer

bcc:

Adm. Chron. File - A-7

Official File - ECN (EQ-14-5 Wyoming Wind Plant)

Katherine P. Fisher:kpf:x4375 08/26/98(-ECN-W:\EQ-14\WYOMING\ROD2.DOC)

**UNITED STATES DEPARTMENT OF ENERGY
BONNEVILLE POWER ADMINISTRATION**

**Agreements to Install Additional Wind Turbines
at the Wyoming Windpower Plant**

Administrator's Record of Decision

Summary

BPA has decided to execute one or more agreements with the SeaWest Corporation of San Diego, California (SeaWest), a wind developer, to install additional turbines at the Wyoming Windpower Plant (Wind Project) in Carbon County, Wyoming. To acquire the electrical output from the additional turbines, BPA may also execute agreements with PacifiCorp, an Oregon corporation, and/or others for interconnection, wheeling, and shaping services. BPA will market the additional output and execute Power Sale Agreements (PSA) with interested customers.

The Bureau of Land Management's (BLM) Kenetech/PacifiCorp Windpower Project Final Environmental Impact Statement (Wind Project EIS) (DOE/EIS-0255) evaluated the potential environmental impacts of various alternatives, including the No Action Alternative, related to the development of the Wind Project. BPA was a cooperating agency, with BLM the lead agency, in preparation of the Wind Project EIS. BPA adopted the Wind Project EIS in its July 1997 Record of Decision (ROD) to execute a Power Purchase Agreement (PPA) for a 15.32-MW share of nominal project capacity from the Wind Project. This ROD is tiered to the July 1997 ROD.

FOR FURTHER INFORMATION CONTACT: Kathy Fisher, Environmental Project Lead, Routing ECP, Bonneville Power Administration, PO Box 3621, Portland, Oregon 97208, telephone (503) 230-4375.

Background

BPA wants to set up a mechanism through which additional turbines can be installed at the Wind Project site. These turbines will help BPA meet customer demand for electricity generated at new wind energy facilities. BPA will execute one or more agreements with SeaWest to install additional turbines at the Wyoming Windpower Plant in Carbon County, Wyoming. BPA may also execute agreements with PacifiCorp and/or others for interconnection, wheeling, and shaping services for the additional Wind Project output. BPA will market the additional electrical output and expects to execute PSAs with interested customers.

To make these decisions regarding additional output from the Wind Project, BPA is relying on the analysis contained in the Wind Project EIS. BPA adopted the Wind Project EIS in its July 1997 ROD. This ROD to execute an agreement to install additional turbines at the Wyoming Windpower Plant is tiered to the July 1997 ROD.

ENVIRONMENTAL REVIEW AND APPROVAL PROCESS

The Wind Project EIS issued by BLM in August 1995 evaluated the potential environmental impacts of various alternatives, including the No Action Alternative, related to the development of the Wind Project. In July 1997, the BLM issued a ROD for the Wind Project that, once approved, allowed the BLM to issue renewable Right-of-Way (ROW) Grants to:

1. SeaWest Energy Land Associates for construction of a 500-MW wind-electric plant;
2. PacifiCorp to construct a 230-kilovolt (kV) power line; and,
3. PacifiCorp for the temporary use of access roads across BLM lands during power line construction.

The BLM ROD outlined the rationale used in reaching its decision to approve the Wind Project and identified mitigation and monitoring requirements to minimize environmental impacts. The ROW Grant issued to SeaWest allowed for the phased construction of the Wind Project as described in a BLM-approved SeaWest Plan of Development (POD). Construction for each grant could begin only upon receipt of a Notice to Proceed (NTP) from the BLM Authorized Officer. Each NTP would only be issued after an acceptable POD had been developed and approved by the BLM. The BLM has issued a NTP for Phase I, approving up to 70.5 MW of wind turbines at Foote Creek Rim. The wind turbines currently being installed could produce 41.4 MW of electricity, leaving an additional 29.1 MW approved for installation without further environmental review.

Subsequent phases may be authorized following submittal of a POD and conclusion of the appropriate National Environmental Policy Act (NEPA) analyses (including full public review) for each phase. BLM RODs would be issued for each additional phase. The turbines being added to support BPA's marketing efforts are included in the Phase I portion of the Wind Project that has already been approved by the BLM.

After review of the Wind Project EIS, other supporting documents, and subsequent RODs, BPA has concluded that no further NEPA documentation is required to market the electricity generated by wind turbines installed under the Phase I portion of the Wind Project. If subsequent phases are approved by the BLM and BPA wishes to market the additional output, BPA will then determine if additional NEPA review is required.

Endangered Species Act (ESA) Section 7 Consultation with the U.S. Fish and Wildlife Service (USFWS)

On July 1, 1997, the USFWS issued a Biological Opinion (BO) for the Wind Project (U.S. Fish and Wildlife Service 1997). The USFWS reached a no jeopardy conclusion with respect to the Wind Project's effect on the endangered American peregrine falcon and the threatened bald eagle. The BO concluded an incidental take of one individual of each species was likely and specified certain terms and conditions to minimize take of the species. The incidental take allowances have not been exceeded and the June 1997 BO is still valid. The BLM will reinitiate formal consultation with the USFWS prior to expansion of the Wind Project beyond the first phase.

The Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BEPA)

The USFWS issued SeaWest a Special Purpose Permit under the MBTA on March 21, 1997. The permit covers the take of migratory birds except for ESA-listed species and golden eagles. This permit is still valid.

Environmental Impact Mitigation and Monitoring

The Wind Project implements a number of measures intended to reduce potential impacts and to evaluate actual impacts during Wind Project operation and before any expansion occurs. These measures include phased development, wildlife monitoring, an Eagle Management Plan, and a Wind Project technical committee.

Phased Development. Wind power development at Foote Creek Rim and Simpson Ridge will occur in phases, with 70.5 MW of wind turbines at Foote Creek Rim being the first phase. SeaWest will be required to submit to the BLM a detailed POD for each subsequent phase. The Wind Project EIS examined potential environmental impacts and identified generalized mitigation measures for all phases. Impacts from each phase will be monitored and results will be used to identify both data collection needs and mitigation actions for subsequent phases. Site-specific mitigation will be identified in future PODs, and the BLM will require additional agency consultation and public involvement before approving a POD.

Wildlife Monitoring. A detailed wildlife monitoring plan has been developed to evaluate the effects of wind energy development in the Wind Project area (TRC Mariah Associates 1996; U.S. Fish and Wildlife Service 1996). The plan includes intensive surveys of species of primary concern (raptors) and relatively extensive surveys of other species of lesser concern (such as non-raptor avian species and big game animals). The technical committee discussed below will assess results of the monitoring.

Eagle Management Plan. On July 1, 1997, PacifiCorp presented an Eagle Management Plan (Plan) for the Wind Project to the USFWS. The Plan was developed in consultation with the USFWS, BLM, and BPA and presents the best available scientific information to date. It provides for extensive monitoring and for Wind Project modification, as additional information becomes available. The Plan contains measures to avoid, to the maximum extent practicable, the take of bald and golden eagles.

Technical Committee. A Wind Project technical committee was established by the BLM to review biological monitoring and study results and to make recommendations on study design and Wind Project operation. The committee meets at least quarterly, and includes representatives from the USFWS, Wyoming Game and Fish Department, and the BLM.

Monitoring and Enforcement

The BLM and BPA have responsibility for monitoring the progress of the Project and ensuring that mitigation measures are taken as appropriate. The BLM responsibilities are detailed in the BLM ROD. BPA's agreements with SeaWest will require that the Wind Project meets all Federal, state, and local requirements, including mitigation identified in the BLM ROD.

Permits

The BLM has issued SeaWest a Right-of-Way (ROW) Grant for construction of a 500-MW wind power facility. Another ROW Grant was issued to PacifiCorp for construction of a 230-kV transmission line. PacifiCorp was also issued a ROW Grant for the temporary use of access roads across public land during transmission line construction.

The Wind Project received permits from the Wyoming Industrial Siting Council, the Wyoming State Land Commission, the Wyoming Public Service Commission, and the Carbon County Planning Commission. The Wind Project is supported by local government entities in Carbon County and by the Governor of Wyoming. The Project is consistent with BLM, state, and local land use plans.

MITIGATION ACTION PLAN: BPA is not including a Mitigation Action Plan with this ROD because the BLM is responsible for enforcement of all mitigation requirements specified in the BLM ROD.

PUBLIC AVAILABILITY: This ROD will be distributed to all persons and agencies known to be interested in or affected by the Proposed Action or alternatives. Additional copies of this ROD and copies of the Wind Project EIS and the July 1997 ROD are available from BPA's Public Involvement Office, P.O. Box 12999, Portland, Oregon 97212. Copies of these documents may also be obtained by using BPA's nationwide toll-free document request line, 1-800-622-4520.

DECISION: Upon consideration of the entire record, BPA has decided to execute one or more agreements with SeaWest to install additional turbines at the Wyoming Wind Plant in Carbon County, Wyoming. BPA will market the electrical output of these turbine additions and expects to execute PSAs with interested customers. BPA may also execute agreements with PacifiCorp and/or others for interconnection, wheeling, and shaping services.

Issued in Portland, Oregon, on September 1, 1998.

/s/ Jack Robertson
Jack Robertson
Acting Administrator and
Chief Executive Officer

REFERENCES

- Bureau of Land Management. 1995a. Draft Environmental Impact Statement: Kenetech/PacifiCorp Windpower Project. Great Divide Resource Area, Rawlins District Office, Rawlins, Wyoming. DES 95-2.
- Bureau of Land Management. 1995b. Final Environmental Impact Statement: Kenetech/PacifiCorp Windpower Project. Great Divide Resource Area, Rawlins District Office, Rawlins, Wyoming. FES 95-29.
- Bureau of Land Management. 1997. Record of Decision: Seawest/PacifiCorp Windpower Project. Great Divide Resource Area, Rawlins District Office, Rawlins, Wyoming.
- PacifiCorp. 1997. Eagle Management Plan: SeaWest/PacifiCorp Windpower Project.
- TRC Mariah Associates, Inc. 1996. Final Biological Assessment for the Wyoming Windpower Project. Prepared for the Bonneville Power Administration.
- TRC Mariah Associates, Inc. 1997. Final SeaWest/PacifiCorp Windfarm Development Comparison. Prepared for the Bureau of Land Management, Rawlins, Wyoming.
- U.S. Fish and Wildlife Service. 1997a. Biological Opinion for SeaWest/PacifiCorp Windpower Project. Issued July 1, 1997. Denver, Colorado.
- U.S. Fish and Wildlife Service. 1997b. Memorandum dated 4/7/97 from Director, U.S. Fish and Wildlife Service to Associate Deputy Secretary for Energy Programs, Department of Energy.