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U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459

ENVIRONMENTAL ASSESSMENT

NUMBER: BLM-CO-120-2009-0065EA

PROJECT NAME: Sprint/Nextel Communication Site at North Cottonwood

LEGAL DESCRIPTION: T. 1 N., R. ~~79-77~~ W., Section 10: SE¼

KREMMLING FIELD OFFICE, KREMMLING, COLORADO

CASEFILE/PROJECT NUMBER: COC-73902

APPLICANT: Sprint Spectrum LP

PURPOSE AND NEED FOR THE ACTION:

Sprint Spectrum, LP (Sprint/Nextel) is seeking a communication site in Grand County to serve the traveling public along U.S. Highway 40 as well as the residents and visitors to the surrounding area. Sprint/Nextel has identified this location as the least obtrusive means to provide wireless coverage to their customers. At the current time, Verizon wireless and Union Telephone are the major companies serving the area.

Background/Introduction/Issues and Concerns: There is an existing communication site with three leases at the North Cottonwood Communication site. Existing Leases have been issued to Tri-State Generation and Transmission Assoc., David Andrews and Verizon Wireless. A Communication Site Plan has just recently been written and will be amended with this new use. Before writing the site plan, the author met with a Sprint representative to determine the best location and possibilities for co-location.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action: Sprint Spectrum, LP (Sprint/Nextel) has applied for a communication lease for the North Cottonwood Communication site. Sprint would co-locate on the Verizon tower which is 130 feet high. There would be up to 12 panel antennas at approximately 115 feet, and one 4' microwave dish and associated radio/electrical equipment at 50 feet on the existing tower.

~~Mountain Parks Electric would install a second buried line in the same trench as the buried Verizon line. Power is existing through Mountain Parks Electric.~~ The existing enclosed propane

tank is no longer used by Verizon and would be purchased by Sprint/Nextel. The new construction would be a new 6' high chain link fence between the propane tank and the generator, a new generator on a concrete pad which will be poured from the existing pad to the edge of the site (total of 50 feet of concrete), a new 10'X10' equipment platform, a new microwave cabinet on a concrete pad, a new H-frame with equipment on the same concrete pad and a new waveguide bridge to the tower. The entire width of their facilities (excluding the waveguide bridge) is 14 feet.

It would take approximately one month to complete construction. The access road is through private property easements until reaching public land where there is an existing access road created to access the site.

Design Features of the Proposed Action:

No Action Alternative: The No Action Alternative would be to deny the application for a communication lease. Sprint/Nextel would probably try to find an alternate site to compete for the communication business in the county. If this alternate site was proposed for public land, the proposal would be against the BLM's co-location policy.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: II-B-12 pg.14

Decision Language: Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

CULTURAL RESOURCES

~~—— Affected Environment: The project area was surveyed in 1998 for the communication site and no cultural resources were located. The proposed action lies within the area originally inventoried with no effect.~~

~~—— Environmental Consequences: The proposed action is a no effect, there are no historic properties that would be affected.~~

~~Mitigation: No mitigation is necessary.~~

See Appendix 1

~~—— Finding on the Public Land Health Standard for Threatened & Endangered species: None.~~

CUMULATIVE IMPACTS SUMMARY:

The area considered for analyzing the incremental effect of the Proposed Action when added to other past, present, and reasonably foreseeable future actions is the North Cottonwood Communication Site. While the boundaries for cumulative impact analysis will vary for different resources and activities, this area was considered appropriate for all resources and uses.

In regards to past actions, there are two towers and three buildings at this communication site along with a propane tank. Electric lines come up the side of the mountain for power to these facilities

In regards to present and future actions, the Proposed Action would add an additional building and propane tank but would use an existing tower. A communication plan has been written for this site with such things as color and tower height stipulations. If more applications come in for this site, BLM regulations are in place via the plan to control the types of construction and use.

The direct and indirect impacts that would result from the Proposed Action would be minimal due to the existing ground disturbance and facilities at this site. Thus, there would be no cumulative impacts as a result of the Proposed Action.

PERSONS / AGENCIES CONSULTED: See Appendix 2 for Tribal List. / Verizon Wireless / The proposed project was listed on the Kremmling Field Office internet NEPA register and NEPA public room board.

INTERDISCIPLINARY REVIEW: See IDT-RRC in Appendix 1.

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Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

DECISION RECORD

DECISION: It is my decision to authorize the Proposed Action as described in the attached EA.

RATIONALE: The decision to grant Sprint/Nextel communication site facilities was based upon a thorough analysis by the BLM Interdisciplinary Team. The Proposed Action is in conformance with the Kremmling Resource Management Plan which directs the BLM provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns. The growth in Grand County has increased the need for additional vendors for cell service. BLM's authorization to grant Sprint/Nextel a communication lease will help meet this local need.

MITIGATION MEASURES: None

COMPLIANCE/MONITORING: The right-of-way will be inspected and monitored periodically during terms of the grant to ensure compliance with the terms and conditions of the grant. The right-of-way will also be inspected after any maintenance activities to determine compliance with and effectiveness of reclamation measures.

NAME OF PREPARER: Susan Cassel

NAME OF ENVIRONMENTAL COORDINATOR: Peter McFadden

DATE: 10/15/09

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Peter McFadden

DATE SIGNED:
10/15/09

APPENDICES:

Appendix 1 – Interdisciplinary Team Analysis Review Record and Checklist
Appendix 2 – Native American Tribal List

ATTACHMENTS:

Stipulations

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Appendix 1

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: Sprint/Nextel Communication site
Project Leader: Susan Cassel
Date Proposal Received: July 8, 2009
Date Submitted for Comment: 8/28/09
Due Date for Comments: 10/1/09

Need for a field Exam: 8/5/09

Scoping Needs/Interested or Affected Publics: Verizon Wireless to share tower

Consultation/Permit Requirements:

Consultation	Date Initiated	Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO	10/2/2009	10/2/2009	BBW	The proposed action is a no effect, no historic properties would be affected.
Native American	<u>10/13/09</u>	<u>10/13/09</u>	<u>BBW</u>	<u>The proposed action is within the previous footprint of the last action.</u>
T&E Species/FWS	N/A	N/A	MM	
Permits Needed (i.e. Air or Water)	N/A	N/A	PB	

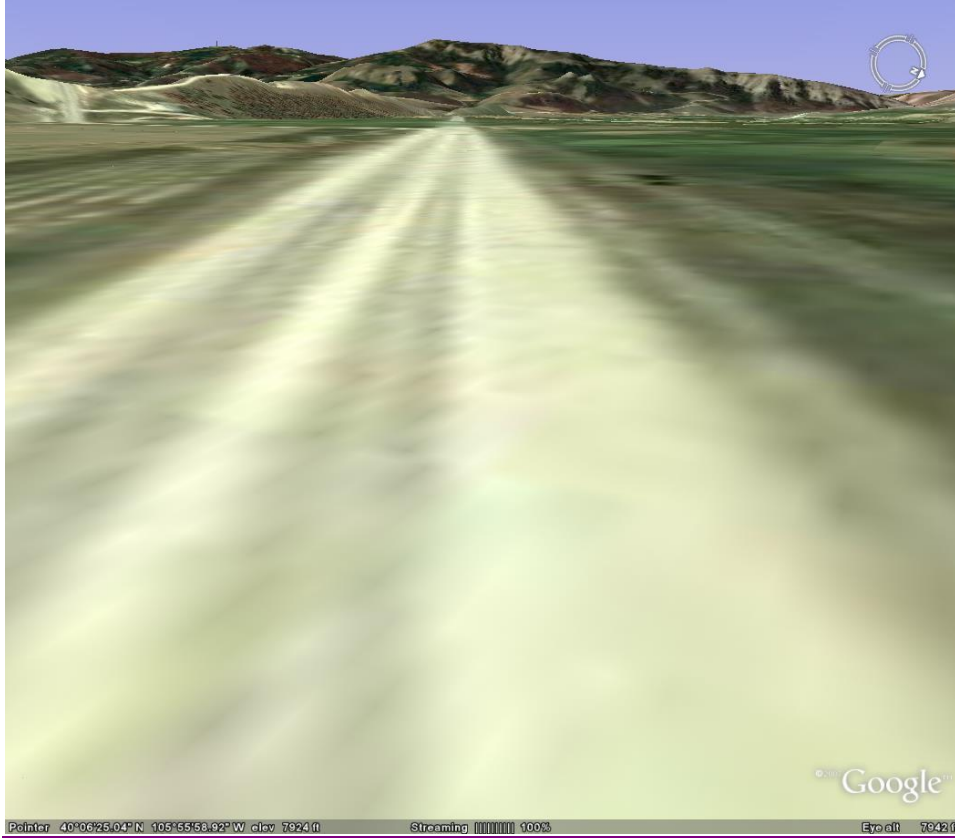
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(NP) = Not Present
 (NI) = Resource/Use Present but Not Impacted
 (PI) = Potentially Impacted and Brought Forward for Analysis.

NP NI PI	Discipline/Name	Date Review Comp.	Initials	Review Comments (required for Critical Element NIs, and for elements that require a finding but are not carried forward for analysis.)
CRITICAL ELEMENTS				
NI	Air Quality Belcher	9/09/09	PB	The proposed construction would not impact air quality.
NP	Areas of Critical Environmental Concern Cassel	9/25/09	SC	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
NP	Cultural Resources Wyatt	10/2/09	BBW	The proposed action is a no effect, no historic properties would be affected.
NP	Environmental Justice Cassel	9/25/09	SC	According to the most recent Census Bureau statistics (2000), there are no minority or low income communities within the Kremmling Planning Area.
NP	Farmlands, Prime and Unique Belcher	9/09/09	PB	There are no farmlands, prime or unique, in the proximity of the proposed project area.

NP	Floodplains	Belcher	9/09/09	PB	The Proposed Action is in an upland area that would not impact the floodplain.
NI	Invasive, Non-native Species	Johnson Torma Hughes	9/23/09	RJ	The Proposed Action would not effect invasive, non-native species
NI	Migratory Birds	McGuire	10/1/09	MM	The Proposed Action involves very little new construction within an existing communication site. The Proposed Action would not impact migratory birds.
<u>NI</u>	Native American Religious Concerns	Wyatt	<u>10/13/09</u>	<u>BBW</u>	<u>The proposed action is within the previous footprint of the last action.</u>
NI	T/E, and Sensitive Species (Finding on Standard 4)	McGuire	10/1/09	MM	The Proposed Action involves very little new construction within an existing communication site. The Proposed Action would not impact T/E, or sensitive species.
NP	Wastes, Hazardous and Solid	Hodgson	9/21/09	KH	There are no quantities of wastes, hazardous or solid, located on BLM-administered lands in the proposed project area, and there would be no wastes generated as a result of the Proposed Action or No Action alternative.
NI	Water Quality, Surface and Ground (Finding on Standard 5)	Belcher	9/09/09	PB	The Proposed Action involves very little new construction on an existing cleared communication site in the uplands. No impacts to surface or ground water quality.
NP	Wetlands & Riparian Zones (Finding on Standard 2)	Belcher	9/09/09	PB	The Proposed Action is in an upland area and would not impact any wetland or riparian zone.
NP	Wild and Scenic Rivers	Windor	<u>10/07/09</u>	<u>AW</u>	There are no eligible Wild and Scenic River segments in the proposed project area.
NP	Wilderness	Monkouski	<u>10/13/09</u>	<u>JM</u>	There is no designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.
NON-CRITICAL ELEMENTS (A finding must be made for these elements)					
NI	Soils (Finding on Standard 1)	Belcher	9/09/09	PB	The 2 small pads and fence construction will occur on an existing communication site. Soil disturbances will be small and confined to a previously disturbed area.
NI	Vegetation (Finding on Standard 3)	Johnson Torma	9/23/09	RJ	The Proposed Action would have no impact on the vegetation.
NP	Wildlife, Aquatic (Finding on Standard 3)	McGuire	10/1/09	MM	There are no aquatic wildlife present within the area impacted by the Proposed Action.
NI	Wildlife, Terrestrial (Finding on Standard 3)	McGuire	10/1/09	MM	The Proposed Action involves very little new construction within an existing communication site. The Proposed Action would not impact terrestrial wildlife.
OTHER NON-CRITICAL ELEMENTS					
<u>NP</u>	Access/Transportation	Monkouski	<u>10/13/09</u>	<u>JM</u>	<u>Access is through private easement.</u>
NI	Forest Management	K. Belcher	9/23/09	KB	No impact to Forest Resources as a result of implementing the Proposed Action or No Action Alternative.
NI	Geology and Minerals	Hodgson	9/21/09	KH	No impact.
NI	Fire	Wyatt	10/2/09	BBW	Work will be confined to a previously disturbed area. All welding
NP	Hydrology/Water Rights	Belcher	9/09/09	PB	There are no impacts to private or public water rights, and there are no identified hydrologic concerns.
NP	Paleontology	Rupp	9/8/2009	FGR	The project is near sensitive geologic

					formations, but is built on Old Gravels.
NP	Noise	Monkouski	10/13/09	JM	N/A
NI	Range Management	Johnson Torma	9/23/09	RJ	There would be no impact to livestock grazing with implementation of the Proposed Action.
NI	Lands/ Realty Authorizations	Cassel	9/25/09	SC	There are no leases or permits in the location of the proposed action. There are communication leases to Tri-State, Verizon and David Andrews and a right-of-way to Mountain Parks Electric. Verizon would share a tower with the proponent. The other lessees will not be affected by the proposed action. Mountain Parks would provide power to the proponent.
NP	Recreation	Monkouski Windsor	10/13/09	JM	All access is through private easements so no recreation occurs except from surrounding private landowners.
NI	Socio-Economics	Cassel	9/25/09	SC	Socio-Economics would be impacted in the fact that another vendor would be available to the public for cell service. This may impact the current vendors.
NI	Visual Resources	Windsor Cassel	10/13/09	SC	This is in a Class II area for visual resources. Although there is some visibility of the tower from the major highways, the proposed action is to use to existing tower, so the visual intrusion will not change. See attached simulation.
NI	Cumulative Impact Summary		10/6/09	SC	See Analysis
FINAL REVIEW					
	P&E Coordinator	McFadden			



Appendix 2

NATIVE AMERICAN TRIBES CONTACTED:

Ivan Posey, Chairman
Shoshone Business Council
Shoshone Tribe
P O Box 538
Ft. Washakie, WY 82514

Mr. Norman Tidzump
Tribal Historic Preservation Officer
Shoshone Tribe, Cultural Center
P.O. Box 538
Fort Washakie, WY 82514

Ernest House, Sr., Chairman
Ute Mountain Ute Tribe
P O Box JJ
Towaoc, CO 81334

Mr. Terry Knight, Sr., NAGPRA Representative
Ute Mountain Ute Tribe
P O Box 468
Towaoc, CO 81334

Harvey Spoonhunter, Chairman
Northern Arapaho Business Council
P O Box 328
Fort Washakie, WY 82514

THPO Director
Northern Arapaho Tribe
P O Box 396
Fort Washakie, WY 82514

Ernest House, Jr., Executive Secretary
Colorado Commissioner of Indian Affairs
130 State Capitol
Denver, Colorado 80203

Robert Goggles, NAGPRA Representative
Northern Arapaho Tribe
328 Seventeen Mile Road
Arapaho, WY 82510

Mathew Box, Chairman
Southern Ute Indian Tribe
P O Box 737
Ignacio, CO 81137

Neil Cloud, NAGPRA Representative
Southern Ute Tribe
Mail Stop #73
Ignacio, CO 81137

Curtis Cesspooch, Chairman
Uintah & Ouray Tribal Business Committee
P O Box 190
Ft. Duchesne, UT 84026

Betsy Chapoose, Director
Cultural Rights & Protection Specialist
Uintah & Ouray Tribe
P O Box 190
Fort Duchesne, UT 84026

~~October 27, 2009~~ ~~October 15, 2009~~

EXHIBIT "B"

STIPULATIONS
FOR
SPRINT/NEXTEL
NORTH COTTONWOOD COMMUNICATION SITE
COC-73902

- 1) The holder shall contact the authorized officer at least five (5) days prior to the anticipated start of construction and/or any surface disturbing activities. The authorized officer may require and schedule a preconstruction conference with the holder prior to the holder's commencing construction and/or surface disturbing activities on the right-of-way. The holder and/or his/her representative shall attend this conference. The holder's contractor, or agents involved with construction and/or any surface disturbing activities associated with the right-of-way, shall also attend this conference to review the stipulations of the grant.
- 2) The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.
- 3) Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer
- 4) The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
- 5) The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer for acceptable weed control methods (within limits imposed in the grant stipulations). All equipment shall be washed for unwanted plant material prior to any construction activities on BLM lands.

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- 6) Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Use of pesticides shall be approved in writing by the authorized officer prior to such use.
- 7) The holder shall seed all disturbed areas, using an agreed upon method suitable for the location if necessary. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the second growing season.
- 8) The Permittee shall not construct new roads for tower site access. All road construction/maintenance activity will follow existing roads. No road traffic will be allowed during wet conditions. Reseeding is required in areas where vegetation was disturbed or removed.
- 9) Diesel fuel and any hazardous materials stored on site will need to be contained in an OSHA approved flammable storage cabinet capable of containing any spills.
- 10) The holder is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for disturbing historic or archaeological sites, or for collecting artifacts.
- 11) The holder shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The holder shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the holder shall bear the cost of the services of a non-Federal professional.

Within five working days the Authorized Officer will inform the holder as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,

- A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.

If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume

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responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the holder will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the holder will then be allowed to resume construction.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the holder's cost.

- 12) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
- 13) All above-ground structures not subject to safety requirements shall be painted by the holder to blend with the natural color of the landscape. The paint used shall be a color which simulates "Standard Environmental Colors" designated by the Rocky Mountain Five-State Interagency Committee. The color selected for this site is non-reflective flat base paint Carlsbad Canyon.
- 14) Upon completion of construction, the holder shall post as directed by the authorized officer, the Bureau serial number assigned to this right-of-way grant to any building.
- 15) Lessee will have the right to terminate this lease upon 180 days written notice to authorized officer.
- 16) One month prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection shall be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities and equipment, drainage structures, or surface material, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

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