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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: DOI-BLM-120-2011-0013-EA

PROJECT NAME: Mountain Parks Electric, Inc. Owl Creek Re-Build

LEGAL DESCRIPTION: 6th PM., T. 8 N., R. 78 W., Sections 19 and 20

KREMMLING FIELD OFFICE, KREMMLING, COLORADO

CASEFILE/PROJECT NUMBER: COC-74657

APPLICANT: Mountain Parks Electric Inc., Colorado

PURPOSE AND NEED FOR THE ACTION: Mountain Parks Electric Inc. has applied for a right-of-way (ROW) to convert an existing single phase power line to a three phase overhead power line. This line is part of the existing power line ROW, COC-8482, which is pre-FLPMA and cannot be amended.

Background/Introduction/Issues and Concerns: Mountain Parks Electric Inc. currently has a ROW for an overhead power line. This line needs to be upgraded for reliability for 144 existing customers and for the possible increase of customers in the future.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action: Mountain Parks Electric, Inc. (MPEI) is proposing to convert an existing single phase overhead power line to a three phase overhead power line. The total length of the project is about 6,900 feet, with about 2,800 feet on BLM administered land and 4,100 feet on private property.

There are several existing access points for construction from established roads. MPEI is requesting an increase in width to 100 feet in order to cover guys and anchors and to have access to the line for maintenance. There is an existing disturbed area on BLM administered lands near the north end of the project that MPEI proposes for a 100 foot by 100 foot staging area for equipment if necessary. MPEI plans to construct the power line during the fall of 2011.

Design Features of the Proposed Action:

- The BLM would inspect disturbed areas for noxious weeds during the two growing seasons after the project is completed. If noxious weeds are found, it would be the responsibility Mountain Parks Electric to treat the weed infestations.

- The proposed electric distribution line would be constructed to specifications which would assure large birds such as golden eagles cannot be electrocuted. Refer to “Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006,” Avian Power Line Interaction Committee, 2006 pp. 66-76.

- If vegetation is removed, then a mulch is recommended to protect the soil surface from wind erosion.

- While in use, each internal combustion engine including tractors, trucks, dozers, welders, generators, stationary engines, or comparable powered equipment would be provided with at least the following:
 - a) One fire extinguisher, at least #ABC with an Underwriters Laboratory (UL) rating of 3A-40BC, or greater. Extinguisher shall be mounted so as to be readily available for use (not locked in a tool box or chained to a seat, for example).
 - b) One shovel, sharp, round-pointed with an overall length of at least 48 inches.
 - c) One axe, sharp, double bit 3.#, or one sharp pulaski.

- A qualified paleontological monitor would be present during 100 percent of all ground disturbing activities which contain PFYC Class 3, 4 and 5 areas. Only spot checks need to occur on PFYC Class 3 areas.

No Action Alternative: The No Action Alternative would be to deny Mountain Parks Electric a ROW to rebuild an existing power line. Electric power for 144 existing customers and for any future customers could be compromised.

CONFORMANCE WITH LAND USE PLAN AND OTHER LAWS, REGULATIONS, AND POLICIES:

The Proposed Action is in conformance with the Record of Decision for the Kremmling Resource Management Plan approved in 1984 and updated in 1999, and with the land use plan terms and conditions as required by 43 CFR 1610.5-3(a). The Kremmling RMP analyzed the impacts of grazing.

This Environmental Analysis fulfills the 1969 National Environmental Policy Act (NEPA) requirement for site-specific analysis. The Proposed Action is in accordance with the following laws and/or regulations, other plans, and is consistent with Federal, State, and local laws, regulations:

- Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.)
- Endangered Species Act of 1973 as amended
- Clean Water Act Section 303d
- Section 106 of the National Historic Preservation Act of 1966 as amended
- National Environmental Policy Act of 1969
- Fish and Wildlife Improvement Act of 1978
- Executive Order 13186 – Responsibilities of Federal Agencies to Protect Migratory Birds

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

MIGRATORY BIRDS

Affected Environment: The project would be constructed in sagebrush steppe habitat which supports a variety of migratory bird species. Some of the more common species include Brewer's sparrows, sage sparrows, common nighthawks, green-tailed towhees, sage thrashers, mountain bluebirds, golden eagles, bald eagles, and red-tail hawks.

Environmental Consequences, Proposed Action: The project could be hazardous to migratory birds since the power lines and guy wires would be obstacles to birds in flight causing direct impacts such as injury and mortality if collisions occur. Large birds, such as golden eagles, could be electrocuted if phase conductor separation is not adequate to safely accommodate their wingspan. However, birds which inhabit the project area have likely become accustomed to the existing power line since no bird mortalities have been reported. Since the power line would be replacing an existing line and not adding another obstacle to birds in flight, there would be a low risk of direct or indirect impacts to migratory birds.

Environmental Consequences, No Action Alternative: The No Action Alternative would maintain existing conditions for migratory birds in the project area since no upgrade of the line would be constructed.

Mitigation Measures: None

THREATENED, ENDANGERED, AND SENSITIVE SPECIES

Affected Environment: There are no threatened or endangered species or habitats for such species present within the proposed project area.

Greater sage-grouse, a BLM designated Sensitive Species and federal candidate, likely reside in the proposed project area. Two active strutting grounds or leks are located within four miles of the power line, thus sage-grouse are likely nesting and raising young in and adjacent to the project area. The area has also been identified as core habitat for sage grouse by the Colorado Division of Wildlife.

Environmental Consequences, Proposed Action: The Proposed Action would provide perching habitat for golden eagles, a bird of prey which preys on sage-grouse. Male sage-grouse are especially vulnerable to eagle predation during the breeding season when grouse display on the strutting grounds. However, since the lek sites are more than two miles from the power line, predation on the leks by eagles perching on the line would not likely occur. In addition to perching sites for eagles, power distribution lines can be obstacles to sage-grouse in flight with injury or death resulting from collisions with lines or poles.

Sage-grouse inhabiting the project area are likely accustomed to the existing power line which would be replaced if the Proposed Action is approved. Sage-grouse mortality or injury occurrence as a result of the project would be low to none since an additional electric line would not be added to the area.

Environmental Consequences, No Action Alternative: The No Action Alternative would not affect threatened, endangered, and sensitive species in the project area since no upgrade of the line would be constructed.

Mitigation Measures: None.

WATER QUALITY, SURFACE AND GROUND

Affected Environment: The Proposed Action is located within the Michigan River 5th order watershed, within the Upper North Platte River Basin. The Michigan River is classified for water supply, agriculture, and class 1 coldwater aquatic life uses. It is considered to be fully supporting these uses and has no identified water quality concerns.

Environmental Consequences, Proposed Action: The Proposed Action is located on a flat bench overlooking the Michigan River. Soils in the area are mapped as loams to sandy loams with

good permeability. Due to the flat terrain and sandy soils, it is unlikely that much runoff leaves the bench. If cross country travel and construction work did increase soil loss, and any runoff did transport this sediment load down to the Michigan River's floodplain, the Cleveland irrigation ditch and/or the floodplain itself would intercept the sediment load. It is very unlikely that any sediment from the construction on public lands would reach the Michigan River. The Proposed Action would not affect ground water quality.

Environmental Consequences, No Action Alternative: Under the No Action Alternative, the existing power line would remain and the new construction would not occur. The potential impacts from maintenance and repair traffic would not impact water quality.

Mitigation Measures: None

SOILS

Affected Environment: Soil information is from the Jackson County Soil Survey. In general, soils in the area consist of Bosler sandy loams, and Moset loams. The soils have good permeability and a fair to good tolerance of erosion without affecting soil fertility. The soils are not very erodible by water, but are very susceptible to wind erosion.

Environmental Consequences, Proposed Action: The Proposed Action is located within the existing power line ROW, where soils have been disturbed by the adjacent highway construction, the power line, and a ranch road. It is desirable for minimizing soil impacts to rebuild the existing line rather than construct a new line in previously undisturbed soils. Cross country travel would not require surface blading, leaving vegetation and vegetative debris to help protect the soil from wind erosion. All construction work is done during dry soil conditions, minimizing soil compaction and rutting from vehicle traffic. If there are areas where vegetation is removed, then a mulch is recommended to protect the soil surface from wind erosion.

Environmental Consequences, No Action Alternative: There are no new impacts to soils under the No Action Alternative. Except for the proposed construction period, both alternatives would have similar maintenance and repair vehicle traffic, with similar soil impacts.

Mitigation Measures: None

VEGETATION

Affected Environment: Proposed Action is located within grazing allotment 07094 (Leatherman Place). It consists mostly with a mixture of sagebrush with an understory of grasses and forbs. Prominent grasses include bluebunch wheatgrass (*Pseudoroegneria spicata*), western wheatgrass (*Pascopyrum smithii*), bluegrasses (*Poa* spp), fescues (*Festuca* spp), pine needlegrass (*Achnatherum pinetorum*), Indian ricegrass (*Achnatherum hymenoides*), and bottlebrush squirreltail (*Elymus elymoides*). Forbs include wild buckwheat (*Eriogonim* spp), daisies (*Erigeron* spp), phlox (*Phlox* spp), pussytoes (*Antennaria* spp), and beard tongues (*Penstemon* spp).

Environmental Consequences, Proposed Action: The Proposed Action would use an existing disturbed area and right-of-way. These areas would be expected to re-vegetate with the proposed reclamation seeding mix (see Attachment 2).

Environmental Consequences, No Action Alternative: The No Action Alternative would not affect vegetation since no new construction would occur.

Mitigation Measures: None

SOCIAL ECONOMICS:

Affected Environment: The existing line is old enough that in Mountain Park Electric's view, it is unreliable and the cost to replace it would outweigh the maintenance costs. This line serves 144 community members and could serve many more future residents if the population increased.

Environmental Consequences, Proposed Action: There would be a positive impact to the community and the company with upgraded infrastructure. Maintenance time would diminish with a new power line.

Environmental Consequences, No Action Alternative: There could be a negative impact to the company if maintenance becomes an issue on old power lines. The community would have unreliable services which could pose a safety hazard.

CUMULATIVE IMPACTS SUMMARY: For the purpose of this EA, the general geographic area for cumulative impact analysis is south of Walden, Colorado approximately eight miles along the east side of Colorado Hwy 14 E.

The time line for the cumulative impact analysis is 30 years based on the term of the ROW grant.

Past, Present, and Reasonably Foreseeable Action:

In the past, the infrastructure of an overhead power line, buried telephone line and a county road were granted across BLM administered lands. The two utility lines are becoming older and new technology creates the need for replacement to ensure service is not compromised.

In the present and future actions, the Proposed Action would add cross arms to poles, and two additional wires. With the increase in population, better infrastructure needs to be constructed. The visual impact would be minimal because the line already exists. The new wildlife friendly design for power poles would alleviate injury and mortality to eagles and sage grouse.

The No Action Alternative could have cumulative impacts to MPE's customers if the electrical power was disrupted. Also wildlife could be at a disadvantage without the new wildlife friendly design for power poles.

PERSONS / AGENCIES CONSULTED: See Appendix 2 for Tribal List.

INTERDISCIPLINARY REVIEW: See IDT-RRC in Appendix 1.

APPENDICES:

Appendix 1 – Interdisciplinary Team Analysis Review Record and Checklist

Appendix 2 – Native American Tribal List

ATTACHMENTS:

- 1) Stipulations
- 2) Seed list

**Finding of No Significant Impact and Decision Record
Bureau of Land Management
Kremmling Field Office**

Environmental Assessment DOI-BLM-LLCON02000-2011-0013-EA

Case File No. COC- 74657

Proposed Action Title/Type: Owl Creek Rebuild

Applicant/Proponent: Mountain Parks Electric, Inc.

Location of Proposed Action: 6th P.M., T. 8N., R. 78W.
Section 19: NENENE
Section 20: NWNW;SWNW;NESW

Jackson County, Colorado

USGS Topographical Map: Gould

Conformance with Applicable Land Use Plan:

These plans have been reviewed to determine if the proposed action conforms to the land use plan terms and conditions as required by 43 CFR 1610.5. This proposed action is in conformance with the following land use plans:

Name of Plan:	Kremmling Resource Management Plan	Date Approved:	1999
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BACKGROUND

The Kremmling Field Office of the Bureau of Land Management (BLM) is proposing to grant a Right-of-Way to Mountain Parks Electric. This is an existing one phase power line that will be rebuilt as a three phase power line.

Finding of No Significant Impact

The Kremmling Field Office interdisciplinary review and analysis determined that the proposed action would not trigger significant impacts on the environment based on criteria established by regulations, policy and analysis.

I have reviewed the above mentioned NEPA compliance document (EA). I have determined that the proposed action and the alternatives are in conformance with the Kremmling Resource Management Plan, 1999.

I have determined, based on the analysis in DOI-BLM-LLCON02000-2011-0013-EA that this is not an action that would significantly affect the quality of the human environment and, therefore, an Environmental Impact Statement is not required. This determination is based

on the rationale that the significance criteria, as defined by the Council on Environmental Quality (CEQ) (40 CFR 1508.27) have not been met.

The following rationale was used to determine that significant impacts were not present for each criteria mentioned in Title 40 CFR 1508.27:

1. *Beneficial and adverse impacts.*
The upgrade of the power line would benefit the community in Jackson County with securing continued electric service to customers. Also the line would be upgraded with wildlife friendly equipment.
2. *The degree to which the proposed action affects public health or safety.*
The proposed action would affect public health and safety with better reliable electricity.
3. *Unique characteristics of the geographic area.*
There are no unique characteristics in this area.
4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*
There should be no effect on the quality of the human environment which would be highly controversial.
5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*
There should be no possible effects on the human environment which are highly uncertain or involve unique or unknown risks.
6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*
The proposed action should not establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*
This action is not related to other actions with individually insignificant but cumulatively significant impacts.
8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*
The proposed action would not adversely affect any districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Kremmling Field Office
2103 E. Park Avenue
Kremmling, CO 80459
www.blm.gov/co/kremmling

Owl Creek Rebuild Decision Record September, 2011

1.0 Introduction and Background

Mountain Parks Electric Inc. currently has a ROW for an overhead power line. This line needs to be upgraded for reliability for 144 existing customers and for the potential increase of future customers.

2.0 Decision and Rationale

2.1 Alternatives Considered but not Selected

Under the No Action alternative, the power line would not be upgraded. The reliability of power would be compromised.

2.2 Decision and Rationale

Based on information in the EA, the project record, and consultation with my staff, I have decided to proceed with the proposed action as described in the EA. The project is not expected to adversely impact any resources. The proposed action would provide consistent electric power to customers in this area.

3.0 Consultation and Coordination

No special status animal or plant species (or their habitat) were found; therefore, consultation with USFWS is not necessary.

Tribal consultation was initiated on 11-5-10 and completed on 06-29-11.

4.0 Public Involvement

The EA will be available for a formal 30-day public comment period as posted on the Kremmling Field Office's internet website.

5.0 Plan Consistency

Based on information in the EA, the project record, and recommendations from BLM specialists, I conclude that this decision is consistent with the 1999 Kremmling RMP and the Federal Land Policy Management Act (FLPMA).

6.0 Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's (Kremmling Field Office) internet website.

Dave Stout
Manager, Kremmling Field Office

Date

Appendix 1

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: MPEI-Owl Creek Rebuild

Project Leader: Annie Sperandio

Date Proposal Received: (Only for external proposals)

Date Submitted for Comment:

Due Date for Comments:

Need for a field Exam: (If so, schedule a date/time)

Scoping Needs/Interested or Affected Publics: (Identify public scoping needs)

Consultation/Permit Requirements:

Consultation	Date Initiated	Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO	6/22/2010	7/2/2011	B Wyatt	SHPO concurrence was initiated in compliance with the National Historic Preservation Act (NHPA) Section 106 in accordance with the national PA and Colorado Protocol.
Native American	11/5/2010	6/29/2011	B Wyatt	Tribal consultation was initiated under Section 106 of the NHPA.
T&E Species/FWS	N/A	N/A	M. McGuire	
Permits Needed (i.e. Air or Water)	N/A	N/A	PBelcher	

(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	6/24/2011	PB	The Proposed Action will not affect air quality.
NP	Areas of Critical Environmental Concern McGuire	7/28/2011	MM	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
NI	Cultural Resources Wyatt	7/5/2011	BBW	Cultural inventory #CR-11-24 located two historic sites that are not eligible to the NRHP. The proposed action is a no effect, there are no historic properties affected.
NP	Environmental Justice Cassel	8/30/11	SC	According to the most recent Economic Census Bureau statistics (2009), there are minority and low income communities within the Kremmling Planning Area. There would be no

					direct impacts to these populations.
NP	Farmlands, Prime and Unique	Belcher	6/24/2011	PB	There are no prime or unique farmlands within the project area.
NP	Floodplains	Belcher	6/24/2011	PB	The proposed project occurs in the uplands and will not affect the floodplain.
NP	Invasive, Non-native Species	Tibbs Hughes	7/13/2011	ZH	Proposed Action: Currently there are no invasive or noxious species inventoried and or present in the project area. However, soil disturbing activities such as the construction of a 100 by 100 foot staging area may contribute to the introduction of invasive or noxious species. As per the design features, the BLM would monitor the project area for invasive or non -native plants and Mountain Park's Electric would treat as necessary. In addition the attached stipulations provide for adequate prevention and control measures for noxious weed management. No Action Alternative: The natural invasion of noxious weeds would be the only impact to this resource with the No Action Alternative.
PI	Migratory Birds	McGuire	7/28/2011	MM	See analysis.
NP	Native American Religious Concerns	Wyatt	6/29/2011	BBW	To date no American Indian Tribe has identified any area of traditional cultural concern.
PI	T/E, and Sensitive Species (Finding on Standard 4)	McGuire	7/28/2011	MM	See analysis.
NP	Wastes, Hazardous and Solid	Elliott	8/16/11	KE	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.
PI	Water Quality, Surface and Ground (Finding on Standard 5)	Belcher	6/24/2011	PB	See analysis.
NP	Wetlands & Riparian Zones (Finding on Standard 2)	Belcher	6/24/2011	PB	The Proposed Action occurs in the uplands and would not impact any wetlands or riparian areas.
NP	Wild and Scenic Rivers	Schechter	6/27/2011	HS	There are no eligible Wild and Scenic River segments in the proposed project area.
NP	Wilderness	Monkouski	8/16/2011	JJM	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)					
PI	Soils (Finding on Standard 1)	Belcher	6/24/2011	PB	See analysis
PI	Vegetation (Finding on Standard 3)	Tibbs	7/1/2011	NT	See analysis above
NP	Wildlife, Aquatic (Finding on Standard 3)	McGuire	7/28/2011	MM	No aquatic wildlife present in the project area.
NI	Wildlife, Terrestrial (Finding on Standard 3)	McGuire	7/28/2011	MM	The proposed project would not conflict with terrestrial wildlife since habitat disturbance would be minimal and activities would not occur during times of stress for terrestrial wildlife.
OTHER NON-CRITICAL ELEMENTS					
NI	Access/Transportation	Monkouski	8/16/2011	JJM	The proposed action would not restrict existing

					or future access or travel opportunities within the project area. No impacts from the proposed action or no action alternative.
NP	Forest Management	K. Belcher	6/24/2011	KB	No forested ground in the location of the proposed action.
NI	Geology and Minerals	Hodgson	8/16/11	KE	There would be no impact to geology or minerals from the proposed action or no action alternative.
NP	Fire	Wyatt	6/29/2011	BBW	<p>Proposed Action: As per design features, while in use, each internal combustion engine including tractors, trucks, dozers, welders, generators, stationary engines, or comparable powered equipment shall be provided with at least the following:</p> <p>a) One fire extinguisher, at least #ABC with an Underwriters Laboratory (UL) rating of 3A- 40BC, or greater. Extinguisher shall be mounted so as to be readily available for use (not locked in a tool box or chained to a seat, for example).</p> <p>b) One shovel, sharp, round-pointed with an overall length of at least 48 inches.</p> <p>c) One axe, sharp, double bit 3.#, or one sharp pulaski.</p> <p>No Action Alternative: There would be no construction and therefore the threat of wildfire other than from natural causes would not occur.</p>
NI	Hydrology/Water Rights	Belcher	8/12/11	PB	There are no hydrologic impacts from the proposed action, and no public or private water right would be impacted with either alternative.
PI	Paleontology	Wyatt	6/29/2011	BBW	<p>A paleontological report #CR-11-23 was conducted and concluded that geologic formations sensitive for fossil resources are present (Potential Fossil Yield Classification (PFYC) Class 4 or 5), and could be impacted by the proposed project action. A qualified paleontologist <u>should be present</u> during 100 percent of all ground disturbing activities for the entire power line replacement to monitor the PFYC Class 4 and 5 areas and perform spot-checks in PFYC Class 3 areas.</p> <p>BLM standard “discovery” stipulation is part of the environmental assessment and is to be attached to any authorization allowing project to proceed.</p> <p>No Action Alternative: There would be no impact to paleontological resources with the no action alternative since no ground disturbance would occur.</p>
NI	Noise	Monkouski	8/16/2011	JJM	Proposed Action: The proposed action is short term duration in an area with existing noise impacts along Highway 14. No impacts from the proposed action or the no action alternative.
NI	Range Management	Tibbs	7/1/2011	NT	Proposed action would not affect livestock

				grazing as long as gates are closed, and fences are fixed if damaged as per the stipulations attached to this EA.
NI	Lands/ Realty Authorizations Sperandio	8/23/11	AS	There is one ROW for a buried telephone line: COC-23993; one ROW for a road: COC-66657. No impacts would occur in the proposed area from the proposed action or the no action alternative.
NI	Recreation Monkouski Schechter	8/16/2011	JJM	Proposed Action: The proposed action is within the Extensive Recreation Management Area. Current recreational activities within the general area include horseback riding, hunting, camping and recreational OHV use. The proposed action is north of CO Highway 14 within a small amount of BLM-administered lands. Recreational activities primarily occur on the south side of CO Highway 14. With the short term duration of the project there would be no impacts to recreation from the proposed action or the no action alternative.
PI	Socio-Economics Cassel	8/30/2011	SC	See Analysis
NI	Visual Resources Schechter	6/30/11	HS	Proposed Action: The proposed project is in a Visual Resource Inventory (VRI) Class II area. Since the 1984 Resource Management Plan (RMP) did not designate Visual Resource Management (VRM) areas, BLM manages visual resources to protect the VRI by applying management class objectives to the inventory. Objectives for VRM Class II are to retain the existing character of the landscape. Changes to the landscape should be low and should not attract attention. The proposed action is visible from Hwy 14 east; however, it would not attract attention since there is an existing one phase overhead power line. The casual observer would likely not notice the additional two strands of wire. No Action Alternative: The no action alternative would not change the landscape as not ground disturbance would occur.
PI	Cumulative Impact Summary	8/23/2011	AS	See comments.
FINAL REVIEW				
	P&E Coordinator Cassel	10/3/11	SC	

Appendix 2

NATIVE AMERICAN TRIBES CONTACTED:

Colorado Commissioner of Indian Affairs
Attn: Ernest House, Jr., Exec. Sec.
130 State Capitol
Denver, Colorado 80203

Robert Goggles, NAGPRA Rep.
Northern Arapaho Tribe
328 Seventeen Mile Road
Arapaho, Wyoming 82510

Mike LaJeunesse, Chairman
Shoshone Tribe
P O Box 538
Fort Washakie, Wyoming 82514

Neil Cloud, NAGPRA Rep.
Southern Ute Indian Tribe
Mail Stop #73
Ignacio, Colorado 81137

Richard Jenks, Jr., Chairman
Uintah & Ouray Tribal Business Center
P O Box 190
Fort Duchesne, Utah 84026

Terry Knight, Sr., THPO Director
Ute Mountain Ute Tribe
P O Box 468
Towaoc, Colorado 81334

Kim Harjo, Chairman
Northern Arapaho Business Council
P O Box 396
Fort Washakie, Wyoming 82514

Darlene Conrad, THPO Director
Northern Arapaho Tribe
P O Box 396
Fort Washakie, Wyoming 82514

Wilford Ferris
Shoshone Tribe, Cultural Center
P O Box 538
Fort Washakie, Wyoming 82514

Jimmy R. Newton, Chairman
Southern Ute Indian Tribe
P O Box 737
Ignacio, Colorado 81137

Betsy Chapoose, Director
Uintah & Ouray Tribal Business Council
P O Box 190
Fort Duchesne, Utah 84026

Gary Hayes, Chairman
Ute Mountain Ute Tribe
P O Box 189
Towaoc, Colorado 81334

STIPULATIONS
FOR
Mountain Parks Electric
COC-74657
Power Line

Design Features

1. **A qualified paleontologist shall be present during 100 percent of all ground disturbing activities for the entire power line replacement to monitor the PFYC Class 4 and 5 areas and perform spot-checks in PFYC Class 3 areas.**
2. The BLM will inspect disturbed areas noxious weeds for two growing seasons after the project is completed. If noxious weeds are found, it will be the responsibility Mountain Parks Electric to treat the weed infestations.
3. If vegetation is removed, then a mulch should be used to protect the soil surface from wind erosion.
4. The proposed electric distribution line would be constructed to specifications which would assure large birds such as golden eagles cannot be electrocuted. Refer to "Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006," Avian Power Line Interaction Committee, 2006 pp. 66-76.
5. While in use, each internal combustion engine including tractors, trucks, dozers, welders, generators, stationary engines, or comparable powered equipment shall be provided with at least the following:
 - a) One fire extinguisher, at least #ABC with an Underwriters Laboratory (UL) rating of 3A- 40BC, or greater. Extinguisher shall be mounted so as to be readily available for use (not locked in a tool box or chained to a seat, for example).
 - b) One shovel, sharp, round-pointed with an overall length of at least 48 inches.
 - c) One axe, sharp, double bit 3.#, or one sharp pulaski.

Standard Stipulations

6. All new poles and cross arms should be fitted with devices that prevent perching and electrocution. In addition, the USFWS recommends line markers for both the ground wires and guy wires to prevent collisions.
7. To protect Greater sage-grouse from avian predation, any new power distribution poles and cross arms should be constructed with structures which would prevent perching by large avian predators such as golden eagles.

8. The holder shall mulch disturbed areas designated by the authorized officer. The type of mulch shall meet one of the following requirements:
 - (a) Straw used for mulching shall be from oats, wheat, rye, or other approved grain crops, and free from noxious weeds or other objectionable material as determined by the authorized officer. Straw mulch shall be suitable for placing with mulch blower equipment.
 - (b) Hay shall be certified weed free. Hay shall be suitable for placing with mulch blower equipment.
 - (c) Wood cellulose fiber shall be natural or cooked wood cellulose fiber, shall disperse readily in water, and shall be nontoxic. The homogeneous slurry or mixture shall be capable of application with power spray equipment. A colored dye that is non-injurious to plant growth may be used when specified. Wood cellulose fiber shall be packaged in new, labeled containers.
9. All equipment shall be washed for unwanted plant material prior to any activities on BLM lands. If invasive, non-native species do become established or spread, it would be the responsibility of Mountain Parks Electric to notify the BLM of their location.
10. The holder shall seed all disturbed areas, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the second growing season. Seed mix should include salt tolerant plants.
11. The holder shall conduct all activities associated with the operation, and termination of the right-of-way within the authorized limits of the right-of-way.
12. Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer.
13. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
14. 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. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
15. 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.

16. When activity in connection with the right-of-way breaks or destroys a natural barrier used for livestock control, the gap, thus opened, shall be fenced to prevent the drift of livestock. The subject natural barrier shall be identified by the authorized officer and fenced by the holder as per instruction of the authorized officer.
17. 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.
 - (a) 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.
 - (b) 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.
 - (c) 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 responsibility for whatever recordation and stabilization of the exposed materials may be required.

- (d) 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.
 - (e) 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.
 - (f) 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, that are related to the authorization's activities, will be mitigated at the holder's cost.
18. 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.
19. If paleontological materials (fossils) are discovered during right-of-way activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best option for avoiding or mitigating the paleontological site.
20. 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 will be held to agree to an acceptable termination and rehabilitation plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, re-contouring, top-soiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

SUGGESTED SEED MIX* FOR RECLAMATION

Western Wheatgrass	Pascopyrum smithii	6.0 lbs PLS**/acre
Bluebunch Wheatgrass	Pseudoroegneria spicata	6.0 lbs PLS/acre
Slender Wheatgrass	Elymus trachycaulus ssp: trachycaulus	6.0 lbs PLS/acre
Canby bluegrass	Poa canbyii	2.0lbs PLS/acre
Indian ricegrass	Achnatherum hymenoides	<u>4.0 lbs PLS/acre</u>
	TOTAL	24.0 lbs PLS/acre

Seeding rates are for broadcast seeding. If drilled, seeding rates may be halved.

*All seed must be certified weed free

**PLS = pure live seed