

**U.S. Department of the Interior
Bureau of Land Management
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652**

Categorical Exclusion

NEPA LOG NUMBER: DOI-BLM-CO-N040-2014-0067-CX

A. Background

Bureau of Land Management (BLM) Office: Colorado River Valley Field Office

CASEFILE/PROJECT NUMBER: COC048809

PROPOSED ACTION TITLE/TYPE: Authorization to Install a 0.5-inch Zinc Ribbon for AC Mitigation for the Questar 14-inch Main Line 68 Natural Gas Pipeline located on Private and BLM Land Northwest of Rifle, Garfield County, Colorado.

LOCATION OF THE PROPOSED ACTION:

Table 1. Proposed 0.5-inch Zinc Ribbon AC Mitigation		
<i>Serial Number</i>	<i>Description</i>	<i>Legal Description (6th Principal Meridian, Colorado)</i>
COC048809	Questar Mainline 68 Natural Gas Pipeline 0.5-inch Zinc Ribbon AC Mitigation (50-foot wide ROW and 14 miles in length)	T. 4S., R. 94W., sec. 16, NW¼ and S½; sec. 21, All Quarters; sec. 27, NE¼NE¼; T. 5S., R. 93W., sec. 6, Lot 10; sec. 8, S½NE¼; sec. 16, NW¼NW¼.

DESCRIPTION OF PROPOSED ACTION:

The 50-foot wide ROW COC048809 was granted to Garfield Gas Gathering Company to install a 10-inch natural gas pipeline on September 29, 1960 under the BLM WRFO's jurisdiction. The grant was authorized as a perpetual grant under, Sec. 28, Mineral Leasing Act of February 25, 1920 (41 Stat. 449). ROW COC048809 will continue to be under the BLM WRFO's jurisdiction because most of the Mainline 68 natural gas pipeline is within the WRFO planning area boundary. The Proposed Action would result in an amendment to the ROW COC048809.

The CRVFO proposes authorizing the installation of a 0.5-inch zinc ribbon, within the CRVFO Planning Area boundary, to mitigate AC voltage interference created by power lines that parallel the Main Line 68 natural gas pipeline, resulting in corrosion of the pipeline. The authorization would be perpetual and subject to the stipulations contained in the original grant, in addition to the attached stipulations. If there is a conflict, the attached stipulations will supersede the original stipulations.

The ROW COC048809 was assigned to Mountain Fuel Resources, Inc., now known as Questar in 1976. Questar applied for an amendment to the existing right-of-way, for construction and use of a cathodic protection system in 1992 because they determined that the pipeline was creating an electric current resulting in electrolysis and corrosion. The intent of the cathodic station was to provide protection of ferrous metals against electrolysis by the attachment of sacrificial anodes, thus preventing corrosion. In 1995, Questar filed an application to install a new 14-inch pipeline, to be offset 15-feet from the existing pipeline. ROW COC048809 was amended to allow replacement of the existing 10-inch pipeline with a 14-inch pipeline.

The replacement of the 10-inch pipeline was proposed because of the deteriorated condition of the existing pipeline and pipe coating, this also enable Questar to match the existing pipe diameter on either end, to reduce operating costs, and to provide more reliable service. The existing pipeline was purged with an inert gas, capped, and retired in place. However, selected segments of the existing 10-inch line were removed at stream crossings and other locations as required by landowners during the retirement phase of the project. A 50-foot permanent ROW was granted to complete this work.

In 2011, Questar contacted the BLM after performing a physical inspection on a section of their pipeline on BLM which had undergone an internal test showing a possible anomaly. Questar requested authorization to excavate and evaluate the anomaly to determine if remediation measures were needed. Upon further evaluation, Questar determined that 90-feet of the existing pipeline needed to be replaced to assure the integrity of the pipeline system. Since 2011, Questar has performed additional testing and has discovered other anomalies that have since been repaired. Questar has determined that the AC voltage interference from the nearby power lines is causing these anomalies and proposes the ½-inch zinc ribbon as mitigation to dissipate the interference to prevent future anomalies.

The 0.5-inch zinc ribbon would be installed along the entire length of the existing Main Line 68 pipeline. The length of the Main Line 68 pipeline within the CRVFO is approximately 8 miles, with less than 1 mile (approximately 3.8 acres) occurring on BLM land (Figure 1). Temporary and permanent surface disturbance would be limited to the previously disturbed 50-foot ROW. Permanent surface disturbance would be associated with the above ground polarization cell replacements (PCRs) and coupon test stations (CTSs) (Figures 2, 3, and 4). These devices would be installed every 1,000 feet and are approximately 12-inches in diameter and 20-inches in height (Figure 4). The zinc ribbon would alternate sides of the Main Line 68 pipeline to provide the most AC protection depending on distance and angle from the existing AC power lines and to accommodate worker safety (Figures 2 and 3).

Equipment would be stored at Questar's Rifle equipment storage yard. Primary access for the 0.5-inch zinc ribbon installation would be within the existing ROW and no further staging would be required.

The 0.5-inch zinc ribbon would be installed by plowing the ribbon to the desired depth (Figures 5 and 6). A pre-rip plow would be used first to break up any rocks that are encountered and the zinc plow would follow. The zinc ribbon and associated circuits and cable backs would be buried a minimum of 42-inches in depth. Within 25 feet of streams, ditches or in areas of third-party damage threats the zinc ribbon would be buried a minimum of 48-inches in depth. At every 1,000 feet, a pothole would be excavated where the zinc ribbon would be connected to the pipeline with the PCRs. Bores would be used to avoid streams and large trees. Once the zinc ribbon is installed the soil would be tamped over the plow zone and recontoured and seeded (Figure 7).

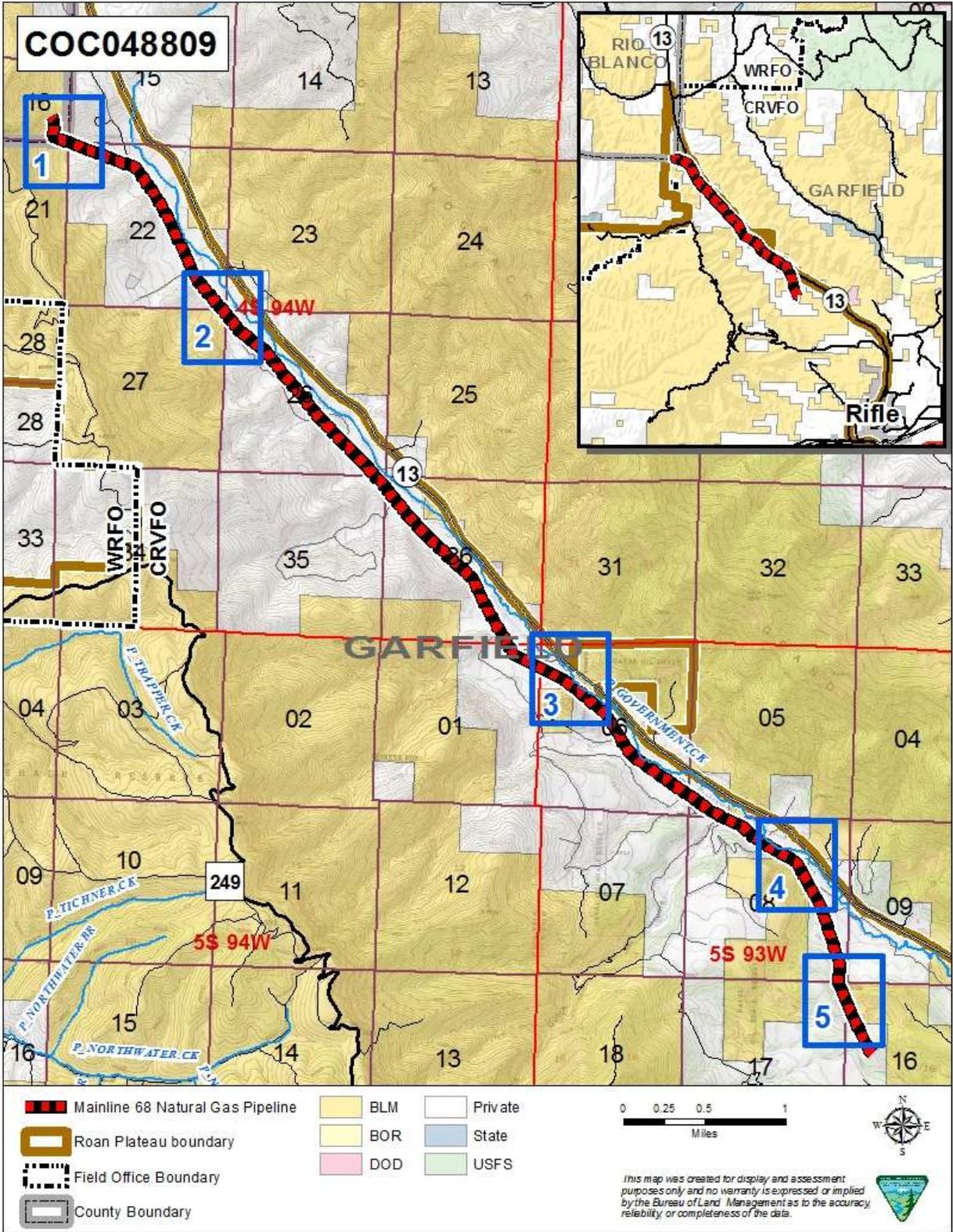
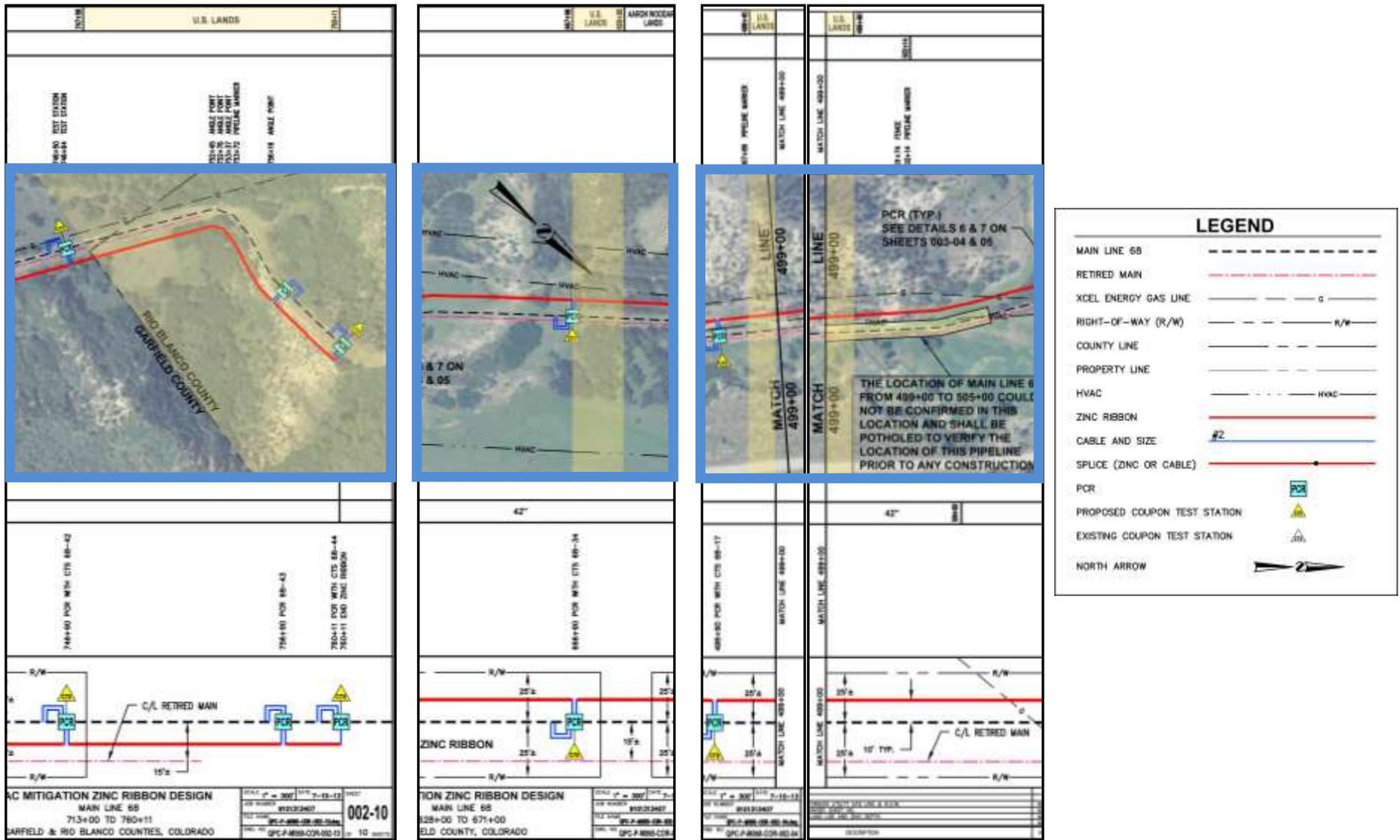


Figure 1. Project Vicinity and Map Key

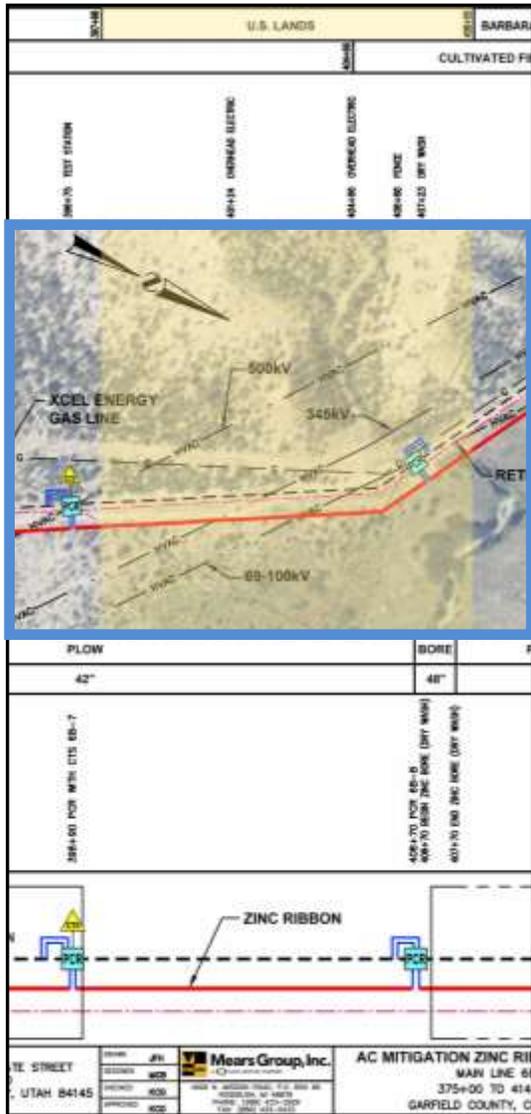


Map 1 – Map Key

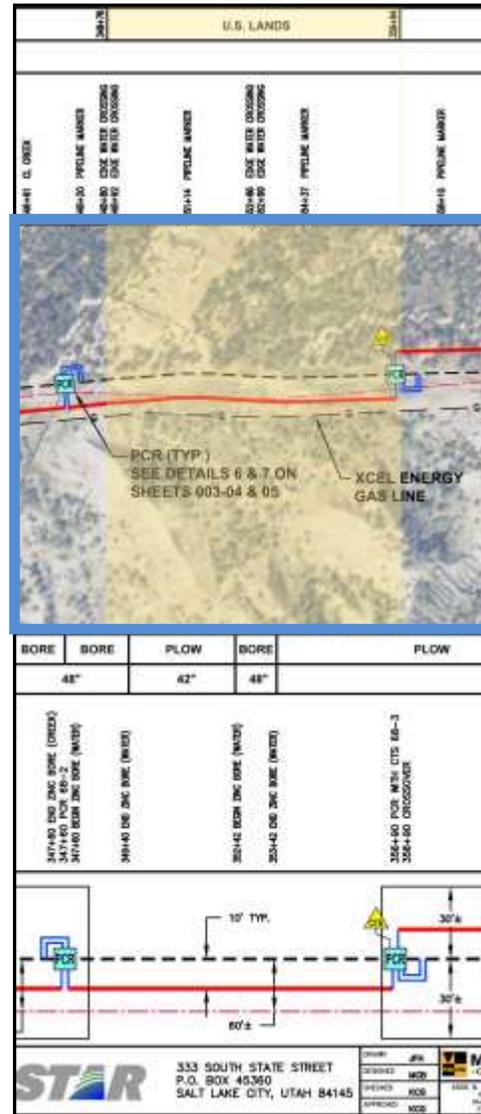
Map 2 – Map Key

Map 3 – Map key

Figure 2. Proposed Action on BLM



Map 4 – Map Key



Map 5 – Map Key



Figure 3. Proposed Action on BLM Continued



Figure 4. Example of a PCR and CTS



Figure 5. Example of Plow



Figure 6. Example of Zinc Ribbon Installation



Figure 7. Example of Completed Installation

B. Land Use Plan Conformance

The Proposed Action is subject to and has been reviewed for and is in conformance with (43 CFR §1610.5 and § 2800, BLM 1617.3) the following plan:

Land Use Plan (LUP) Name: The current land use plan is the *Glenwood Springs Resource Management Plan* (RMP) (BLM 1984, revised 1988). Relevant amendments include the *Oil and Gas Plan Amendment to the Glenwood Springs Resource Management Plan* (BLM 1991) and the *Oil & Gas Leasing & Development Record of Decision and Resource Management Plan Amendment* (BLM 1999).

Date Approved/Amended: *Oil and Gas Plan Amendment to the Glenwood Springs Resource Management Plan* (BLM 1991) – approved November 27, 1991; *Oil & Gas Leasing & Development Record of Decision and Resource Management Plan Amendment* (BLM 1999) – approved March 24, 1999.

Determination of Conformance: The Proposed Action is subject to and has been reviewed for and is in conformance with (43 CFR §1610.5 and § 2800, BLM 1617.3) the following plan:

Name of Plan: Record of Decision and Glenwood Springs Resource Management Plan.

Date Approved: January 1984; revised 1988; amended November 1991 – Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended November 1996 – Colorado Standards and Guidelines; amended in August 1997 – Castle Peak Travel Management Plan; amended in March 1999 - Oil & Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended November 1999 – Red Hill Plan Amendment; and amended September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance.

Decision Number/Page: Page 41, Utility and Communication Facility Management.

Decision Language: To respond, in a timely manner, to requests for utility and communication facility authorizations on public land while considering environmental, social, economic, and interagency concerns.

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E. Realty Numbers:

(9) Renewals and assignments of lease, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

Table 2. Exclusions		Yes	No
1.	Have significant impacts on public health or safety.		X
2.	Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
3.	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
4.	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6.	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X

Interdisciplinary Review: BLM staff from the CRVFO listed in Table 3 participated in the preparation of this CX, including review of resource survey results submitted by the operator’s consultants, evaluation of impacts likely to occur from implementation of the proposed action, and identification of appropriate stipulations.

Table 3. BLM Interdisciplinary Team Authors and Reviewers		
<i>Name</i>	<i>Title</i>	<i>Areas of Participation</i>
John Brogan	Archaeologist	Cultural Resources, Native American Religious Concerns
Allen Crockett, Ph.D., J.D.	Supervisory NRS	NEPA Review
Shauna Kocman, Ph.D., P.E.	Hydrologist	Air Quality, Noise, Soils, Surface Water, Waters of the U.S.
Julie McGrew	Natural Resource Specialist	EA Project Lead, Access & Transportation, Socioeconomics, Wastes-Hazardous or Solid, Visual Resources
Judy Perkins, Ph.D.	Botanist	Invasive Non-native Species, Special-status Species (Plants), Vegetation
Sylvia Ringer	Wildlife Biologist	Migratory Birds, Special-status Species (Animals), Wildlife, Aquatic and Terrestrial

The Proposed Action was presented to the Colorado River Valley Field Office interdisciplinary team on April 16, 2014.

REMARKS/MITIGATION:

Cultural Resources: The CX will not impact cultural resources provided the attached stipulations are adhered to. If the project is situated on lands that have previously been disturbed and no additional

surface disturbance is anticipated, the project is exempt from additional inventory requirements under the provisions of 8110.23B2 and no further work is required.

Native American Religious Concerns: The CX will not impact Native American Religious Concerns provided the proposed stipulations are adhered to.

Threatened or Endangered Species: A survey for Federally listed threatened and endangered plant species and BLM sensitive plant species and noxious weeds of Colorado was conducted by Tetra Tech in May 2014. Questar proposes installing the 0.5-inch zinc ribbon during June and July of 2014. Construction would take approximately 8 weeks. Maintenance would require 1 visit per month for minimal maintenance.

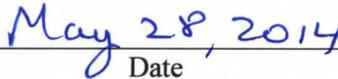
Name of Preparer: Julie McGrew, Natural Resource Specialist Date Prepared: April 16, 2014

D. Decision and Rationale for Action

I considered the action and determined that it may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.



Allen Crockett, Ph.D., J.D.
Supervisory Natural Resource Specialist



Date

Contact Person:

For additional information concerning this CX review, contact Monte Senor, Realty Specialist, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652, telephone 970-876-9067.

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RIGHT-OF-WAY STIPULATIONS

1. **Administrative Notification.** The operator shall notify the BLM representative at least 48 hours prior to initiation of construction. If requested by the BLM representative, the operator shall schedule a pre-construction meeting, including key operator and contractor personnel, to ensure that any unresolved issues are fully addressed prior to initiation of surface-disturbing activities or placement of production facilities.
2. **Cultural Resources, Education/Discovery Stipulation:** All persons in the area who are associated with this project shall be informed that if anyone is found disturbing historic, archaeological, or scientific resources, including collecting artifacts, the person or persons will be subject to prosecution.

Cultural Resources

If in connection with operations under this contract, the operator, its contractors, their subcontractors, or the employees of any of them discovers, encounters, or becomes aware of any objects or sites of cultural value or scientific interest such as historic ruins or prehistoric ruins, graves or grave markers, fossils, or artifacts, the operator shall immediately suspend all operations in the vicinity of the cultural resource and shall notify the BLM of the findings (16 USC 470h-3, 36 CFR 800.112). Operations may resume at the discovery site upon receipt of written instructions and authorization by the BLM. Approval to proceed will be based upon evaluation of the resource. Evaluation shall be by a qualified professional selected by the BLM from a Federal agency insofar as practicable. When not practicable, the operator shall bear the cost of the services of a non-Federal professional.

Within five working days, the BLM will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- what mitigation measures the holder will likely have to undertake before work can continue in that location (assuming that *in-situ* preservation is not necessary)
- the timeframe for the BLM to complete an expedited review under 36 CFR 800.11, or any agreements in lieu thereof, to confirm through the SHPO State Historic Preservation Officer that the findings of the BLM are correct and that mitigation is appropriate

The operator may relocate activities to avoid the expense of mitigation and delays associated with this process, as long as the new area has been appropriately cleared of resources and the exposed materials are recorded and stabilized. Otherwise, the operator shall be responsible for mitigation costs. The BLM will provide technical and procedural guidelines for relocation and/or to conduct mitigation. Upon verification from the BLM that the required mitigation has been completed, the operator will be allowed to resume construction. *Native American human remains* Pursuant to 43 CFR 10.4(g), the holder 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 on Federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first. Any relocation, additional construction, or use that is

not in accord with the approved conditions shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all plans and stipulations shall be made available at the right-of-way site during construction. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health or the environment.

3. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.
4. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated regarding toxic substances or hazardous materials. In any event, the holder 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 of 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 of State government.
5. All construction, operation and maintenance shall be within the authorized limits of the right-of-way granted herein.
6. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support such equipment. If the equipment creates ruts in excess of four (4) inches deep, the soil shall be deemed too wet to adequately support the construction equipment.
7. In the event that ground disturbing activities are required for maintenance in connection with this contract, standard BLM Reclamation requirements shall be adhered to:
 - a. Reclamation Plans. In areas that have low reclamation potential or are especially challenging to restore, reclamation plans will be required prior to approval. The plan shall contain the following components: detailed reclamation plans, which include contours and indicate irregular rather than smooth contours as appropriate for visual and ecological benefit; timeline for interim reclamation earthwork, and seeding; soil test results and/or a soil profile description; amendments to be used; soil treatment techniques such as roughening, pocking, and terracing; erosion control techniques such as hydromulch, blankets/matting, and wattles; and visual mitigations if in a sensitive VRM area.
 - b. Deadline for Interim Reclamation Earthwork and Seeding. Reclamation, including seeding, of temporarily disturbed areas along roads and pipelines, shall be completed within 30 days following completion of construction. Any such area on which construction is completed prior to December 1 shall be seeded during the remainder of the early winter season instead of during the following spring, unless BLM approves otherwise based on weather.

If requested by the project lead NRS for a specific section of pipeline, the operator shall contact the NRS by telephone or email approximately 72 hours before reclamation and

reseeding begin. This will allow the NRS to schedule a pre-reclamation field visit if needed to ensure that all parties are in agreement and provide time for adjustments to the plan before work is initiated.

The deadlines for seeding described above is subject to extension upon approval of the BLM based on season, timing limitations, or other constraints on a case-by-case basis. If the BLM approves an extension for seeding, the operator may be required to stabilize the reclaimed surfaces using hydromulch, erosion matting, or other method until seeding is implemented.

- c. Topsoil Stripping, Storage, and Replacement. All topsoil shall be stripped following removal of vegetation during construction of well pads, pipelines, roads, or other surface facilities. In areas of thin soil, a minimum of the upper 6 inches of surficial material shall be stripped. The BLM may specify a stripping depth during the onsite visit or based on subsequent information regarding soil thickness and suitability. The stripped topsoil shall be stored separately from subsoil or other excavated material and replaced prior to final seedbed preparation. The BLM best management practice (BMP) for the Windrowing of Topsoil shall be implemented for well pad construction whenever topography allows.
- d. Seedbed Preparation. For cut-and-fill slopes, initial seedbed preparation shall consist of backfilling and recontouring to achieve the configuration specified in the reclamation plan. For compacted areas, initial seedbed preparation shall include ripping to a minimum depth of 18 inches, with a maximum furrow spacing of 2 feet. Where practicable, ripping shall be conducted in two passes at perpendicular directions. Following final contouring, the backfilled or ripped surfaces shall be covered evenly with topsoil.

Final seedbed preparation shall consist of scarifying (raking or harrowing) the spread topsoil prior to seeding. If more than one season has elapsed between final seedbed preparation and seeding, and if the area is to be broadcast-seeded or hydroseeded, this step shall be repeated no more than 1 day prior to seeding to break up any crust that has formed.

If directed by the BLM, the operator shall implement measures following seedbed preparation (when broadcast-seeding or hydroseeding is to be used) to create small depressions to enhance capture of moisture and establishment of seeded species. Depressions shall be no deeper than 1 to 2 inches and shall not result in piles or mounds of displaced soil. Excavated depressions shall not be used unless approved by the BLM for the purpose of erosion control on slopes. Where excavated depressions are approved by the BLM, the excavated soil shall be placed only on the downslope side of the depression.

If directed by the BLM, the operator shall conduct soil testing prior to reseeding to identify if and what type of soil amendments may be required to enhance revegetation success. At a minimum, the soil tests shall include texture, pH, organic matter, sodium adsorption ratio (SAR), cation exchange capacity (CEC), alkalinity/salinity, and basic nutrients (nitrogen, phosphorus, potassium [NPK]). Depending on the outcome of the soil testing, the BLM may require the operator to submit a plan for soil amendment. Any requests to use soil amendments not directed by the BLM shall be submitted to the CRVFO for approval.

- e. Seed Mixes. A seed mix consistent with BLM standards in terms of species and seeding rate for the specific habitat type shall be used on all BLM lands affected by the project.

For private surfaces, the menu-based seed mixes are recommended, but the surface landowner has ultimate authority over the seed mix to be used in reclamation. The seed shall

contain no prohibited or restricted noxious weed seeds and shall contain no more than 0.5 percent by weight of other weed seeds. Seed may contain up to 2.0 percent of “other crop” seed by weight, including the seed of other agronomic crops and native plants; however, a lower percentage of other crop seed is recommended. Seed tags or other official documentation shall be submitted to BLM at least 14 days before the date of proposed seeding for acceptance. Seed that does not meet the above criteria shall not be applied to public lands.

- f. Seeding Procedures. Seeding shall be conducted no more than 24 hours following completion of final seedbed preparation.

Where practicable, seed shall be installed by drill-seeding to a depth of 0.25 to 0.5 inch. Where drill-seeding is impracticable, seed may be installed by broadcast-seeding at twice the drill-seeding rate, followed by raking or harrowing to provide 0.25 to 0.5 inch of soil cover or by hydroseeding and hydromulching. Hydroseeding and hydromulching shall be conducted in two separate applications to ensure adequate contact of seeds with the soil.

If revegetation is unsuccessful, the operator shall implement subsequent reseeding until reclamation standards are met.

- g. Mulch. Mulch shall be applied within 24 hours following completion of seeding. Mulch may consist of either hydromulch or of certified weed-free straw or certified weed-free native grass hay crimped into the soil.

NOTE: Mulch is not required in areas where erosion potential mandates use of a biodegradable erosion-control blanket (straw matting).

- h. Erosion Control. Cut-and-fill slopes shall be protected against erosion with the use of water bars, lateral furrows, or other BMPs approved by the BLM. Additional BMPs such as biodegradable wattles, weed-free straw bales, or silt fences shall have be employed as necessary to reduce transport of sediments into the drainages. The BLM may, in areas with high erosion potential, require use of hydromulch or biodegradable blankets/matting to ensure adequate protection from slope erosion and offsite transport of sediments and to improve reclamation success.

- j. Monitoring. The operator shall conduct annual monitoring surveys of all sites categorized as “operator reclamation in progress” and shall submit an annual monitoring report of these sites, including a description of the monitoring methods used, to the BLM by **December 31** of each year. The monitoring program shall use the four Reclamation Categories defined in Appendix I of the 1998 DSEIS to assess progress toward reclamation objectives. The annual report shall document whether attainment of reclamation objectives appears likely. If one or more objectives appear unlikely to be achieved, the report shall identify appropriate corrective actions. Upon review and approval of the report by the BLM, the operator shall be responsible for implementing the corrective actions or other measures specified by the BLM.

8. The operator shall regularly monitor and promptly control noxious weeds or other undesirable plant species as set forth in the Glenwood Springs Field Office *Noxious and Invasive Weed Management Plan for Oil and Gas Operators*, dated March 2007. A Pesticide Use Proposal (PUP) must be approved by the BLM prior to the use of herbicides. Annual weed monitoring reports, including GPS shapefiles of treatment areas and Pesticide Application Records (PARs)

(see the letter provided to operators dated February 27, 2014), shall be submitted to BLM by **December 1**.

9. For access and maintenance of facilities, the holder shall use existing roads. When existing roads are not available, the holder may use the right-of-way for access. BLM roads should not be maintained without first consulting with the authorized officer.
10. 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 as necessary. This plan shall include, but is not limited to, removal of facilities, 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.