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

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: CO-120-07-17-DNA

PROJECT NAME: Radium Electric Line

LEGAL DESCRIPTION: T. 1 S., R. 82 W., Section 22: SESE and Section 27: NWNE

APPLICANT: Yampa Valley Electric

DESCRIPTION OF PROPOSED ACTION: Yampa Valley Electric proposes to install 2 new poles and 525 feet of new overhead line from an existing pole. The width of the right-of-way would continue to be 20 feet wide and the portion of the proposed project Yampa Valley Electric is responsible for would encompass .24 acres of BLM-administered public land. The BLM Zone Engineering would contract out the electric line for the campground which would be buried.

The BLM is in the process of reconstructing their Radium recreation site. As part of this process, power needs to be brought from the current line to the restrooms, boat ramp, campground host site, and new water well for the campground water system. The impacts of the Radium reconstruction effort were analyzed in CO-120-2006-29-EA. The Proposed Action is necessary to amend the existing right-of-way to Yampa Valley Electric.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action is subject to the following plan:

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

Date Approved: December 19, 1984; Updated February 1999

The Proposed Action is in conformance with the LUP because it is specifically provided for in the following RMP decision:

Decision Language: **12. Realty**, a. Objective “Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.”

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: (CO-018-99-54-EA) Yampa Valley Electric Railroad Signals

Date Approved: 11/23/99

Name of Document: (CO-120-2006-29-EA) Radium Reconstruction

Date Approved: 8/11/06

NEPA Adequacy Criteria	Yes	No
<p>1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document?</p> <p>Explanation: Yes, the analysis was for replacement of old powerlines that service Union Pacific Railroad which runs along the river. One of the locations of the replacement lines was at Radium.</p>	X	
<p>2. Was a reasonable range of alternatives to the Proposed Action analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values?</p> <p>Explanation: The proposed action and the No Action Alternative were analyzed in the existing NEPA document. The analysis appropriately considers current environmental concerns, interests, and resource values.</p>	X	
<p>3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? Is the analysis still valid in light of new studies or resource assessment information?</p> <p>Explanation: Yes, there is no new information or circumstances that would invalidate the existing analyses.</p>	X	
<p>4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?</p> <p>Explanation: Yes, the methodology and analytical approach used in the 1999 and 2006 EAs continues to be appropriate for the Proposed Action.</p>	X	

<p>5. Are the direct and indirect impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document?</p> <p>Explanation: Yes, the 1999 EA analyzed the direct and indirect impacts that would result from the construction and maintenance of powerlines and remain unchanged for the Proposed Action. The 2006 EA analyzed the ground disturbing impacts associated with the campground reconstruction activities. The proposed construction activities would lie within this impact analysis area.</p>	X	
<p>6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?</p> <p>Explanation: Yes, the cumulative impacts that would result from implementation of the Proposed Action remain unchanged.</p>	X	
<p>7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?</p> <p>Explanation: Yes, there have been no additional issues, concerns, or controversies developed since the 1999 and 2006 EAs were written. The Proposed Action is listed on the Kremmling Field Office Internet NEPA Register notifying potential interested or affected publics.</p>	X	

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Frank Rupp	Archaeologist	Cultural	5/1/2007
Megan McGuire	Wildlife Biologist	Wildlife & T&E	3/21/07
Paula Belcher	Hydrologist	Soil, Air, Water	3/05/07
Susan Cassel	Realty Specialist	Lands	5/1/07
Renee Straub	Natural Resource Spec.	Visual	2/21/07
Richard Johnson	Rangeland Management Specialist	Invasive, Non-native Species, Vegetation, Hazardous Materials	3/19/07

REMARKS:

Cultural Resources: Previous cultural resource inventories have identified several cultural resources in and around the Radium Campground area. One particularly large site (5GA660) is recorded just north of and bounded on the south by the Campground. One of the proposed pole locations is located within cultural site 5GA660, and one is located within the campground and outside of the cultural site. Site 5GA660 is evaluated as eligible to the National Register of Historic Places, with a surface exposure and a buried component. Monitoring by a qualified and BLM permitted archaeologist is required during pole excavation and construction. Standard BLM “discovery” stipulations are included in this environmental assessment and will be carried forward into the approved right-of-way grant.

Native American Religious Concerns: Consultation letters were sent to each of the five potentially affected American Indian Tribes, the Ute Mountain, the Southern the Ute Indian tribes, the Arapaho and the Shoshone. No letters of concern were received for this project. The consultation closed on April 15, 2007.

Threatened and Endangered Species: No impacts to threatened, endangered, or sensitive species.

Visual Resources: The proposed project area is located in an area classified as VRM Class II in the KRO 1984 Resource Management Plan. The objective of VRM Class II is to retain the existing characteristic landscape. The level of change in any of the basic landscape elements (line, form, color, texture) due to management activities should be low and not evident. Limiting disturbance, re-vegetating disturbed areas, and reusing topsoil can mitigate the majority of the new impacts. In addition, the power poles should be natural materials with colors with existing structures on the site.

MITIGATION:

Cultural Stipulations:

-The proposed construction will be monitored by a qualified and BLM permitted archaeologist during excavation of the two power pole locations, to identify and document any cultural materials or buried components. The holder (Yampa Valley Electric and their contractors) is responsible for notifying the Kremmling Field Office (KFO) Authorized Officer a minimum of ten days in advance of construction, to see if the KFO archaeologist is available to complete the monitoring and coordinate a date and time. If the KFO archaeologist is unavailable, then the holder is required to hire a contract archaeologist to complete the monitoring. A monitoring report and cultural site re-evaluation are required.

-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.

-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 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.

-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.

Wildlife:

- The proposed electric distribution line should include poles and cross arms constructed to specifications which would assure large birds such as golden eagles cannot be electrocuted. All

poles and cross arms which are currently fitted with devices to prevent perching and electrocution should be replaced with similar devices.

Cummulative Effects: Use of the Radium Campground area will likely have an **accumulative effect** on the nearby cultural resources as more people and more use is experienced. **This will likely be in the form of illegal artifact collection and intentional/unintentional vandalism of the cultural sites. Cultural protection and information signs should be part of any signing and interpretive efforts.**

COMPLIANCE PLAN: The right-of-way would 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 would also be inspected after any maintenance activities to determine compliance with and effectiveness of reclamation measures.

NAME OF PREPARER: Susan L. Cassel

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 5-1-07

ATTACHMENTS: Project map and current stipulations

CONCLUSION

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Based on the review documented above, I conclude that this proposal conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL: /s/ Charles Cesar

DATE SIGNED: 5-1-07

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.