

Posted: _____

**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-120-2012-0043-EA

PROJECT NAME: Mountain Parks Electric, Inc. Hinman Rebuild

LEGAL DESCRIPTION: T. 2 N., R. 81 W., 6th P.M., Section 1
T. 3 N., R. 81 W., 6th P.M., Sections 26, 27, and 35

KREMMLING FIELD OFFICE, KREMMLING, COLORADO

CASEFILE/PROJECT NUMBER: COC-39395 Rebuild

APPLICANT: Mountain Parks Electric Inc., Colorado

PURPOSE AND NEED FOR THE ACTION: The purpose of the project is to provide the opportunity to provide access across BLM administered lands for a power line. The need for the project is established by BLM's responsibility under FLPMA to respond to a request for a right-of-way grant for legal access across a designated utility corridor on BLM administered lands.

Background/Introduction/Issues and Concerns: Mountain Parks Electric Inc. (MPEI) has applied for a right-of-way amendment (ROW) to rebuild an existing single phase power line. The existing power line is old and needs to be replaced for safety reasons and to improve the current electrical equipment. The existing ROW for the overhead power line provides electric power to 28 customers.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action: Mountain Parks Electric, Inc. is proposing to rebuild an existing 14.4 kV single phase power line north of Kremmling, in Grand County. The existing power line crosses private and public lands, serving 28 customers. The entire length of the project is about 7 miles long and currently crosses about 2.51 miles of BLM administered land. MPEI intends on rebuilding the power line in the existing alignment.

The proposed project would rebuild the existing single phase #4 ACSR overhead line as a single phase line but to pole it for future 3-phase with new poles and larger 1/0 ACSR conductors and new hardware. The project is necessary to maintain safe operation and reliable service to 28 customers in the area. The future 3-phase construction would be required to balance phase loading and reduce energy losses if growth continues in this area.

During the rebuild, MPEI plans to lean the existing poles about 45 degrees and build the new line in the same alignment, to keep all of the customers supplied with power without any interruptions.

The existing power line runs parallel with CO Hwy 40 on the west side. The new line would require installing additional poles where the span lengths are too long (>275 feet), which currently range from 300 feet to 420 feet.

MPEI would remove the old poles by cutting them off at ground level.

Access to the power line would come off of CO Hwy. 40, established roads, or under the existing power line.

MPEI is requesting a 100-foot ROW from the BLM in order to allow overhead guys and anchors to be placed within the ROW. MPEI plans to construct the single phase power line during the summer of 2013.

Design Features of the Proposed Action:

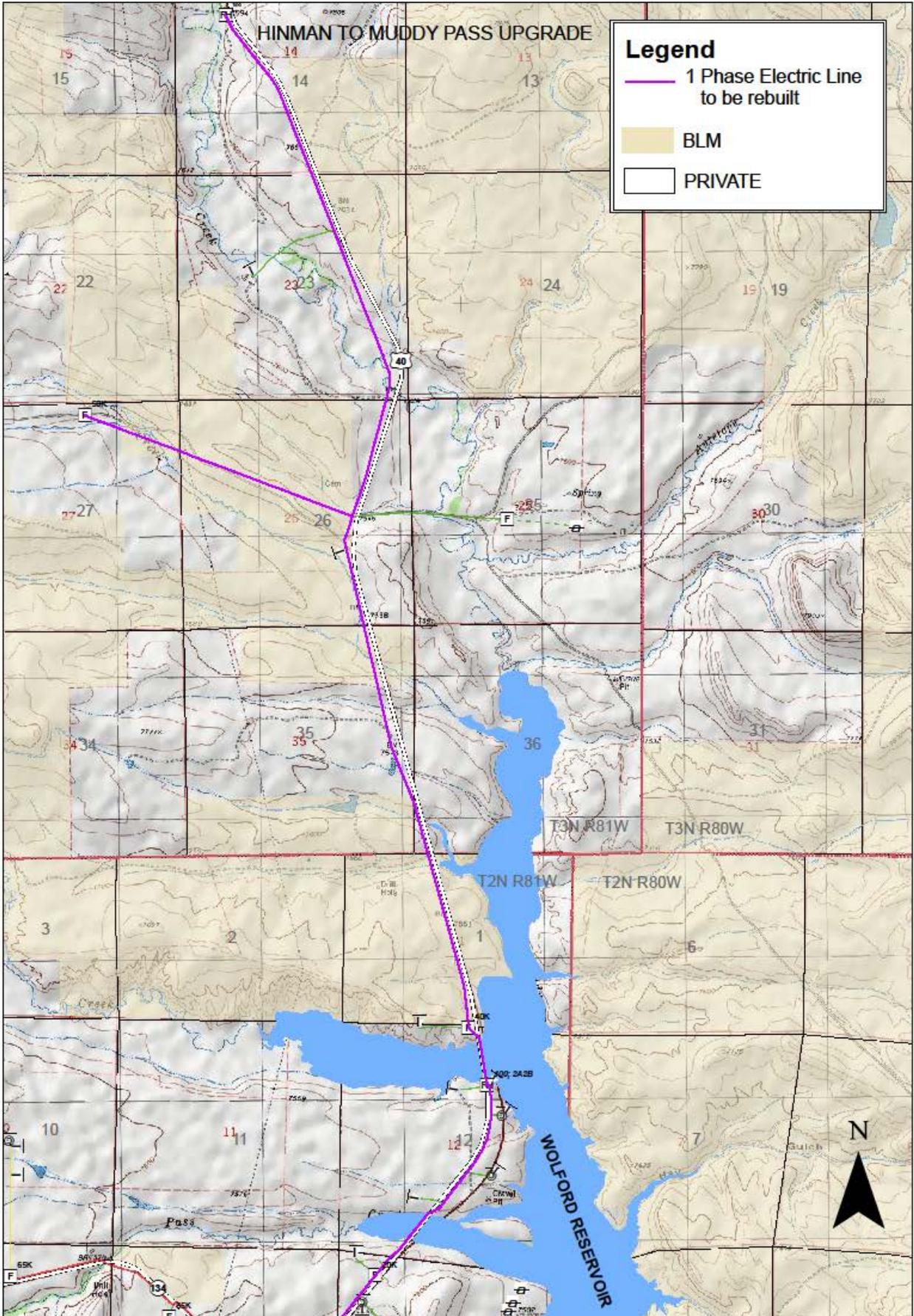
The BLM would monitor the project area for off route travel to ensure new unauthorized routes do not become established. If a new route does begin to be established, it would be the responsibility of MPEI to mitigate the impact by reseeding and signing as a Restoration Area. Fencing and access gates would be installed by MPEI if the reseeding and signing does not prevent continued use other than those for management of the ROW.

The proposed action identifies that work would occur in the summer of 2013. Work would be completed before August 24 when hunting season begins.

A ten foot buffer around each pole would need to be created and maintained every 7-10 years in areas of sagebrush 1 foot or taller, and or a fire resistant pole would need to be used to help reduce the chance of a wildfire damaging the poles, that could cause safety concerns for firefighters suppressing a wildfire.

No vehicles or machinery would be allowed within riparian or wetland zones. MPEI would obtain any necessary 404 and/or stormwater permits for the proposed work. All work would be done during dry soil conditions, where no ruts deeper than 2 inches occur.

The distribution line should include any new poles and cross arms constructed to specifications which would assure large birds such as eagles cannot be electrocuted (refer to “Suggested Practices for Avian Protection on Power Lines,” prepared by the Avian Power Line Interaction Committee, 2006). In addition, the USFWS recommends line markers for both the ground wires and guy wires to prevent collisions.



No Action Alternative: The No Action Alternative would be to deny Mountain Parks Electric a ROW to rebuild an existing single phase power line. Electric power to the 28 customers would be compromised due to the age of the existing line and poles.

Alternatives Considered: None carried forward.

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

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
- 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 that 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. Birds would be accustomed to the existing lines and therefore there would be a very low risk of direct or indirect impacts to migratory birds.

Cumulative Effects: No cumulative, irreversible, or irretrievable impacts are expected to occur as a result of the Proposed Action, or the No Action Alternative.

Mitigation Measures: None

THREATENED, ENDANGERED, AND SENSITIVE SPECIES

Affected Environment: No threatened or endangered species or habitats for such species would be impacted by the proposed project.

Greater sage-grouse, a BLM designated Sensitive Species and federal candidate, likely reside in the proposed project area. Three 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 priority habitat for sage grouse by the Colorado Parks and Wildlife.

Environmental Consequences, Proposed Action: The Proposed Action would provide perching habitat for golden eagles, a bird of prey that 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 one mile from the power line and topography blocks the line of site to the leks, 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. Birds would be accustomed to the existing lines and therefore there would be a very low risk of direct or indirect impacts to sage-grouse.

Cumulative Effects: No cumulative, irreversible, or irretrievable impacts are expected to occur as a result of the Proposed Action, or the No Action Alternative.

Mitigation Measures: None.

WILDLIFE, AQUATIC

Affected Environment: The project would be constructed near Wolford Reservoir, which supports a variety of aquatic species including avocets, Canada geese and dabbling and diving ducks.

Environmental Consequences, Proposed Action: The project could be hazardous to migrating waterfowl since the new power line would be an obstacle to birds in flight causing injury and/or mortality if collisions occur. However, birds that 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 aquatic birds.

Environmental Consequences, No Action Alternative: The No Action Alternative would maintain existing conditions for aquatic birds in the project area since no upgrade of the line would be constructed. Birds would be accustomed to the existing lines and therefore there would be a very low risk of direct or indirect impacts to aquatic birds.

Cumulative Effects: No cumulative, irreversible, or irretrievable impacts are expected to occur as a result of the Proposed Action, or the No Action Alternative.

Mitigation: None.

CUMULATIVE IMPACTS SUMMARY: For the purpose of this EA, the general geographic area for cumulative impact analysis is North of Kremmling for approximately 7 miles. The existing power line runs parallel with CO Hwy 40 on the west side.

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 for an overhead power line was granted across BLM-administered lands. The power line is becoming older and new technology creates the need for replacement to ensure service to the customers is not compromised.

In the present and future actions, the Proposed Action would replace the existing single phase line but to pole it for future 3-phase with new poles and larger 1/0 ACSR conductors and new hardware. The future 3-phase construction would be required to balance phase loading and reduce energy losses if growth continues in this area. The new wildlife friendly design for power poles would alleviate injury and mortality to eagles and sage grouse. Access to install and maintain the power line would be from Hwy 40, established roads, or under the existing power line within the 100 foot ROW corridor and therefore no resource damage outside of the corridor should occur from cross-country travel. If the corridor is not properly reseeded and the public perceives a new route, cross-country travel could increase. By minimizing vegetation disturbance, the soils should be protected from wind and water erosion.

The No Action Alternative could have cumulative impacts to MPEI's customers if the electrical power was disrupted or failed.

PERSONS / AGENCIES CONSULTED: See Appendix 2 for Tribal List. No comments were received from the tribes. 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.

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-LLCON02000-2012-0043-EA

Case File No. COC- 39395

Proposed Action Title/Type: Hinman Rebuild

Applicant/Proponent: Mountain Parks Electric, Inc.

Location of Proposed Action: 6th P.M., T. 2N., R. 81W., Section 1
6th P.M., T. 3N., R. 81W., Sections 26, 27, and 35
Grand County, Colorado

USGS Topographical Map: Kremmling and Hinman Reservoir

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:	1984, updated 1999
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BACKGROUND

The Kremmling Field Office of the Bureau of Land Management (BLM) is proposing to amend an existing grant to Mountain Parks Electric. The power line would be rebuilt as a single phase power line, but poled for a future three phase 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, 1984.

I have determined, based on the analysis in DOI-BLM-LLCON02000-2012-0043-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 Mountain Parks Electric's customers with reliable electricity. 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 benefit public health and safety by providing more 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.



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

Hinman Rebuild Decision Record March, 2013

1.0 Introduction and Background

Mountain Parks Electric Inc. (MPEI) has applied for a right-of-way amendment (ROW) to rebuild an existing power line. The existing power line is old and needs to be replaced for safety reasons and to improve the current electrical equipment. The existing ROW for the overhead power line provides electric power to 28 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) was found; therefore, consultation with USFWS is not necessary.

Tribal consultation was initiated 8-21-2012 on and completed on 2-5-2013. No comments were received from this consultation.

4.0 Public Involvement

The EA will be available for a formal 30-day public comment period when 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 1984 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.

____/s/ Susan Cassel_____
For Donald K. Hoffheins
Field Manager, Kremmling Field Office

____3/5/13_____
Date

Appendix 1

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: MPEI-Hinman 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	1/25/2013	2/13/2013	B. Wyatt	Cultural clearance concurrence was initiate the Colorado SHPO for no adverse effect. SHPO concurrence on a finding of no adverse effect was given in writing on 1/25/2013.
Native American	8/21/2012	2/5/2013	B. Wyatt	To date, of the five American Indian Tribes, no tribe has identified any area of traditional cultural concern.
T&E Species/FWS	N/A	N/A	McGuire	
Permits Needed (i.e. Air or Water)				Mountain Parks Electric is responsible for securing all applicable permits prior to starting construction. (Stormwater, 404 NWP).

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

NPNI 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.)
NI	Air Quality Belcher	2/20/2013	PLB	The Proposed Action would not impact air quality.
NP	Areas of Critical Environmental Concern McGuire	9/18/2012	MM	No ACECs are present in the proposed project area.
NI	Cultural Resources Wyatt	2/13/2013	BBW	The project inventory located two historic sites and eight isolated finds (IFs) that were located and recorded. The sites consist of two segments of old U.S. highway 40 (5GA686.3 and 5GA686.4), a segment of the Gore Pass

					to Muddy Pass transmission line (5GA2394.1, the original MPEI Hinman distribution line (5GA4293.1), and an unnamed road segment (5GA4294.1). A third segment of U.S. 40 (5GA686.11) could not be identified in the field as a distinct alignment and is believed to coincide with 5GA686.4; it is recommended that 5GA686.11 be subsumed under 5GA686.4 and the number abandoned. Site 5GA686.4 is assessed as supporting the overall National Register of Historic Places (NRHP) eligibility of the site; additional data would be needed to determine the eligibility of site 5GA686.3. Neither of these resources would be adversely affected by the current project, and no management actions are necessary. The remaining sites (5GA4293.1, 5GA4294.1, and 5GA2394.1) and all of the IFs (5GA4295 to 5GA4302) are assessed as not eligible for the NRHP, and no further work is recommended.
NP	Environmental Justice Cassel	10/30/12	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.	
NI	Farmlands, Prime and Unique Belcher	2/20/2013	PLB	The Proposed Action is located along an existing powerline, and would not measurably alter any impact to farmlands of state or local importance. There are no prime or unique farmlands within the project area.	
NI	Floodplains Belcher	2/21/2013	PLB	The Proposed Action involves no new ground disturbance except to place new pole adjacent to existing poles. This would not affect the floodplain's functionality or increase the flood hazard.	
NI	Invasive, Non-native Species Hughes	10/30/2012	ZH	The proposed action would not significantly provide avenues or spread invasive, non-native species within the project area.	
NI	Migratory Birds McGuire	9/18/2012	MM	See analysis in EA	
NI	Native American Religious Concerns Wyatt	2/5/2013	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	9/18/2012	MM	See analysis in EA	
NP	Wastes, Hazardous and Solid Elliott	7/26/12	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.
NI	Water Quality, Surface and Ground (Finding on Standard 5) Belcher	2/21/2013	PLB	The Proposed Action is located along Muddy Creek and its tributaries, and the upper portion of Wolford Reservoir. Muddy Creek and its tributaries are on the state's Monitoring and Evaluation List for possible stream temperature impairment. The Proposed Action would have limited ground disturbance and no vegetation removal and would not measurably affect water quality.
NI	Wetlands & Riparian Zones (Finding on Standard 2) Belcher	2/21/2013	PLB	The Proposed Action would not allow machinery or vehicles within the riparian/wetland zones, and would use existing access. As there would be no vegetation removal and only limited ground disturbance, the proposed action would not impact wetland/riparian areas.
NP	Wild and Scenic Rivers Schechter	11/6/2012	HS	There is no wild and scenic rivers in the project area.
NP	Wilderness Lands with Wilderness Characteristics Monkouski	10/29/12	JJM	There is no Wilderness or Wilderness Study Area's within the area of the Proposed Action. The area is part of the Red Dirt Inventory Unit CO-010-154 and was inventoried for Wilderness Characteristics in 1979 and reviewed again in 2009. The area does not possess Wilderness Characteristics due to its size being less than 5000 acres nor is it of sufficient size as to make practicable its preservation and use in an unimpaired condition.
NI	Soils (Finding on Standard 1) Belcher	2/21/2013	PLB	The Proposed Action would occur by existing access and within an existing disturbance. There would be no vegetation removal, limited surface disturbance, and most ground disturbance would occur in previously disturbed soils. There is no expected measurable impact to soils from the Proposed Action.
NI	Vegetation (Finding on Standard 3) Tibbs Landing	10/29/12	CL	This project would remain in the existing footprint with no new disturbances.
PI	Wildlife, Aquatic (Finding on Standard 3) McGuire	9/18/2012	MM	See analysis in EA
NI	Wildlife, Terrestrial (Finding on Standard 3) McGuire	9/18/2012	MM	The proposed project would not conflict with terrestrial wildlife since habitat disturbance would be minimal and would not occur during periods of animal concentration.
NI	Access/Transportation	2/6/2013	JJM	The proposed action is within the

	Monkouski			Wolford Mountain Travel Management Area. Visitors to the area are restricted to designated routes for motorized or mechanized travel. MPEI would utilize existing roads or travel within the authorized ROW. The power line follows along Highway 40 and also along County Road 182. 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	11/01/12	KB	There are no forest resources present in proposed project area.
NI	Geology and Minerals Elliott	7/26/12	KE	There would be no impacts to geologic and mineral resources from the proposed action or the no action alternative.
NI	Fire Thompson	8/28/12	KT	Under the Purposed plan, all fire management needs have been met. The 10 foot buffer would only affect a third of an acre which would have no impact on Fire Regime Condition Class. By replacing the old line it decreases the chances of the power line having a structural issue and creating a wildfire.
NI	Hydrology/Water Rights Belcher	2/21/2013	PLB	The Proposed Action states that the new line would be in essentially the same location as the old line. There would be no new impacts to water rights, and the design features/stipulations would maintain the current hydrologic conditions. The No Action Alternative would have no impacts to hydrology or water rights.
NI	Paleontology Wyatt	12/10/2012	BBW	The proposed action lies in a single geologic unit, the Upper Cretaceous Pierre Shale, which is known to yield invertebrate fossils, as well as occasional vertebrate fossils in other areas. This formation has been rated as PFYC Class 3 unit with moderate potential. It is recommended that spot checks for paleontological resources be done during construction by the contract Paleontologist. BLM standard "discovery" stipulation is part of the environmental assessment and is to be attached to any authorization allowing project to proceed.
NI	Noise Monkouski	2/6/2013	JJM	The proposed action is short to moderate term in duration in an area with existing noise impacts along Highway 40. No impacts from the proposed action or the no action alternative.

NI	Range Management Tibbs Landing	10/29/12	CL	There would be no impact to livestock grazing.
NI	Lands/ Realty Authorizations Sperandio	2/5/13	AS	There is one buried phone line ROW for Qwest (COC-26191), two power line ROWs for Mt. Parks (COC-8482 & 39395), and one power line ROW for WAPA (COC-62192). No impacts would occur in the proposed project area.
NI	Recreation Monkouski Schechter	2/6/2013	JJM	The proposed action is within the Extensive Recreation Management Area and Wolford Mountain Travel Management Area. Current recreational activities within the general area include horseback riding, hunting, camping and recreational OHV use. The project area is on the west side of Highway 40. Recreation within the area typically occurs on the east side of US Highway 40. There are two Special Recreation Permits (SRP) are authorized for Big Game Guided Hunting and Outfitting in the project area. The project would occur during the summer and would not impact recreation or authorized SRP's. There would be no impacts to recreation from the proposed action or the no action alternative.
NI	Socio-Economics Cassel	10/30/12	SC	There would not be any substantial changes to local social or economic conditions with either alternative.
NI	Visual Resources Schechter	11/6/12	HS	The proposed project is in a Visual Resource Inventory (VRI) Class III 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. The power line would be visible from a short section of Hwy 40, but would not attract attention since it is a rebuild of the existing line.
PI	Cumulative Impact Summary	2/5/13	AS	See analysis.
	P&E Coordinator Cassel	3/4/13	SC	

Appendix 2

NATIVE AMERICAN TRIBES CONTACTED:

Mike Lajeunesse, Chairman
Shoshone Business Council
Shoshone Tribe
P O Box 538
Ft. Washakie, WY 82514

Mr. Wilford Ferris
Tribal Historic Preservation Officer
Shoshone Tribe, Cultural Center
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Fort Washakie, WY 82514

Gary Hayes, Chairman
Ute Mountain Ute Tribe
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Towaoc, CO 81334

Mr. Terry Knight, Sr., THPO Director
Ute Mountain Ute Tribe
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Towaoc, CO 81334

Jim Shakespeare, Chairman
Northern Arapaho Business Council
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Darlene Conrad, THPO Director
Northern Arapaho Tribe
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Ernest House, Jr., Executive Secretary
Colorado Commissioner of Indian Affairs
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Denver, Colorado 80203

Robert Goggles, NAGPRA Representative
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Arapaho, WY 82510

Irene Cuch, Chairman
Uintah & Ouray Tribal Business Committee
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Betsy Chapoose, Director
Cultural Rights & Protection Specialist
Uintah & Ouray Tribe
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Jimmy Newton, Chairman
Southern Ute Indian Tribe
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Ignacio, CO 81137

Lena Atencio, Director
Natural Resources Department, #65
P.O. Box 737
Ignacio, CO 81137

STIPULATIONS
FOR
Mountain Parks Electric
COC-39395
Power Line

Design Features

1. The BLM would monitor the project area for off route travel to ensure new unauthorized routes do not become established. If a new route does begin to be established, it would be the responsibility of MPEI to mitigate the impact by reseeding and signing as a Restoration Area. Fencing and access gates would be installed by MPEI if the reseeding and signing does not prevent continued use other than those for management of the ROW.
2. The proposed action identifies that work will occur in the summer of 2013. Work will be completed before August 24 when hunting season begins.
3. A ten foot buffer around each pole would need to be created and maintained every 7-10 years in areas of sagebrush 1 foot or taller, and or a fire resistant pole would need to be used to help reduce the chance of a wildfire damaging the poles, that could cause safety concerns for firefighters suppressing a wildfire.
4. No vehicles or machinery will be allowed within riparian or wetland zones. MPEI will obtain any necessary 404 and/or stormwater permits for the proposed work. All work will be done during dry soil conditions, where no ruts deeper than 2 inches occur.
5. The distribution line should include any new poles and cross arms constructed to specifications which would assure large birds such as eagles cannot be electrocuted (refer to "Suggested Practices for Avian Protection on Power Lines," prepared by the Avian Power Line Interaction Committee, 2006). In addition, the USFWS recommends line markers for both the ground wires and guy wires to prevent collisions.
6. 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.

Standard Stipulations

7. The holder shall contact the authorized officer at least 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.

8. The holder shall mulch disturbed areas designated by the authorized officer. The type of mulch shall meet one of the following requirements:
9. 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.
 - a. Hay shall be certified weed free. Hay shall be suitable for placing with mulch blower equipment.
 - b. 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. 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.
18. 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:

- a. whether the materials appear eligible for the National Register of Historic Places;
- b. the mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
- c. 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 and are related to the authorization's activities, will be mitigated at the holder's cost.

19. 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.
20. 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.
21. 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	<i>Pascopyrum smithii</i>	6.0 lbs PLS**/acre
Bluebunch Wheatgrass	<i>Pseudoroegneria spicata</i>	6.0 lbs PLS/acre
Slender Wheatgrass	<i>Elymus trachycaulus</i> ssp: <i>trachycaulus</i>	6.0 lbs PLS/acre
Canby bluegrass	<i>Poa canbyii</i>	2.0lbs PLS/acre
Indian ricegrass	<i>Achnatherum hymenoides</i>	<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