

U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129

ENVIRONMENTAL ASSESSMENT

EA-NUMBER: CO-100-2008-061 EA

CASEFILE/PROJECT NUMBER/LEASE NUMBER: COC36305

PROJECT NAME: Yampa Valley Electric Castor Gulch Power Line Upgrade

LEGAL DESCRIPTION: T.5N., R.91W., Sections 10, 15, 21, 22, 6th P.M., Moffat County, Colorado

APPLICANT: Yampa Valley Electric Association (YVEA)

PLAN CONFORMANCE REVIEW: The proposed action is subject to the following plan:

Name of Plans: Little Snake Resource Management Plan and Record of Decision (ROD)

Date(s) Approved: April 26, 1989

Remarks: The proposed power line would be located within Management Unit #1, Eastern Yampa River, (Little Snake Resource Management Plan). The objectives of Management Unit #1 are for the development of coal, oil, and gas resources. Realty actions such as rights-of-way can occur consistent with the management objectives for this unit.

Results: The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3). The proposed action is in conformance with the objectives for this management unit.

NEED FOR PROPOSED ACTION: The purpose of the proposed power line right-of-way grant amendment is to realign and upgrade the existing facilities.

PUBLIC SCOPING PROCESS: The NEPA log is posted on the Little Snake Field Office web site before the grant amendment is issued to the applicant.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES: The proposed action is to amend an existing right-of-way (ROW) grant to Yampa Valley Electric Association (YVEA) (COC36305) for a rebuild of an existing 69-kV power line on public land in the Castor

Gulch area. All of the existing poles would be replaced with new poles and guy wires. Moffat County Road 93 and existing two track roads would be used to access the project site. All staging areas would be on private land. The proposed power line would be located on public land in T.5N.,R.91W., sections 10, 15, and 21, 6th PM, Moffat County, Colorado.

The estimated length of the route across BLM is 6,600 feet. The proposed route follows the existing power line. The permanent right-of-way width is currently 20 feet. YVEA has requested an increase to a 90 foot width during construction and a permanent width of 50 feet to accommodate the new 3 pole structures. There are 9 structures on BLM, 4 single pole, and 5 three pole structures.

The equipment to be used would be a flex track digger/derrick truck, basic utility trucks, and a pole hauling truck/trailer.

The approximate date work would start is summer 2008 and the estimated duration of construction on BLM is 30 days.

NO ACTION ALTERNATIVE: The right-of-way amendment would not be issued and the power line width would remain at 20 feet.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: There are no special designation air sheds or non-attainment areas nearby that would be affected by the proposed action.

Environmental Consequences, Proposed Action: Short term, local impacts to air quality resulting from combustible engine exhaust and dust from surface disturbing operations would result during operations. The emissions from these activities consist of both gaseous and particulate fractions. Gaseous constituents from diesel engine exhaust include carbon dioxide, carbon monoxide, nitric oxide, nitric dioxide, oxides of sulfur and hydrocarbons. Fine particulates of soot from diesel exhaust and fugitive dust from soils would be localized to the project area. The health effects of these emissions are largely from long-term and occupational exposure. The proposed action would not adversely affect the regional air quality.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen 6/3/08

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not Present.

Environmental Consequences: Not Applicable.

Mitigative Measures: Not Applicable.

Name of specialist and date: Rob Schmitzer 6/2/08

CULTURAL RESOURCES

Affected Environment: Cultural resources, in this region of Colorado, range from late Paleo-Indian to Historic. For a general understanding of the cultural resources in this area of Colorado, see An Overview of Prehistoric Cultural Resources, Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Colorado Prehistory: A Context for the Northern Colorado River Basin, Colorado Council of Professional Archaeologists.

Environmental Consequences: The proposed project(s), Castor Gulch Transmission Line Upgrade, has undergone a Class III cultural resource survey:

Martin, Curtis

2008 Class III Cultural Resources Inventory for additional portions of the Castor Gulch Pole Replacement Project in Moffat County, Colorado for Yampa Valley Electric Association (11.3.08)

2008 Class III Cultural Resource Inventory for the Proposed Castor Gulch Pole Replacement Project in Moffat County, Colorado for Yampa Valley Electric Association (11.2.08)

The survey identified no eligible to the National Register of Historic Places cultural resources. The proposed project may proceed as described in this EA with the following mitigative measures in place.

Mitigative Measures:

The following standard stipulations apply for this project:

1. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.

2. If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

Name of specialist and date: Robyn Watkins Morris 6/16/08

ENVIRONMENTAL JUSTICE

Affected Environment: The proposed action is located in an area of isolated dwellings. Mining, ranching, and farming are the primary economic activities.

Environmental Consequences, both alternatives: The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None.

Name of specialist and date: Louise McMinn 5/21/08

FLOOD PLAINS

Affected Environment: A small floodplain area is associated with Castor Gulch. It is well vegetated with upland grasses and shrubs. Moffat County Road No. 93 parallels the gulch and short segments of the road are within the active floodplain area. The floodplain becomes narrower upstream where it is near one of the proposed structures (Pole 23). This location is a little over one mile from the headwater of the gulch.

Environmental Consequences, Proposed Action: The proposed structure that would be built in the valley bottom of Castor Gulch (Pole 23) would be installed near the floodplain. This

installation would avoid the small floodplain area and drainage which are on the other side of the valley bottom road.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen 6/3/08

INVASIVE, NONNATIVE SPECIES

Affected Environment: Dalmation toadflax, houndstongue, hoary cress, Canada thistle and other biennial thistles are present in the affected area. Cheatgrass and other annual weeds are common along roads and on disturbed areas in the vicinity of the project. There is the potential to have other invasive and noxious weeds present in the affected area.

Environmental Consequences, Proposed Action: The surface disturbing activities and associated traffic involved with rebuilding the power line would create an environment and provide a mode of transport for invasive species and other noxious weeds to become established. Surface disturbance would be quite minimal near each of the power poles installed, but the potential for introduction and establishment of noxious weeds still exists. Construction equipment and any other vehicles and equipment brought onto the site can introduce these weed species. Wind, water, recreation vehicles, livestock and wildlife would also assist with the distribution of weed seed into the newly disturbed areas. The right-of-way holder will be required to control any invasive and/or noxious weeds that become established within the right-of-way.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen 6/3/08

MIGRATORY BIRDS

Affected Environment: The project area contains potential nesting and/or foraging habitat for the following USFWS 2002 Birds of Conservation Concern: Brewer's sparrow, Virginia's warbler, pinyon jay, and sage sparrow. The project area also provides habitat for the vesper sparrow, green-tailed towhee, plumbeous vireo, blue-gray gnatcatcher, dusky flycatcher, spotted towhee and common poorwill. There are a many historic raptor nests within the project area. A field visit on June 20, 2008 revealed that the area is heavily populated with raptor species.

Environmental Consequences Proposed Action: Nesting of migratory birds may be disrupted and nests could be lost if construction activities associated with the proposed power line are conducted during the nesting period (May – July). The additional 30 feet of right away along the route of the power line would impact approximately 4.5 acres of habitat. The 90 foot right of

way during construction would impact an additional 5.8 acres of habitat, with the total amount of habitat impacted equaling 10.3 acres.

If construction of the power line is conducted during the migratory bird nesting season, it is possible for take to occur. If construction of the power-line is conducted outside of the nesting season, chance of take is very low.

Environmental Consequences, No Action: None.

Mitigative Measures: No surface disturbing activities should be conducted between May 1 and July 15th in order to protect nesting migratory bird species.

Name of specialist and date: Gail E. Martinez 6/19/08

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 5, 2008. The letter listed the FY 08 and FY09 projects that the BLM would notify them on and projects that would not require notification. A follow-up phone call was performed on June 16, 2008. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris 6/16/08

PRIME & UNIQUE FARMLANDS

Affected Environment: Not Present.

Environmental Consequences, Proposed Action: None.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen 6/3/08

T&E SPECIES – ANIMALS

Affected Environment: There are no threatened, endangered or special status species or habitat for such species present within or near the proposed project area.

Environmental Consequences: None.

Mitigative Measures: None.

Name of specialist and date: Gail E. Martinez 6/5/08

T&E SPECIES – PLANTS

Affected Environment: There are no federally listed threatened or endangered plant species within or in the vicinity of the Proposed Action.

Environmental Consequences: None.

Mitigative Measures: None.

Name of specialist and date: Hunter Seim 5/22/08

T&E SPECIES - SENSITIVE PLANTS

Affected Environment: There are no BLM sensitive plant species within or in the vicinity of the Proposed Action.

Environmental Consequences: None.

Mitigative Measures: None.

Name of specialist and date: Hunter Seim 5/22/08

WASTES, HAZARDOUS OR SOLID

Affected Environment: If a release does occur, the environment affected would be dependent on the nature and volume of material released. If there are no releases, there will be no environmental impact.

Environmental Consequences, both alternatives: Consequences would be dependent on the volume and nature of the material released. In most every situation involving hazardous materials, there are ways to remediate the area that has been contaminated. Short-term consequences would occur, but they can be remedied, and long-term impacts would be minimal.

Mitigative Measures: None.

Name of specialist and date: Louise McMinn 05/21/08

WATER QUALITY - GROUND

Affected Environment: The surface formations are the Cretaceous Williams Fork, Iles and Mancos Shale Formations overlain by moderately permeable Quaternary alluvium and colluvium. The Mesa Verde Aquifer is recharged from these formations

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Jennifer Maiolo 5/27/08

WATER QUALITY - SURFACE

Affected Environment: The power line reconstruction would cross the ridge between the Williams Fork River and Castor Gulch and then would roughly parallel Castor Gulch up to the mine property. Castor Gulch is an ephemeral tributary to the Williams Fork River that needs to have water quality that would support Aquatic Life Warm 2, Recreation 1b and Agriculture. The receiving segment of the Williams Fork River needs to have water quality sufficient to support Aquatic Life Warm 2, Recreation 1a, Water Supply and Agriculture. On the south side of the dividing ridge the upstream segment of the Williams Fork River needs to have water quality sufficient to support Aquatic Life Cold 2, Recreation 1a, Water Supply and Agriculture. All of these stream segments are designated as Use Protected and all of these stream segments are presently supporting the classified beneficial uses.

Environmental Consequences, Proposed Action: Although some soil erosion, sediment transfer and sedimentation may result from the proposed action it would be considered very negligible. Minimal surface disturbance would result and it should be quickly colonized by surrounding vegetation within one growing season.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen 6/3/08

WETLANDS/RIPARIAN ZONES

Affected Environment: Not present.

Environmental Consequences, both alternatives: None.

Mitigative Measures: None.

Name of specialist and date: Gail E. Martinez 6/5/08

WILD & SCENIC RIVERS

Affected Environment: Not Present.

Environmental Consequences, both alternatives: Not Applicable.

Mitigative Measures: Not Applicable.

Name of specialist and date: Rob Schmitzer 6/2/08

WILDERNESS, WSAs

Affected Environment: Not Present.

Environmental Consequences: Not Applicable.

Mitigative Measures: Not Applicable.

Name of specialist and date: Rob Schmitzer 6/2/08

NON-CRITICAL ELEMENTS

PALEONTOLOGY

Affected Environment: The Cretaceous Williams Fork, Iles, and Mancos Shale are the surface formations affected by the power line construction.

Environmental Consequences, Proposed Action:

The Cretaceous Mancos Shale is classified as Class 3 for the potential fossil yield.

Class 3 – Sedimentary geologic units where fossil occurrences vary in significance, abundance, and predictability; or sedimentary units of unknown fossil potential.

- Units primarily marine in origin with sporadic known occurrences of vertebrate fossils.
- Inconsistent occurrence of vertebrate fossils and uncommon nonvertebrate fossils; predictability known to be low.
- Units are poorly studied and/or poorly documented. Potential yield cannot be assigned without ground reconnaissance.

(1) Management concern for paleontological resources is moderate or cannot be determined from existing data.

(2) Surface-disturbing activities may require field assessment to determine further course of action.

This classification includes a broad range of potential impacts. Geologic units of moderate or infrequent fossil occurrence, as well as units of unknown potential are included. Assessment and mitigation efforts cover a broad range of options as well. Surface-disturbing activities will require sufficient assessment to determine whether significant fossil resources occur in the area of a proposed action, and whether the action could affect the paleontological resources.

Authorizations for any surface-disturbing activities should include the standard stipulation in

section A.1.c.4.a. of this document that calls for protection of any paleontological resources discovered during work activities by stopping the activity, protecting the find, and notifying the Authorized Officer.

The Cretaceous Williams Fork and Iles Formations are classified as Class 5 for the potential yield of fossils.

Class 5 – Highly fossiliferous geologic units that regularly and predictably produce vertebrate fossils or uncommon invertebrate or plant fossils, and that are vulnerable to human-caused adverse impacts or natural degradation.

- Vertebrate fossils or uncommon invertebrate or plant fossils are known and documented to occur consistently, predictably, or abundantly.
- Unit is exposed; little or no soil or vegetative cover
- Outcrop areas are extensive; exposed bedrock areas are larger than 2 contiguous acres.

(1) Management concern for paleontological resources in Class 5 areas is high.

(2) Designation of areas of special interest and concern may be appropriate.

(3) Assessment by a qualified paleontologist is required in advance of surface disturbing activities or land tenure adjustments. Mitigation will often be necessary before and/or during these actions.

The potential for impacting significant fossils is high. Vertebrate fossils or uncommon invertebrate or plant fossils are known or can reasonably be expected to occur in the impacted area. On-the-ground surveys prior to authorizing any surface disturbing activities will be necessary. On-site monitoring may also be necessary during construction activities.

Environmental Consequences, Proposed Action: None.

Mitigative Measures: Unusual occurrences of vertebrate, plant and invertebrate fossils should be recorded, and representative examples may be collected by a BLM approved and permitted qualified paleontologist if appropriate. Concentrations of common plant or invertebrate fossils that may be suitable for public hobby collection areas should also be noted and reported to the Little Snake Field Office paleontology program coordinator or paleontology program lead. Additional mitigation measures may be appropriate in some cases for these types of localities.

If vertebrate fossil material is discovered during any associated construction activities, surface disturbing actions shall halt until an assessment of the find is completed and appropriate protection measures taken. The Authorized Officer should be notified as soon as possible of the discovery and any mitigation efforts that were undertaken. If the find cannot be mitigated within a reasonable time, the concurrence of the Authorized Officer or official representative for a longer work stoppage must be obtained. Work may not resume until approval is granted from both the PI or Field Agent and the Authorized Officer.

Additionally:

The BLM is responsible for informing all persons in the areas who are associated with this project of the requirements for protecting paleontological resources. Paleontological resources found on the public lands are recognized by the BLM as constituting a fragile and nonrenewable scientific record of the history of life on earth, and so represent an important and critical component of America's natural heritage. These resources are afforded protection under 43 CFR 3802 and 3809. Penalties possible for the collection of vertebrate fossils are under 43 CFR 8365.1-5.

Name of specialist and date: Jennifer Maiolo 5/27/08

SOILS

Affected Environment: Various soils are mapped in the project area. Nearly half of the structures would be installed on the Torriorthents-Rock outcrop, Sandstone complex, 25 to 75 percent slopes. This soil has variable depths to bedrock that can range between 4 to 30-inches; the soil has very low water holding capacity and very high runoff rates. The remaining structures would be installed on loam soils with deep profiles. The loam soils are all derived from sandstones and shale's. These soils have high water holding capacity and high runoff rates. Slope steepness varies within all of the soil types and the runoff rate would be less severe on the moderate to slight slopes.

Environmental Consequences, Proposed Action: The resulting surface disturbance anticipated from implementation of the proposed action would be minor and short term. No road construction would be needed and the small disturbance to the soil resource would be limited to clearing vegetation cover and mixing soil horizons near each of the pole assemblies installed; some soil compaction could occur along the unimproved access routes. The undisturbed areas with dense vegetation adjacent to the minor areas disturbed would help to buffer the impacts of high runoff rates and decrease the potential for accelerated soil erosion. Overland travel over existing vegetation, litter and the below ground biomass within the soils would reduce the potential for soil compaction. The small surface disturbances should be quickly colonized by the native plant community and seeding should not be required.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen 6/3/08

UPLAND VEGETATION

Affected Environment: Vegetation within the proposed project area consists of a sagebrush-grass plant community interspersed with stands of serviceberry and Gambel oak. The plant communities have excellent vigor and diversity, although there is an abundance of cheatgrass in disturbed areas and the area is susceptible to invasion by houndstongue.

Environmental Consequences, Proposed Action: There would be no large-scale removal of or disturbance to the upland plant community as a result of the installation of the new power line poles. Direct disturbance to/removal of vegetation would be limited to areas immediately adjacent to each new pole installation. This disturbance would be minimal, highly localized, and not result in any adverse impacts to the wider plant community. The limited nature of this disturbance coupled with the vigor and diversity of the existing native plant community would result in adequate natural revegetation and reseeding would not be necessary.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Hunter Seim 5/22/08

WILDLIFE, AQUATIC

Affected Environment: Not present.

Environmental Consequences: None.

Mitigative Measures: None.

Name of specialist and date: Gail E. Martinez 6/5/08

WILDLIFE, TERRESTRIAL

Affected Environment: The proposed action is located in a sagebrush/grass and mountain shrub ecosystem and provides habitat for big game species as well as small mammals, reptiles and birds. The project area provides severe winter habitat for mule deer and elk.

Environmental Consequences, Proposed Action: All wildlife species using the area would likely be displaced during construction of the proposed power line. Most animals would return to undisturbed areas after construction is complete and human activity in the area decreases. Activities associated with power line construction should not be conducted from December 1 through April 30 to protect big game species using crucial winter habitat. Approximately 4.5 acres of wildlife habitat would be impacted by the construction of the power line. This would not significantly degrade the habitat and the area would still provide suitable habitat for wildlife species after the power line is constructed. The proposed action is not expected to have significant impacts to terrestrial wildlife species or their habitat.

Environmental Consequences, No Action: None.

Mitigative Measures: No construction activities between December 1 and April 30 to protect wintering big game species.

Name of specialist and date: Gail E. Martinez 6/19/08

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Fluid Minerals		JAM 5/27/08	
Forest Management	LM 5/21/08		
Hydrology/Ground		JAM 5/27/08	
Hydrology/Surface			See Water Quality/Surface
Paleontology			See Paleontology
Range Management		HS 5/22/08	
Realty Authorizations		LM 5/21/08	
Recreation/Travel Mgmt		RS 6/2/08	
Socio-Economics		LM 5/21/08	
Solid Minerals		JAM 5/27/08	
Visual Resources		RS 6/2/08	
Wild Horse & Burro Mgmt	6/9/08		

CUMULATIVE IMPACTS SUMMARY: Cumulative impacts may result from the development of the power line and routine maintenance when added to non-project impacts that result from past, present, and reasonably foreseeable future actions. Other past or existing actions near the project area that have influence on the landscape are wildfire, recreation, hunting, grazing, mining, and ranching activities.

Surface disturbance associated with the project has the potential for an increase of short term erosion and sedimentation. Only a small reduction in forage would be anticipated. Some wildlife species may be temporarily displaced by construction, but should return upon completion of the project. Contrasts in line, form, color, and texture from the project would impact the visual qualities on the landscape.

STANDARDS:

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The proposed project area provides habitat for a variety of big game animals, small mammals, reptiles and songbirds. The proposed project, as mitigated, would not have significant negative impacts to any of these species. The Proposed Action would result in a temporary displacement of most wildlife using the area during construction activities. Most wildlife would be capable of moving back into the project area once these activities are completed. This standard is currently being met and would continue to be met in the future.

Name of specialist and date: Gail E. Martinez 6/5/08

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal)

STANDARD: There are no threatened, endangered or special status species or habitat for such species present within the proposed project area. This standard does not apply.

Name of specialist and date: Gail E. Martinez 6/5/08

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: The plant community that would be affected by the Proposed Action is highly diverse with high levels of vigor and productivity. Despite the presence of non-native noxious weeds such as cheatgrass and houndstongue, the plant community exhibits sufficient resilience to human activities and provides appropriate levels of soil and watershed protection. The Proposed Action would not preclude this standard from continuing to be met.

The No Action Alternative would meet this standard as no new disturbance would occur.

Name of specialist and date: Hunter Seim 5/22/08

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species within or in the vicinity of the Proposed Action. This standard does not apply.

Name of specialist and date: Hunter Seim 5/22/08

RIPARIAN SYSTEMS STANDARD: There are no wetlands or riparian zones present within the project area. This standard does not apply.

Name of specialist and date: Gail E. Martinez 6/5/08

WATER QUALITY STANDARD: The water quality standard for healthy rangelands is currently met and the proposed upgrading of the right of way structures would have little to no affect on water quality. Mitigation incorporated into the proposed action limiting the surface disturbance, as well as, the Standard Terms and Conditions of the right of way grant contain several Best Management Practices that would maintain the water quality of the affected stream segments.

Name of specialist and date: Ole Olsen 6/3/08

UPLAND SOILS STANDARD: The Proposed Action would meet the upland soil standard for healthy rangelands. Minimal use of the off-road routes and driving over established vegetation to temporary construction sites would not change the soil properties substantially. The vegetative surface would help to absorb vehicle influence on the soil surface. Although some vegetation would likely be crushed and may die-back, the resulting litter would still be available

to cover the soil resource in the short term. Minimal soil disturbance would result adjacent to each power pole location and this should allow the native plants to seed or grow into the disturbance rapidly. The following growing season is expected to have perennial grasses and forbs re-emerge on the temporary construction routes and colonize the small disturbance around the poles.

Name of specialist and date: Ole Olsen 6/3/08

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)
EA CO-100-2008-061

Based on the analysis of potential environmental impacts contained in the EA and all other available information, I have determined that the proposal and the alternatives analyzed do not constitute a major Federal action that would adversely impact the quality of the human environment. Therefore, an EIS is unnecessary and will not be prepared. This determination is based on the following factors:

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Resource Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time,

there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.

10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

DECISION AND RATIONALE: I have determined that construction of the power line is in conformance with the approved land use plan. It is my decision to amend the right-of-way grant with the mitigation measures. The amendment is for an increase in width to 90 feet during construction of the power line. Upon completion of the project, the permanent width will be 50 feet. The project is located on public land in T.5N., R.91W., Sections 10, 15, 21, 6th P.M., Moffat County, Colorado. The ROW is 6,600 feet long. The ROW grant is issued for 20 years with the right of renewal. The ROW is REA rental exempt. The project will be monitored as stated in the Compliance Plan outlined below.

It is the policy of the Bureau of Land Management to grant ROWS to occupy and use public land where such is consistent with resource values, the Bureau's planning system, and local government concerns. To this effect, no conflicts were found; the action does not result in any undue or unnecessary environmental degradation. The action is consistent with the Little Snake Resource Management Plan. The proposed use, as planned and mitigated, is a suitable use of the land, which will not conflict with the present or known future use of the area. The action is consistent with Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) and the regulations authorizing use of federal land under 43 CFR 2800.

MITIGATION MEASURES: See Exhibit B, Stipulations.

COMPLIANCE PLAN(S):

Compliance Schedule: Compliance will be conducted during the construction phase and reclamation phase to insure that all terms and conditions specified in the right-of-way grant and stipulations are followed. The power line will be on a five-year compliance schedule after completion of the project.

Monitoring Plan: The power line location will be monitored during the term of the right-of-way for compliance with the grant, stipulations, POD, and pertinent regulations until final abandonment is approved; monitoring will help determine the effectiveness of mitigation and document the need for additional mitigative measures.

Assignment of Responsibility: Responsibility for implementation of the compliance schedule and monitoring plan will be assigned to the Realty staff in the Little Snake Field Office. The primary inspector will be the Realty Specialist.

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

ATTACHMENTS: Exhibits A & B

Exhibit B
Stipulations
COC36305

1. The holder shall construct, operate, and maintain the facilities, improvements, and structures within the right-of-way in strict conformity with the plan of development which was approved and made part of the grant. Any relocation, development, shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all stipulations and approved construction, operation, and termination, shall be made available on the right-of-way during the construction, operation, and termination to the authorized officer. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.

2. 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.

3. No surface disturbing activities should be conducted between May 1 and July 15th in order to protect nesting migratory bird species.

4. No construction activities between December 1 and April 30 to protect wintering big game species.

5. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

6. If fossils are discovered during construction or other operations, all activity in the area will cease and the Field Office Manager will be notified immediately. An assessment of significance will be made within an agreed time frame. Operations will resume only upon written notification by the Authorized Officer.
7. The BLM is responsible for informing all persons in the areas who are associated with this project of the requirements for protecting paleontological resources. Paleontological resources found on the public lands are recognized by the BLM as constituting a fragile and nonrenewable scientific record of the history of life on earth, and so represent an important and critical component of America's natural heritage. These resources are afforded protection under 43 CFR 3802 and 3809. Penalties possible for the collection of vertebrate fossils are under 43 CFR 8365.1-5.
8. The United States will not be held liable for any damage to the Power line caused by the general public or as a result of fire, wind, or other natural disasters or as a result of vegetation and fuel management operations, including prescribed or managed fires, or other actions stemming from the normal land management activities of the Bureau of Land Management.
9. Power line design should follow suggested practices outlined in "Suggested practices for raptor protection on power lines: State of the Art in 1996" (Avian Power Line Interaction Committee (APLIC). 996)
10. 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.
11. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. 'Waste' means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
12. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).
13. 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. The authorized officer prior to such use shall approve emergency use of pesticides in writing.

14. Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a pretermination conference. This conference will be held to review the termination provisions of the grant.

15. RECLAMATION:

The holder is required to use the reclamation practices necessary to reclaim all disturbed areas. Reclamation will ensure surface and subsurface stability, growth of a self-regenerating permanent vegetative cover and compatibility with post land use. The vegetation will be diverse and of the same seasonal growth as adjoining vegetation. Post land use will be determined by the authorized officer but normally will be the same as adjoining uses.

Reclamation practices which must be applied or accomplished are: re-grading to the approximate original contour, effectively controlling noxious weeds, separating, storing and protecting topsoil for redistribution during final abandonment, seeding and controlling erosion. If topsoil is not present, or quantities are insufficient to achieve reclamation goals, a suitable plant growth media will be separated, stored and protected for later use. Reclamation will begin with the salvaging of topsoil and continue until the required standards are met. If use of the disturbed area is for a short time (less than one year), practices which ensure stability will be used as necessary during the project, and practices needed to achieve final abandonment will commence immediately upon completion of the approved activity use and be completed, with the exception of vegetative establishment, within one year. If use of the area is for longer periods of time (greater than one year), interim reclamation is required on the unused areas. Interim reclamation of the unused areas will begin immediately upon completion of the permanent facility(s) and be completed, with exception of vegetative establishment, within one year. For both short and long term projects vegetative establishment will be monitored annually. If the desired vegetation is not established by the end of the second growing season, cultural practices necessary for establishment will be implemented prior to the beginning of the next growing season. Interim reclamation, unless otherwise approved, will require meeting the same standards as final abandonment with the exception of original contour, which may be only partially achievable.

Annual reports consisting of reclamation practices completed and the effectiveness of the reclamation will be provided to the Little Snake Resource Area. The first report will be due in January following initiation of reclamation practices and annually thereafter until final abandonment is approved.

There are numerous reclamation practices and techniques which increase the success rate of reclamation and stabilization. With the exception of those stated above, it is the lessee's prerogative to use those (s)he chooses to accomplish the objective. However, it is recommended that state-of-the-art reclamation, stabilization and management practices be used to achieve the desired objective in a timely and cost-effective manner.

The following definitions and measurements will be used to accomplish and determine if reclamation has been achieved.

- 'permanent vegetative cover' will be accomplished if the basal cover of perennial species, adapted to the area, is at least ninety (90) percent of the basal cover of the undisturbed vegetation of adjoining land or the potential basal cover as defined in the Soil Conservation Service Range Site(s) for the area.

- 'diverse' will be accomplished if at least two (2) perennial genera and three (3) perennial species, adapted to the area, make up the basal cover of the reclaimed area in precipitation zones thirteen (13) inches or less and three (3) perennial genera and four (4) perennial species in precipitation zones greater than thirteen (13) inches. One species will not make up more than fifty (50) percent of the perennial vegetation by basal cover.

- 'self-regenerating' and 'adapted to the area' will be evident if the plant community is in good vigor, there is evidence of successful reproduction and the species are those commonly used and accepted in the area.

- 'surface stability' will be accomplished if soil movement, as measured by deposits around obstacles, depths of truncated areas, and height of pedestalling, is no greater than three tenths (0.3) of an inch and if erosion channels (rills, gullies, etc.) are less than one (1) inch in depth and at intervals greater than ten (10) feet.

If this standard is not met by the end of the second growing season, two alternatives exist depending on the severity of the erosion:

- a. If erosion is greater than two (2) times the allowable amount, correctional action would have to be taken by the responsible company at that time.

- b. If erosion is less than or equal to two (2) times the allowable amount, and it is determined the erosion occurred during vegetative establishment and the site may become stable, no correctional action would be required at that time. Another check (and measurement) would be performed a year later to determine if stability standards had been met. If the original measurements have not increased by more than the allowed standard, the standard would be considered met. However, if the increase is greater than the allowed standard, corrective action would be required.

- 'subsurface stability' (mass wasting event) is of concern if disturbance has included excavation over four (4) feet in depth and greater than 10,000 square feet in area on slopes thirty five (35) percent and greater, or on any erosion-prone slope (Danforth Hills, Vermillion Bluffs and badland areas). When these conditions occur, length of liability for reclamation and final abandonment will continue for ten (10) years following recontouring to original contour or for such time that climatic patterns provide two (2) consecutive years in which measurable precipitation totals at least 120 percent of average from October 1 through September 30, as measured by data averaged from nearby regional weather stations.

This stipulation, or portions of it, may be waived by the AO. Such waiver will be documented and justified when not applicable or objectives are accomplished through another method.