

**U.S. Department of the Interior  
Bureau of Land Management**

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**Categorical Exclusion**

**Underground Power Line to Residence in Section 13**

**PREPARING OFFICE**

U.S. Department of the Interior  
Bureau of Land Management





**Categorical Exclusion**  
**Underground Power Line to Residence in Section**  
**13**

**DOI-BLM-CO-F02-2015-0003 CX**

Prepared by  
**U.S. Department of the Interior**  
**Bureau of Land Management**  
**Canon City, CO**

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# **Chapter 1. Name**

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## **A. Background**

**BLM Office:**

Royal Gorge Field Office, LLCOF02

**Lease/Serial/Case File No.:**

COC-76211

**Proposed Action Title/Type:**

Right-of-Way for an underground 7.62kV electrical power distribution line to serve a private residence.

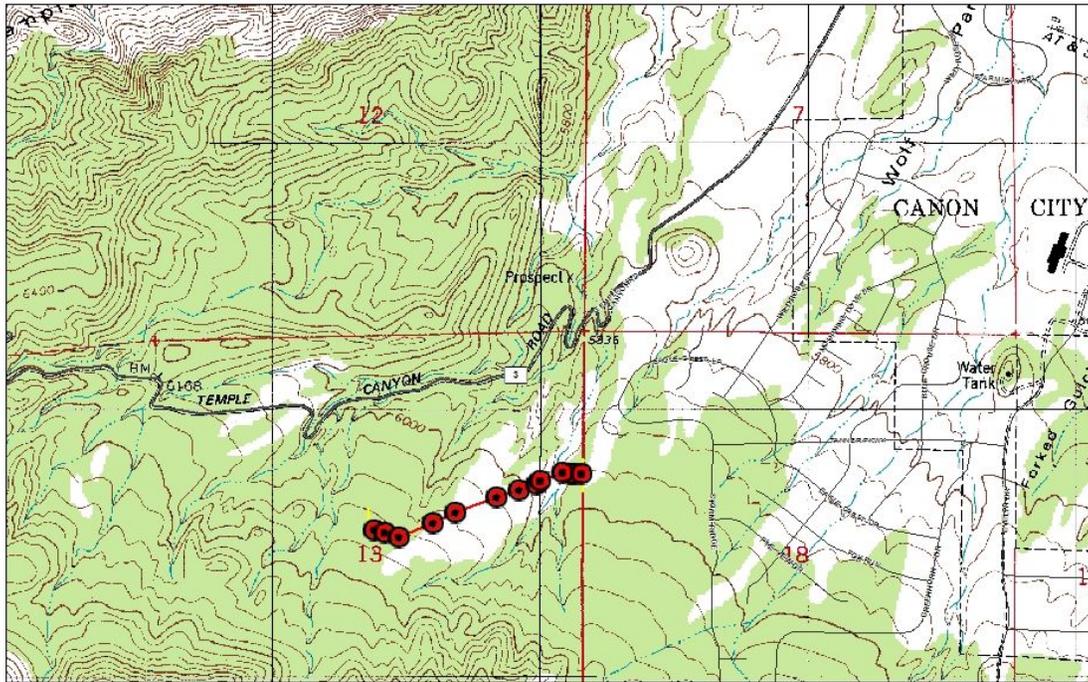
**Location of Proposed Action:**

Fremont County, CO

T. 19 S., R. 71 W., Section 13; NE1/4

**Description of Proposed Action:**

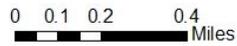
The BLM action is to issue a Right-of-Way to Black Hills Energy for the construction, operation, and maintenance of an underground 7.62kV electrical power distribution line to serve a private residence South of Temple Canyon Road. The line will be constructed by using a 80K pound plow dozer with ripper, a pick up truck and a UTV. Up to four workers will work on sight. The rip dozer will pre rip the route with a ripper tooth and install cable with vibratory plow. The rip dozer will run back over the pushed up soil to restore the route. Black Hills Energy will need perpetual access for emergency repairs. A minimum depth for the cable is 42 inches. Red fiberglass markers may be placed along the line to identify the route. The proposed right-of-way would be 2,815 feet in length 20 feet wide, equalling 56,300 square feet or 1.29 acres. A temporary staging area will be established at the parking area on Temple Canyon Road.



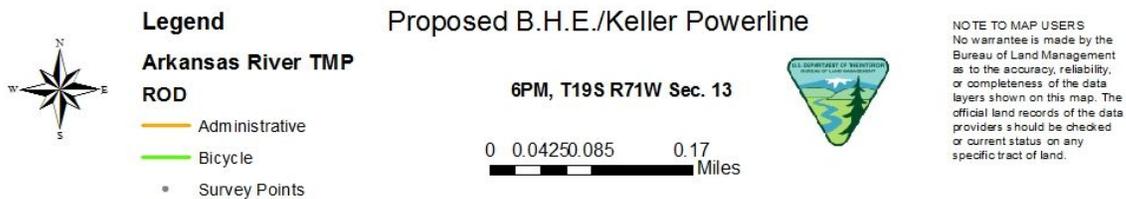
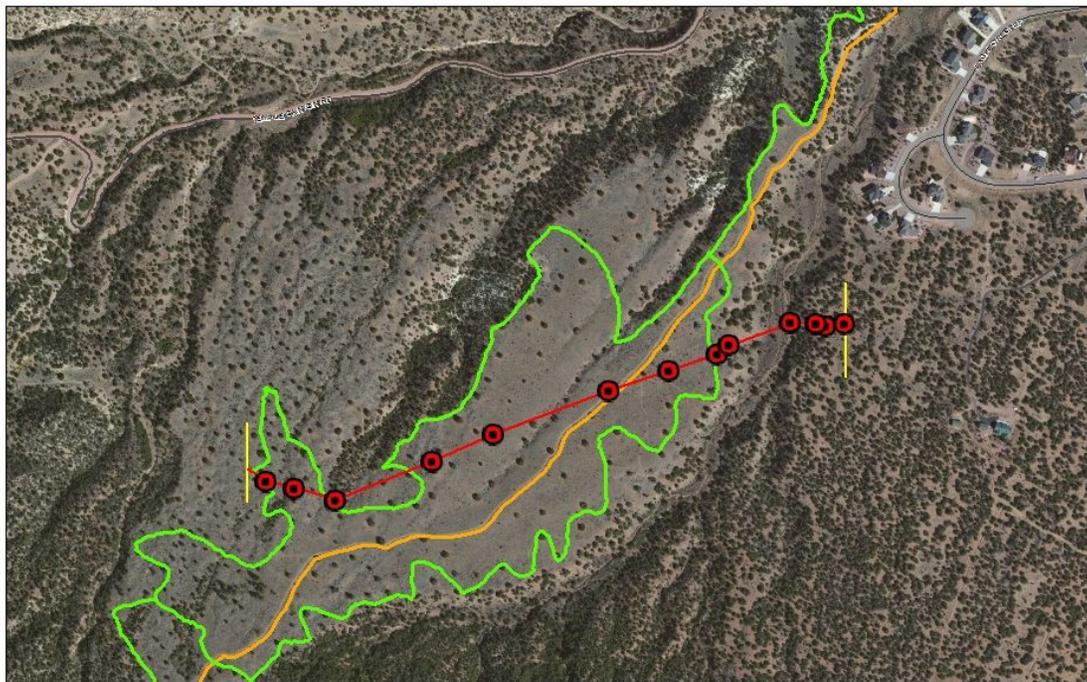
Proposed B.H.E./Keller Powerline



6PM, T19S R71W Sec. 13



NOTE TO MAP USERS  
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked or current status on any specific tract of land.



## B. Land Use Plan Conformance

### Land Use Plan Name:

Name of Plan: Royal Gorge Management Plan

Date Approved: May 13, 1996

Decision Number: 7-50

Decision Language: The Western Utility Group's study for corridor designation will be adopted for major rights-of-way with addition of the existing transportation corridors. Minor rights-of-way will be authorized on a case-by-case basis on proposals outside of exclusion areas. Minor rights-of-way could be authorized in avoidance areas only when stipulations will protect values.

**Date Approved/Amended:** May 13, 1996

**The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): 7-50**

**The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions) :**

## **C. Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.9, E.17

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43CFR46.215, Appendix 2 apply.

I considered:

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11, E.17. None of the following exceptions in 43CFR46.215, Appendix 2, apply.

**Table 1.1. Exclusion Criteria**

<b>Exclusion Criteria</b>	<b>YES</b>	<b>NO</b>
1. Have significant impacts on public health or safety.		X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; lands with wilderness characteristics; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations.		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.		X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

**Table 1.2. Interdisciplinary Team Review**

<b>INTERDISCIPLINARY TEAM REVIEW</b>			
<b>NAME</b>	<b>TITLE</b>	<b>AREA OF RESPONSIBILITY</b>	<b>Initials/date</b>
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 11/4/14
John Lamman	Range Management Spec.	Range, Vegetation, Farmland, Weeds	10/22/2014
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 11/13/14
Melissa Smeins	Geologist	Minerals, Paleontology	mjs, 10/20/2014
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 10/17/14
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 10/16/2014
Linda Skinner	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	LS, 11/14/14
Ken Reed	Forester	Forestry	10/21/14
Monica Weimer	Archaeologist	Cultural, Native American	MMW, 10/21/14
Rich Rotte	Realty Specialist	Realty	RAR, 10/16/14
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	mw for SC, 11/6/14
Ty Webb	Fire Management Officer	Fire, Air Quality	TW, 10/20/14

**REMARKS:**

**Cultural Resources:** No historic properties were found in the area of potential effect [see report CR-RG-04-36 (N)]. Therefore, the proposed undertaking will have no effect on any historic properties (those eligible for the NRHP).

**Native American Religious Concerns:** No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

**Threatened and Endangered Species:** A population of golden blazing star (*Metznelia chrysantha*), a BLM sensitive species, is known to occur near the project area. Habitat for this species, typically barren slopes and road cuts of limestone, shale, or alkaline clay, does occur along disturbance area of the proposed action. Any site where project related activities cause ground disturbance shall be inventoried for BLM sensitive plants. Actions will be taken to minimize damage to populations of BLM sensitive plants where possible.

There are no records of any federally listed species within or near the project area.

**Migratory Birds:** To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a “take” of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within 30 meters (100 feet)

of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

**Minerals:** There are no active mining claims located in the proposed area. There are 2 active lode claims in the adjacent SW and SE quarter of section 13 (CMC 2404 and CMC 2415).

**Wastes, Hazardous or Solid:** If the project involves oil or fuel usage, transfer or storage, an adequate spill kit and shovels are required to be onsite during project implementation. The project proponent will be responsible for adhering to all applicable local, State and Federal regulations in the event of a spill, which includes following the proper notification procedures in BLM's Spill Contingency Plan.

**Forest Management:** Any trees needing to be cleared will be purchased at \$10/cord. The RGFO forester shall be contacted 2 weeks prior to any tree removal. The RGFO forester shall meet with a BHE-Keller powerline official to determine which trees need to be removed for the project.

**Recreation:** The Proposed Action crosses a maintained non-motorized natural surface trail in four places. The action of installing a cable using a D9 bulldozer will change the surface of the trail with an estimated width of 14 feet. Most of the surface disturbance for the length of the project will leave a linear track about 2 feet wide. This may give the appearance of another trail bisecting the original trail. This disturbed area could encourage a band of weed growth. This trail is used frequently by locals and the applicant should post signs to warn visitors of the construction. A minimum of two signs should be posted that state; "Caution: construction equipment may be present on the trail". One should be posted at the trail head on Temple Canyon Road and the other should be approximately 10 feet from the first right of way crossing with the trail. These signs will be removed after the trail work is completed.

Compliance includes reclamation of the trail sections that are crossed. This reclamation will include the use of hand tools to tamp the tread surface and then rake and smooth the tread. The applicant will be required to monitor the linear track annually (where the cable lies) for weeds, and possible cable exposure in the drainages. If weeds are found, the applicant is responsible for removal and/or spraying.

## **D. Approval and Contact Information**

**COMPLIANCE PLAN** (optional):

**NAME OF PREPARER:** Rich Rotte

**SUPERVISORY REVIEW:** /s/ Jay Raiford

**NAME OF ENVIRONMENTAL COORDINATOR:** /s/ Martin Weimer

**DATE:** 11/23/14

**DECISION AND RATIONALE:** I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Keith E. Berger

DATE SIGNED: 11/24/14