

**United States Department of the Interior  
Bureau of Land Management**

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**Categorical Exclusion Not Established By Statute  
DOI-BLM-CO-S010-2014-0012-CX**

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**October 2014**

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**LPEA Underground Powerline ROW**

***Location:*** New Mexico Principle Meridian, Colorado  
T. 34 N., R. 8 W.,  
Sec. 12, SE1/4.

***Applicant/Address:*** La Plata Electric Association, Inc.  
45 Stewart St.  
PO Box 2750  
Durango, CO 81302

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Tres Rios Field Office  
15 Burnett Court  
Durango, CO 81301  
p. 970-247-4874

**CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING  
CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE**

**A. Background**

BLM Office: Tres Rios Field Office

Lease/Serial/Case File No: DOI-BLM-CO-S010-2014-0012-CX

Proposed Action Title/Type: LPEA Underground Powerline ROW

Location of Proposed Action: New Mexico Principle Meridian, Colorado  
T. 34 N., R. 8 W.,  
Sec. 12, SE1/4.

**Description of Proposed Action:**

La Plata Electric Association, Inc. applied for a right-of-way (ROW) to construct a 325-foot long underground powerline in order to electrify the Dry Creek Federal GU #1 natural gas well pad, creating a total of 0.015 acre of ground disturbance. Construction would involve using a backhoe to dig a 24-inch wide by 42-inch deep trench, which would be backfilled after the powerline is installed. Disturbed surfaces would be reseeded with a BLM-approved seed mix upon completion of the project.

This underground powerline would tie-in to the existing B141 powerline. The B141 powerline would be upgraded from single- to three-phase in a separate action. The underground powerline would be entirely constructed within the existing rights-of-way of the B141 powerline and the access road to the Dry Creek Federal GU #1 natural gas well pad.

**B. Land Use Plan Conformance**

Name of Plan: San Juan/San Miguel Resource Management Plan (RMP)

Date Approved: September 1985

The proposed action is in conformance with the referenced Land Use Plan (LUP), even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): Record of Decision for San Juan/San Miguel Resource Management Plan, Page 20, states: "In general, public land is available for utility and transportation corridor development, however, applicants will be encouraged to locate new facilities within existing corridors to the greatest extent possible."

**Land Laws and Policies.** The lands program in the planning area is primarily concerned with the authorization of uses on the public lands by others, including private parties, state, county, and other federal agencies. The objective is to ensure compatibility of the various multiple uses with environmental protection of natural resources.

**C. Compliance with NEPA**

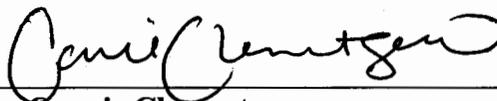
The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E. Realty, 12, which states: "Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way."

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 43 CFR Part 46.215 apply.

I considered that the project will be within the existing rights-of-way of the B141 powerline and the access road to the Dry Creek Federal GU #1 natural gas well pad.

**D: Signature**

Authorizing Official: \_\_\_\_\_



Date: \_\_\_\_\_

9-16-14

**Connie Clementson**  
**Field Manager**  
**Tres Rios Field Office**

**Contact Person**

For additional information concerning this CX review, contact:

Jennifer Jardine  
Realty Specialist  
Tres Rios Field Office  
15 Burnett Court, Durango, CO 81301  
970-385-1224

**Attachments**

Figure 1. Road Vicinity Map  
Figure 2. Project Location Map

### Exceptions to Categorical Exclusion Documentation

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

<b>Extraordinary Circumstances</b>		
1. Have significant impacts on public health or safety.		
<b>Yes</b>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> The project would not have any impacts on public health or safety. The project area is adjacent to a natural gas well pad and is not ordinarily accessed by the public. The powerline would be buried underground and would not present a hazard.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
<b>Yes</b>	<b>No</b> <input checked="" type="checkbox"/>	There are no unique natural resources, unique geographic characteristics, historic or cultural resources; parks, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments, or other ecologically significant or critical areas within the project area. Migratory birds may enter the project area, but there are no shrubs or trees to provide nesting habitat. Given the linear nature of the project area, it is unlikely the project would significantly affect ground-nesting migratory birds.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
<b>Yes</b>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> The impacts of the action are well-known and have been demonstrated in other projects that have been implemented and monitored.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
<b>Yes</b>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> The proposed underground powerline would likely have very predictable consequences that are well established as insignificant.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
<b>Yes</b>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> The proposed underground powerline would not set a precedent for future actions that would normally require environmental analysis.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		

**Extraordinary Circumstances**

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The proposed project is directly related to the LPEA powerline ROW renewal and modification (NEPA # DOI-BLM-CO-S010-2014-0011-EA), which entails upgrading the B141 powerline from a single- to three-phase line. There would be no cumulatively significant environmental effects from these combined actions.
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7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> Significant impacts to cultural resources are not expected. There are no historic properties, listed or eligible for listing, within the project area.
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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.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The potential for federally-listed species to occur within the proposed project area has been reviewed. No significant impacts to listed or proposed species or designated critical habitat are expected.
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9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> A Fish and Wildlife Clearance Report was prepared by Nathaniel West, Supervisory Wildlife Biologist, BLM Tres Rios Field Office, on February 26, 2014. This report found that no federally-listed species, BLM sensitive species, or Birds of Conservation Concern would be affected or impacted by the project. Mitigation measures for wildlife include timing restrictions for big game winter concentrations of elk and mule deer, nesting raptors, and migratory birds. No federal, state, local, or tribal laws would be violated by the project.
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10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No low income or minority populations occur within the proposed project area. The proposed project would have no adverse effects on low income or minority populations.
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11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No sacred sites are known to occur in the area.
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12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

**Extraordinary Circumstances**

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> Ground disturbance, such as the trenching involved in installing the underground powerline, can provide an opportunity for noxious weeds and non-native invasive species to spread. However, the area that would be disturbed is relatively small and linear (325 linear feet). Given the small area of disturbance, it is unlikely that the project would significantly contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species. Disturbed areas would be reseeded with a BLM-approved seed mix upon completion of the project to prevent invasive species from becoming established.
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**United States Department of the Interior  
Bureau of Land Management**

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**Decision  
Categorical Exclusion  
DOI-BLM-CO-S010-2014-0012-CX**

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**LPEA Underground Power line ROW**

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T. 34 N., R. 8 W.,  
Sec. 12, SE1/4.

***Applicant/Address:*** La Plata Electric Association, Inc.  
45 Stewart St.  
PO Box 2750  
Durango, CO 81302

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Tres Rios Field Office  
29211 Highway 184  
Dolores, CO 81323  
(970)882-7296 (O)  
(970)882-6841 (F)

**DECISION**  
**Categorical Exclusion**  
**DOI-BLM-CO-S010-2014-0012-CX**

It is my decision to authorize the proposed action and issue a ROW with terms and conditions to LPEA.

**Proposed Action:** La Plata Electric Association, Inc (LPEA) submitted an application for Bureau of Land Management (BLM) to issue a right-of-way (ROW), so they may construct a 325-foot long underground power line in order to electrify the Dry Creek Federal GU #1 natural gas well pad, creating a total of 0.015 acre of ground disturbance. Construction will involve using a backhoe to dig a 24-inch wide by 42-inch deep trench, which will be backfilled after the power line is installed. Disturbed surfaces will be reseeded with a BLM-approved seed mix upon completion of the project.

The underground power line will tie-in to the existing B141 power line. The B141 power line will be upgraded from single- to three-phase in a separate action. The underground power line will be entirely constructed within the existing rights-of-way of the B141 power line and the access road to the Dry Creek Federal GU #1 natural gas well pad.

**Authorities:** The authority for this decision is contained in Federal regulations under 43 CFR 2807.21, the Federal Land Policy and Management Act of 1976 (FLPMA).

**Compliance and Monitoring:** Compliance reviews of individual authorizations will be performed at regular intervals (usually in five to ten year increments). This will be done to ensure associated rights-of-way conditions, standards and stipulations are being met, and all maintenance is being performed on a regular basis as per the lease term requirements. Monitoring the original, existing authorized rights-of-way will also ensure no additional unauthorized rights-of-way exist within the approved footprints.

**Terms / Conditions / Stipulations:** Please see CX Attachment "Right-of-Way Stipulations."

**PLAN CONFORMANCE AND CONSISTENCY:**

The proposed action has been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

Name of Plan: San Juan/San Miguel Resource Management Plan (RMP)

Date Approved: September 1985

Decision Name/Page/Language:

Page 20, states: "In general, public land is available for utility and transportation corridor development, however, applicants will be encouraged to locate new facilities within existing corridors to the greatest extent possible."

**Rationale for Decision:**

I have evaluated the action relative to the twelve extraordinary circumstances in 516 DM 2, Appendix 2 and have determined that none apply and the proposed action is categorically excluded from further environmental analysis.

All ROW renewals and assignments will be made subject to the attached proposed stipulations. These stipulations will provide for the protection of natural resources and requires the ROW holder to contact the BLM prior to any surface disturbing activity.

In accordance with regulations mentioned above, new stipulations can be added at the time of renewal or assignment, as determined necessary.

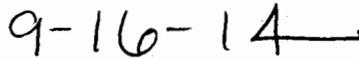
**Protest/Appeal Language:**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer Connie Clementson, Tres Rios Field Office Manager, date, 2014, and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4.

Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at the Tres Rios Field Office, 29211 Highway 184, Dolores, CO 81323. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.



\_\_\_\_\_  
Connie Clementson  
Tres Rios Field Office Manager



\_\_\_\_\_  
Date