

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

**Decision Record
Environmental Assessment**

DOI-BLM-CO-S010-2013-0020

September 2014

Chromo Mountain Communication Site

Location: New Mexico Principle Meridian, Colorado
T. 32 N., R. 1 E.,
Sec. 5, SE/NE.
The area described contains .36 acre

Applicant/Address: La Plata Electric Association, Inc.
45 Stewart Street
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It is my decision to authorize the proposed action, as described on pages 8 through 14 of the Chromo Mountain Communication Site EA (DOI-BLM-CO-S010-2013-0020). The authorized action would be to issue a 30 year right-of-way (ROW) to La Plata Electric Association, Inc. to install one AMI tower and associated equipment as well as, installation of an underground power line, and use of an access route consisting of new and existing disturbance.

The Proposed Action would include construction of a 60-foot-tall steel AMI tower with two antennae and one microwave dish as well as a small equipment building (cabinet) at the base of the AMI tower. The AMI tower and cabinet location are collectively referred to as the "Communication Site." The Communication Site consists of a 75-foot by 75-foot temporary use area (TUA) surrounding the footprint of the AMI tower and cabinet. The majority of the TUA would be reclaimed after construction is completed. Existing gravel and two-track roads would be used to access the Communication Site, in addition to a segment of new two-track road to connect the existing roads. In order to provide a continuous source of electricity to the AMI tower and cabinet, an underground power line would be installed within the access route. A 20-foot-wide permanent utility and access easement would be placed over the utility corridor and access route.

Authorities: The authority for this decision is contained in Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations (43 CFR 2800), at the discretion of the Secretary of the Interior or his/her delegated officer.

Compliance and Monitoring: The ROW would be subject to monitoring by BLM personnel during construction phases, in order to confirm compliance to the stipulations are met. After the construction phase, the ROW would be subject to compliance inspections every 5 years thereafter during the term of the ROW.

Terms / Conditions / Stipulations: The following list includes applicant-committed Design Features intended to minimize or mitigate impacts of the Proposed Action.

- Where topsoil removal is required, topsoil will be stockpiled for use in reclamation.
- Reclamation includes re-contouring, topsoil spreading, and reseeding. Reclamation will be completed as soon as practical after project construction activities are completed and under weather conditions conducive to successful reclamation. A BLM-approved seed mix would be used for reclamation.
- Prior to initiating construction operations, all heavy equipment will be pressure washed at an off-site location to reduce the possibility of transporting seeds of noxious weeds to the Project Area.

- LPEA will control state-listed noxious and invasive weed species in the Project Area. All weeds would be treated annually or as needed to maintain control and prevent their spread.
- Stormwater and Erosion Controls will be implemented to minimize erosion and sediment transport from disturbed areas.
- Spill prevention measures will be implemented during construction to prevent soil contamination. Hazardous materials spills and leaks will be cleaned up immediately and contaminated soils will be removed to a solid waste disposal facility.
- Construction earthwork activities will not be performed when topsoil is frozen or when soils are saturated.
- Raptor and migratory bird timing restrictions would be implemented should construction and clearing of vegetation be proposed during breeding or nesting seasons, as detailed in the Fish and Wildlife Clearance Report (BLM 2013a) included in Appendix B.
- If cultural materials are found during construction (including subsurface cultural resources), LPEA will halt surface disturbing activities, notify the AO immediately, and conduct future operations according the AO. LPEA will educate staff and contractors regarding illegal collection or destruction of cultural resources.
- If paleontological resources are encountered during activities, LPEA will immediately cease all operations and contact the BLM TRFO.
- Unless required for radio reception, trees within 250 feet of the edge of the escarpment shall be left in place to provide visual screening.
- The tower structure will have a dulling finish applied to minimize reflectivity.
- The microwave dish will be finished from the manufacturer in a flat, gray-brown color.
- Aluminum dipole antennae will be painted with a light, non-metallic, flat color similar in hue, tone, and value to the tower's material.
- The exterior finish on the cabinet building will be a Thermo-Bond aggregate finish in a tan color.
- Any new or replacement, temporary or permanent lighting at the Facility Site (including at the cabinet building) will be hooded or downcast to minimize visual light pollution.

In addition to the design features listed above, ROW terms and conditions are found as part of Appendix G of the EA.

PLAN CONFORMANCE AND CONSISTENCY:

The Proposed Action and alternatives are subject to and have been reviewed for conformance with the following land use plan and amendments (43 Code of Federal Regulations [CFR] 1610.5, BLM 1617.3):

Plan Name: San Juan/San Miguel Planning Area Resource Management Plan (BLM 1985)
Date Approved: September 1985
Page Number: Page 20 – “Utility and Transportation Corridors. 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. Public land within areas identified as unsuitable will not be available for utility and transportation corridors. Deviations from existing corridors may be permitted based on considering: types of and needs for the proposed facilities; conflicts with other resource values and uses, including potential values and uses; and availability of alternative routes and (or) mitigation measures”

The Proposed Action would fulfill the objective and intent of the 1985 San Juan/San Miguel Planning Area Record of Decision/Resource Management Plan (RMP), stating that public land is available for utility and transportation corridor development. Additionally, the Proposed Action utilizes existing access to the extent possible for placement of the underground power line. A written decision by the Authorized Officer (AO) would include a decision on RMP conformance.

Alternatives Considered: The No Action alternative was considered and analyzed providing a baseline for comparison of the impacts of the Proposed Action. The No Action alternative would have denied the ROW application as submitted by LPEA. If the No Action alternative was selected, the proposed construction and operation of the AMI tower and associated facilities (as described in *Alternative A: Proposed Action*) would not occur on federal lands. In addition, no underground power line or access road would be constructed and the existing road would not be used for access to the AMI site.

Rationale for Decision: It is my decision to authorize the AMI tower and associated equipment, installation of an underground power line, and use of an access route as described in the proposed action, because it is in conformance with all applicable laws and land use plans, is not in conflict with public uses. The Proposed Action would increase the efficiency and reliability of LPEA’s electric distribution system by enabling customers to make informed energy use decisions. The AMI system would also allow LPEA greater control on its line re-closers, thereby reducing the potential to ignite a forest fire. The ROW stipulations put in place would meet the goals of the BLM and LPEA, for managing the resources in the project area.

Internal scoping began in December 2012. Public scoping began with the listing of the proposed project on the BLM’s online NEPA Register in April, 2014. A field trip to the proposed communication site occurred on October 24, 2013. BLM specialists, LPEA representatives and contractors all attended. Visual resources were the only issues raised by agency personnel. A scoping letter requesting comments on the Proposed Action from potentially interested parties including nearby property owners, tribal and state government offices, and regional

environmental and other interest groups was sent March 26, 2014. A 30-day public comment period was offered. One response letter was received from a private citizen. The letter stated that movement of terrestrial wildlife and visual resources should be addressed.

The proposed alternative was selected because issues or concerns raised during scoping were addressed through stipulations or mitigation measures. The proposed alternative meets the agency and proponent's objectives.

The no action alternative was not selected because it did not meet the proponent's objectives.

Protest/Appeal Language: If you are adversely affected by this decision, within 30 days of receipt of this decision, you have a right to appeal to the Interior Board of Land Appeals, Office of Secretary, in accordance with regulations at 43 CFR Part 4.

This decision goes into effect immediately and will remain in effect while appeals are pending unless a stay is granted under 43 CFR §2812.9.





Connie Clementson Date

Field Manager

Tres Rios Field Office

Attachments: Appendix G, Communication Site Lease stipulations, Appendix H, Map