

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

---

**Categorical Exclusion**

**DOI-BLM-CO-SO50-2013-0007**

---

**January 2013**

**Radio Equipment at Existing Communication Site**

*Location: approximately 6 miles southeast of Montrose  
Montrose County, Colorado*

---

**U.S. Department of the Interior  
Uncompahgre Field Office  
2465 South Townsend Avenue  
Montrose, CO 81401  
Phone: (970) 240-5300**



**U.S. Department of the Interior  
Bureau of Land Management  
2465 South Townsend Avenue  
Uncompahgre Field Office  
Montrose, CO, 81401**

## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-S050-2013-0007

CASEFILE: COC-75980

PROJECT NAME: Radio antenna ROW at existing South Canal Substation

PLANNING UNIT: Uncompahgre Basin Resource Management Unit

LEGAL DESCRIPTION: New Mexico Principal Meridian, Colorado,  
T. 48 N., R. 8 W., Sec. 19.

APPLICANT: Delta Montrose Electric Association (DMEA)

DESCRIPTION OF PROPOSED ACTION: The proposed action is to issue a right-of-way to DMEA to install, operate and maintain a radio antenna and equipment at Tri-State's existing communication site at their South Canal Substation. The project is located approximately 6 miles southeast of Montrose.

DMEA proposes to install a radio antenna and equipment at Tri-State's site to improve radio communications for data and dispatch for DMEA employees working in the area. DMEA's antenna and equipment would be installed on Tri-State's existing tower and building. The radio antenna and equipment would be authorized as a 25' x 25' site; approximately 0.014 acres. Provisions for subleasing would not be included in DMEA's ROW since the facility is owned by Tri-State. No surface disturbance would occur during installation of the antenna and equipment and the existing access road to the substation would be used.

The right-of-way would be issued under FLPMA, would expire December 31, 2030, (the same expiration date as Tri-State's authorization for the South Canal Substation) and would be subject to the stipulations in Exhibit A. DMEA's facilities are recognized under the Rural Electrification Act and are rental exempt.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Uncompahgre Basin Resource Management Unit

Date Approved: July 1989

Decision Number/Page: MU-1, Livestock grazing, wildlife habitat, recreation and woodlands, page 143

Decision Language: Lands cases generated by other agencies, individuals and entities would be analyzed and processed on a case-by-case basis.

**CATEGORICAL EXCLUSION REVIEW:** The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number E(12) which allows grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant adverse effects on public health and safety.	_____	_____ <u>X</u>
2. Have adverse effects 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, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.	_____	_____ <u>X</u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	_____	_____ <u>X</u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	_____ <u>X</u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	_____ <u>X</u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	_____	_____ <u>X</u>
7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places.	_____	_____ <u>X</u>
8. Have adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.	_____	_____ <u>X</u>
9. Have the potential to violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	_____	_____ <u>X</u>
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations.	_____	_____ <u>X</u>
11. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites.	_____	_____ <u>X</u>
12. Significantly, 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.	_____	_____ <u>X</u>

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Linda Reed	Realty Specialist	Lands and Realty

REMARKS:

Since no surface disturbing activities will occur while attaching the radio antenna to the existing tower and placing the equipment in the existing building inside the substation, it was determined by the Uncompahgre Field Office management team that specialist's review of the project was not required.

NAME OF PREPARER: Linda Reed January 17, 2013

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Bruce Krickbaum  
Bruce Krickbaum

DATE: 1/22/2013

## 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, Number E(12). 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 516 DM 2 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Barbara Sharrow  
Barbara Sharrow,  
Uncompahgre Field Office, Field Manager

DATE SIGNED: 1/23/2013

COC-75980  
Exhibit A

### STIPULATIONS

1. The holder and/or its subcontractor shall contact the authorized officer at least five days prior to the anticipated start of installation of the radio antenna and equipment. The authorized officer may require and schedule a meeting with the holder prior to the holder's commencing equipment installation on the right-of-way. The holder and/or his representative shall attend this meeting. The holder's contractor, or agents shall also attend this meeting to review the stipulations of the grant. The BLM authorized representative is Barney Buria, Environmental Protection Specialist, who can be reached at the Uncompahgre Field Office, 2465 South Townsend, Montrose, Colorado 81401 or phone at (970) 240-5333. An alternate contact is Linda Reed, Realty Specialist, Uncompahgre Field Office, (970) 240-5322.
2. The holder shall install, operate, and maintain the equipment within this right-of-way in conformance with the terms, conditions and stipulations of this right-of-way. Any relocation or use that is not in accord with the approved conditions shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all plans and stipulations shall be made available at the right-of-way site during installation. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health or the environment.
3. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.
4. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated regarding toxic substances or hazardous materials. In any event, the holder 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 of 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 of State government.

5. The authorized officer may suspend or terminate in whole, or in part, when in his judgment, unforeseen conditions arise which result in the approved terms and conditions being inadequate to protect the public health and safety or to protect the environment.
6. All installation, operation and maintenance shall be within the authorized limits of the right-of-way granted herein.
7. No installation or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support such equipment. If the equipment creates ruts in excess of four (4) inches deep, the soil shall be deemed too wet to adequately support the equipment. Emergency repairs are exempt; however, any damages to resources caused by emergency repairs during wet conditions will be repaired as directed by the authorized officer as soon as possible after the occurrence.
8. It is the holder's responsibility to comply with all applicable Federal, State, and local laws and regulations existing or hereafter enacted or promulgated. The holder shall obtain and comply with all State and Federal permit requirements, regulations and resolutions.
9. All structures shall meet the requirements of the latest codes governing designs of facilities as outlined in the Uniform Building Codes. All construction, operation and maintenance of facilities shall meet specifications contained in Motorola's publication "Standards and Guidelines for Communications Sites R56", most recent edition (a.k.a., Motorola R56 standards). All electric facilities, equipment and their installation shall conform to the current National Electrical Safety Code and applicable laws and regulations.
10. To avoid possible impacts to birds or bats, follow the most current version of the U.S. Fish & Wildlife Service's Interim Guidelines on the Siting, Construction, Operation and Decommissioning of Communication Towers, available at the following website:  
<http://migratorybirds.fws.gov/issues/towers/comtow.html>.
11. 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 as necessary. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

**Department of the Interior  
Bureau of Land Management  
Uncompahgre Field Office  
2465 South Townsend Avenue  
Montrose, CO 81401**

**Decision Record**

**(DOI-BLM-CO-S050-2013-0007 CX)**

PROJECT NAME: Radio antenna ROW at existing South Canal Substation

DECISION: It is my decision to issue a right-of-way to Delta Montrose Electric Association (DMEA) to install, operate and maintain a radio antenna and equipment at Tri-State's existing communication site at their South Canal Substation. The project is located approximately 6 miles southeast of Montrose.

DMEA will install a radio antenna and equipment at Tri-State's site to improve radio communications for data and dispatch for DMEA employees. DMEA's antenna will be installed on Tri-State's existing tower. The radio antenna and equipment will be authorized as a 25' x 25' site; approximately 0.014 acres. No surface disturbance will occur during installation of the antenna and the existing access road to the substation will be used.

The right-of-way will be issued under FLPMA, will expire December 31, 2030, (the same expiration date as Tri-State's authorization for the South Canal Substation) and will be subject to the stipulations in Exhibit A.

MITIGATION MEASURES:

All stipulations shown in Exhibit A of the Categorical Exclusion (CX) will be followed.

RATIONALE:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Number E(12). 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 516 DM 2 apply.

COMPLIANCE WITH MAJOR LAWS and CONFORMANCE WITH LAND USE PLAN:

The decision is in compliance with applicable laws, regulations and policy, including the Endangered Species Act, Migratory Bird Treaty Act and National Historic Preservation Act. It is also in conformance with the Uncompahgre Basin RMP.

PUBLIC COMMENT:

The BLM informed the public about this project by listing it on the online Uncompahgre NEPA Register and a copy of the completed CX will be posted on the NEPA website.

ADMINISTRATIVE REMEDIES:

If you are adversely affected by this decision, within 30 days of receipt of this decision you have the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR §4.400. This decision goes into effect immediately and will remain in effect pending appeal unless a stay is granted (43 CFR §2801.10).

NAME OF PREPARER: Linda Reed

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Bruce Krickbaum  
Bruce Krickbaum

DATE 1/22/2013

SIGNATURE OF AUTHORIZED OFFICIAL /s/ Barbara Sharrow  
Barbara Sharrow  
Field Manager  
Uncompahgre Field Office

DATE SIGNED 1/23/2013