

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

## **DETERMINATION OF NEPA ADEQUACY (DNA)**

NUMBER: DOI-BLM-CO-110-2011-033-DNA

CASEFILE NUMBER: COC50047

PROJECT NAME: Power Line to Shell East RD&D Site

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado  
T. 1 S., R. 98 W.,  
sec. 33, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 2 S., R. 98 W.,  
sec. 4, lots 6, 7, and 10.

APPLICANT: White River Electric Association, Inc. (WREA)

DESCRIPTION OF PROPOSED ACTION: WREA proposes to construct a 25-kV, three-phase overhead power line to the Shell East Oil Shale RD&D (Research, Development, and Demonstration) site. The proposed power line would be constructed east of County Road 24, adjacent to the road, then crossing County Road 24 to the site. The proposed route for the power line would allow access for both construction and future maintenance. The overhead power line right-of-way (ROW) would be 3,380 feet long, 25 feet wide, containing 1.9 acres, more or less. Equipment to be used would be a backhoe, 4-wheel drive 2-ton digger truck, a tracked vehicle, and standard utility line trucks. No trees would be cleared and the only disturbance to the ROW would be the placement of twelve poles approximately 275 feet to 300 feet apart. WREA submitted a Plan for Surface Reclamation of Disturbed Power Line Right-Of-Way which is available at the White River Field Office and located in case file COC50047.

LAND USE PLAN (LUP) CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

X The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):

Decision Number/Page: Page 2-49

Decision Language: “To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values.”

#### REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the proposed action.

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: July 1, 1997

Name of Document: Extension of Existing Power Line (CO-110-2006-106-EA)

Date Approved: 06/29/2006

#### NEPA ADEQUACY CRITERIA:

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

*Documentation of answer and explanation:* Yes. The proposed action to construct an extension of the existing power line is essentially similar to, and is within the same analysis area as, the existing NEPA document CO-110-2006-106-EA.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

*Documentation of answer and explanation:* Yes, the proposed action and the no action alternative were analyzed in CO-110-2006-106-EA. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid for the proposed action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

*Documentation of answer and explanation:* Yes. The analysis in the existing NEPA document CO-110-2006-106-EA is still valid. It is not expected that new information or circumstances would substantially change the analysis of the new proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

*Documentation of answer and explanation:* Yes. The direct and indirect impacts of the proposed action remains unchanged from those identified in the existing NEPA document CO-110-2006-106-EA.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

*Documentation of answer and explanation:* Yes. The public involvement and interagency review associated with the existing NEPA document CO-110-2006-106-EA is adequate for the current proposal to construct an extension of the existing power line to serve the Shell East RD&D lease.

#### INTERDISCIPLINARY REVIEW:

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on December 07, 2010. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

#### REMARKS:

*Cultural Resources:* The proposed power line route has been inventoried at the Class III (100 percent pedestrian) level in part or in whole (Conner 2005 Compliance Dated 5/25/2004, Conner et al. 2004 Compliance Dated 9/13/2004, Conner et al. 2005 Compliance Dated 12/13/2005, Darnell 2006 Compliance Dated 4/10/2006, Schwendler et al. 2008 Compliance Dated 2/11/2009) with no cultural resources identified in the project area. Provided there are no excavations into soil beyond that necessary to set power poles, there should be no impacts to any known cultural resources. (MRS 12/14/2010)

*Native American Religious Concerns:* No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (MRS 11/15/2010)

*Paleontological Resources:* The proposed power line project is located in an area generally mapped as the Uinta Formation (Tweto 1979) which the BLM WRFO has classified as a PFYC 5 formation, meaning it is known to produce scientifically noteworthy fossil resources (Armstrong and Wolny 1989). If excavations into the underlying rock formation are to occur, there is the potential to impact noteworthy fossils; however, monitoring a post hole dug with an auger for the power pole is nearly impossible. The space is too confined to identify and evaluate any remains encountered. Therefore unless excavation into the underlying rock is anything other than a power pole hole such excavations shall be monitored by an approved paleontologist. (MRS 12/14/2010)

*Threatened and Endangered Wildlife Species:* All wildlife-related issue and concerns were adequately addressed in CO-110-2006-106-EA. (LB 01/04/11)

*Threatened and Endangered Plant Species:* Analysis done for CO-110-2006-106-EA found that there are no plant species listed, proposed, or candidate to the Endangered Species Act or plants considered sensitive by the BLM that are known to inhabit areas potentially influenced by the proposed action. There are no new special status plant species issues or concerns that were not adequately addressed in the original EA. (TT 1/14/2011)

#### REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis.  
Museum of Western Colorado, Grand Junction, Colorado.

Conner, Carl E.

2005 Class III Cultural Resources Inventory for Three Proposed Well Locations (Ryan Gulch #23-33, #22-7, and #22-28) in Rio Blanco County, Colorado for Williams Production Company. Grand River Institute, Grand Junction, Colorado. (04-11-05)

Conner, Carl E., Barbara Davenport, Danna Archuleta and Jim Conner

2005 Class III Cultural Resource Inventory Report for Three Proposed Well Locations and Three Pipeline Segments in Rio Blanco County, Colorado for Williams Production Company RMT. Grand River Institute, Grand Junction, Colorado. (05-11-47)

Conner, Carl E., Curtis Martin, Barbara Davenport, Nicole Darnell, and Jim Conner

2004 A Class III Cultural Resources Inventory for the Proposed Ryan Gulch Gathering System and Compressor Station in Rio Blanco County, Colorado for Williams Production RMT Company. Grand River Institute, Grand Junction, Colorado. (04-11-24)

Darnell, Nicole

2006 Class III Cultural Resources Inventory of a 160-Acre Block Area for the 2<sup>nd</sup> Generation IPC Site in Rio Blanco County, Colorado, for Shell Frontier Oil and Gas. Grand River Institute, Grand Junction, Colorado. (60-11-10)

Schwendler, Rebecca, Sarah Baer, Karen Reed, Scott Phillips, Scott Slessman, Matthew Bandy, Nicole Kromarek, Scott Bowen, Max Wolk, Caryn M. Berg, Paul Burnett, Tom Witt, Sean Doyle, Michelle Delmas, Michael Cregger, John Kennedy, Judy Cooper, Zonna Barnes, Amanda Cohen, Cynthia Manseau, Michael Retter, Dan Shosky, and Erin Salisbuery

2008 A Class III Cultural Resource Inventory for the Ryan Gulch 3-D Geophysical Exploration Project, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (09-127-01)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION: All applicable terms, conditions, and stipulations contained in ROW COC50047 will be carried forward and remain in full force and effect.

1. The holder is responsible for informing all persons who are associated with the project 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 uncovered during any project or construction activities, the holder is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the holder as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the holder 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 holder will be responsible for mitigation cost. 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 holder will then be allowed to resume construction.

2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, 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.

3. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the holder is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the holder as to:

- whether the materials appear to be of noteworthy scientific interest
- the mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)

If the holder 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 holder will be responsible for mitigation cost. 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 holder will then be allowed to resume construction.

4. Any excavations into the underlying rock formation other than holes excavated with an auger to place power poles shall be monitored by an approved paleontologist.

5. Power poles involved in this action will be designed to deter all raptor perching (i.e., crossarms and pole top) while remaining effective in preventing raptor electrocution.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The holder will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DATE: 03/17/2011

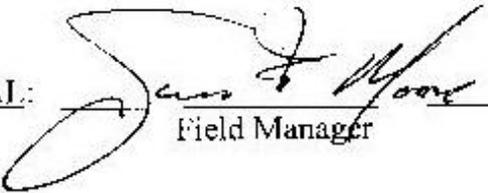
ATTACHMENTS: Exhibit A – Map of WREA Power Line to Shell East RD&D Site

## CONCLUSION

DOI-BLM-CO-110-2011-0033-DNA

Based on the review documented above, I conclude that this proposal in consort with the applied mitigation conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL:

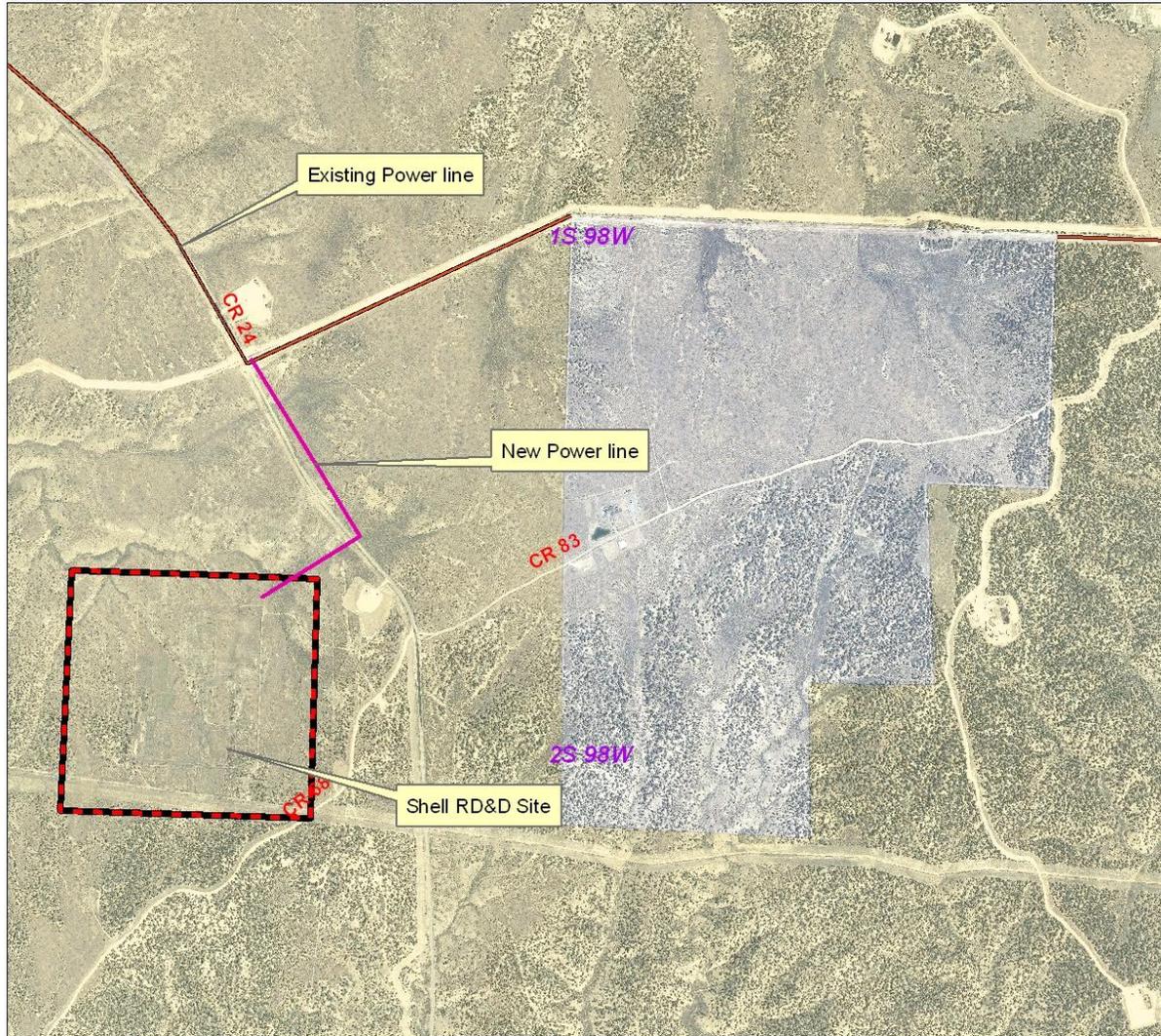
  
Field Manager

DATE SIGNED:

5/18/11

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

# WREA Power line to Shell East RD&D Site T. 2 S., R. 98 W.



## EXHIBIT A

-  Shell RD&D Parcel
-  CO-110-2006-100-EA Power line
-  BLM
-  CDW
-  County
-  FOR
-  NPS
-  PRI
-  STA
-  PLSS\_Townships\_GCD82008
-  State
-  County
-  BLM
-  USFS
-  NPS
-  Other



Sources:  
BLM, USGS, CDOW, etc.

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December 2010

