

**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-110-2011-0106-DNA

CASEFILE/PROJECT NUMBER: COC74898

PROJECT NAME: Power Line to Mesa Energy Compressor Station

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado  
T. 1 S., R. 98 W.,  
Sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

APPLICANT: White River Electric Association, Inc.

BACKGROUND: Mesa Energy Partners, LLC (hereafter Mesa) was granted right-of-way (ROW) COC74728 on April 8, 2011 for a gas gathering pipeline system and boosting station (Stake Springs compressor station) to serve the eastern portion of the Buckhorn Draw Federal Oil & Gas Unit. The ROW authorized construction of the Stake Springs compressor station, which requires a power line to serve the compressor(s). Environmental Assessment (EA) DOI-BLM-CO-110-2011-0028-EA analyzed the Buckhorn Draw Unit Gathering System and was signed April 6, 2011.

DESCRIPTION OF PROPOSED ACTION: White River Electric Association (WREA) proposes to construct a buried 25-kV, three-phase distribution power line near the intersection of Rio Blanco County Road (RBC) 91 and RBC 24 to serve Mesa's Stake Springs compressor station. The power line would be 348 feet long, 25 feet wide, and contain approximately 0.2 acres.

The takeoff pole from WREA's existing ROW COC61921 is located at 39°55'50.36734" N, 108°25'07.44402" W. The pad-mounted transformer will be located at 39°55'47.58983" N, 108°25'08.49996" W. The power line will be buried because WREA's 138-kV power line and RBC 91 must be crossed. Mesa will provide the excavation for the power line to WREA specifications. A small area of sagebrush will be cleared, the ditch will be backfilled and reseeded, and the road will be compacted. Equipment to be used will be a backhoe, a 4-wheel-drive 2-ton digger truck, and standard utility line trucks. The job is expected to take one working day to complete.

Decision to be Made: The BLM will decide whether or not to issue a power line right-of-way to WREA under the same terms and conditions included in DOI-BLM-CO-110-2011-0028-EA.

## PLAN CONFORMANCE REVIEW:

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

Date Approved: July 1, 1997

Decision Number/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: June 1996

Name of Document: CO-110-2011-028-EA Buckhorn Draw Unit Gathering System

Date Approved: April 06, 2011

## NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? 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? If there are differences, can you explain why they are not substantial?

*Yes. The Proposed Action to authorize a buried power line to serve the boosting station is essentially similar to, and is within the same analysis area as, the existing NEPA document CO-110-2011-028-EA, which analyzed a buried pipeline.*

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

*Yes, a reasonable range of alternatives (the Proposed Action and the No Action Alternative) were analyzed in CO-110-2011-028-EA. No reasons were identified to*

*analyze additional alternatives to the Proposed Action 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?

*Yes. The analysis in the existing NEPA document CO-110-2011-028-EA is still valid. It is not expected that new information or circumstances would substantially change the analysis of the new Proposed Action because the analysis for the pipeline was completed within the past six months.*

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?

*Yes. The direct and indirect impacts of the Proposed Action remains unchanged from those identified in the existing NEPA document CO-110-2011-028-EA.*

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

*Yes. The public involvement and interagency review associated with the existing NEPA document CO-110-2011-028-EA are adequate for the current proposal to authorize a buried power line to serve the boosting station analyzed previously.*

**INTERDISCIPLINARY REVIEW:**

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 5/3/2011. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Date</b>
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	8/2/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	5/24/2011
Zoe Miller	Ecologist	Special Status Plant Species	6/23/2011

REMARKS:

*Cultural Resources:* The proposed power line location has been inventoried at the Class III (100 percent pedestrian) level (Conner et al. 2011 compliance dated 7/20/2011). Inventory identified what may be a portion of an historical irrigation ditch, though research was unable to confirm that identification. The site is officially determined to be potentially eligible (need data) for the National Register of Historic Places. The route for the power line is in a non-contributing portion of the ditch and mitigation measures should be adhered to.

*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.

*Threatened and Endangered Wildlife Species:* There are no threatened or endangered wildlife species that are known to inhabit or derive important use from the project area. The Proposed Action would remove approximately 0.2 acres of predominately basin big sagebrush and greasewood communities. This reduction would likely have little substantive influence on local big game populations or terrestrial nongame wildlife communities.

*Threatened and Endangered Plant Species:* There are no special status plant species populations or habitat within 600 m of the Proposed Action. The Proposed Action is not expected to influence special status plant species.

REFERENCES CITED:

Conner, Carl E., Barbara Davenport and Dakota Kramer  
2011 Class III Cultural Resources Inventory Report for a Proposed Buried Power Line (350 feet) to the Mesa Energy Compressor site in Rio Blanco County, Colorado, for White River Electric Association. Grand River Institute, Grand Junction, Colorado. (11-11-21: SHPO #RB.LM.R1252)

MITIGATION: The following applicable mitigation from DOI-BLM-CO-110-2011-0028-EA shall be carried forward:

1. The right-of-way holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
2. The holder shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing emissions, fresh water use and hazardous material utilization, production and releases.
3. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste"

means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

4. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the Bureau of Land Management's White River Field Office at (970) 878-3800.

5. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the Bureau of Land Management's White River Field Office may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the holder of any liability or responsibility.

6. With the acceptance of this authorization, the commencement of development under this authorization, or the running of thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the pipeline, the holder, and through the holder, its agents, employees, subcontractors, successors and assigns, stipulates and agrees to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

7. The area should be surveyed for the presence of noxious/invasive species before and after construction. If undesirable species are found, they shall be promptly eradicated using materials and methods approved in advance by the BLM authorized officer. If invasive, non-native species establish within the project area and spread onto adjoining BLM lands, the applicant will be responsible for control of those populations.

8. All disturbed areas should be seeded with Native seed mix #5 from the White River ROD/RMP also listed below. Seeding rates in the White River ROD/RMP are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding. For broadcast application, double the seeding rate and then harrow to insure seed coverage. Applied seed must be certified and free of noxious weeds, and seed certification tags must be submitted to the Authorized Officer. Woody debris will not be scattered on the pipeline until after seeding operations are completed.

<b>White River Field Office Native Seed Mix #5</b>	
<b>Species</b>	<b>Seeding Rate Pure Live Seed (PLS)</b>
Basin wildrye (Magnar)	2 lb/ac. PLS
Western wheatgrass (Rossana)	3 lb/ac. PLS

Bluebunch wheatgrass (Whitmar)	1 lb/ac. PLS
Thickspike wheatgrass (Critana)	2 lb/ac. PLS
Fourwing Saltbush (Wytana)	1 lb/ac. PLS
Alternates: Utah sweet vetch and Globemallow	

9. Should the Proposed Action occur simultaneous with a wild horse gather, all project-related traffic would need to be coordinated with the BLM and the contractor for the gather.

10. To minimize the incidents of young foals becoming dislocated from their mare, crews would be required to slow or stop when wild horses are encountered, allowing the bands to move away at a pace slow enough so that the foal can keep pace and is not separated.

11. Place earthen trench plugs and/or ramps along the trench at well defined wild horse trails intersected by open trench. Regularly inspect open trench for trapped animals and if injured animals are found contact the BLM.

12. 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 (SHPO), 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.

13. All excavations through the irrigation ditch to bury the proposed power line must be recontoured to match the original contours and vegetation in agreement with consultation with the Colorado SHPO.

14. 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.

15. 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)

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16. If it becomes necessary to excavate into the underlying rock formation to prepare the trench for the power line, a paleontological monitor shall be present before and during all such excavations.

17. Paint and regularly maintain all above ground features with Juniper Green (Standard Environmental Color Chart) within 6 months of completion.

18. Any range improvement projects such as fences or water developments that are damaged or destroyed as a result of implementation of the Proposed Action shall be promptly repaired or replaced to the degree of functionality prior to commencement of work associated with the Proposed Action. If construction occurs during the livestock use period listed above, the functionality of the allotment boundary fences in section 29 T1S R98W must be maintained through temporary fencing or gates which can be closed while crews are not present at these fence crossings.

19. Suppress dust in dry conditions utilizing water along the pipeline right-of-way where it is adjacent to CR 24, 24X, and 91 to minimize fugitive dust and maintain good visibility for traffic. Follow Rio Blanco County approved dust suppression methods along CR 24X and 91 to minimize dust generated from traffic on the road way.

20. All activities shall comply with all applicable local, State, and Federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, effectively coordinating with existing ROW holders, and implementing all applicable mitigation measures required by each permit.

21. The applicant shall provide the BLM Authorized Officer with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.

22. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless there are safety concerns or if activities are otherwise approved by the Authorized Officer (AO).

23. In order to protect public land health standards for soils, erosion features such as rilling, gullyng, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the Realty Specialist and submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

24. All areas where the topsoil has been removed and soils have become compacted will be ripped to a depth of 18 inches below the finished grade or to bedrock before topsoil is re-spread. Another suitable method of de-compaction may be used before topsoil is re-spread with approval of the BLM AO. Areas where the topsoil has not been removed, but have been compacted, must be de-compacted by disking or other methods to prepare the soils for reclamation.

25. If, after initial construction activities are completed and if soil productivity is diminished from its pre-disturbance condition, then reseedng, hydro-mulching or other efforts will be initiated to re-establish soil productivity during reclamation activities.

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 in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

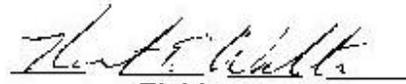
NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

CONCLUSION

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

SIGNATURE OF AUTHORIZED OFFICIAL:

  
\_\_\_\_\_   
Field Manager

DATE SIGNED:

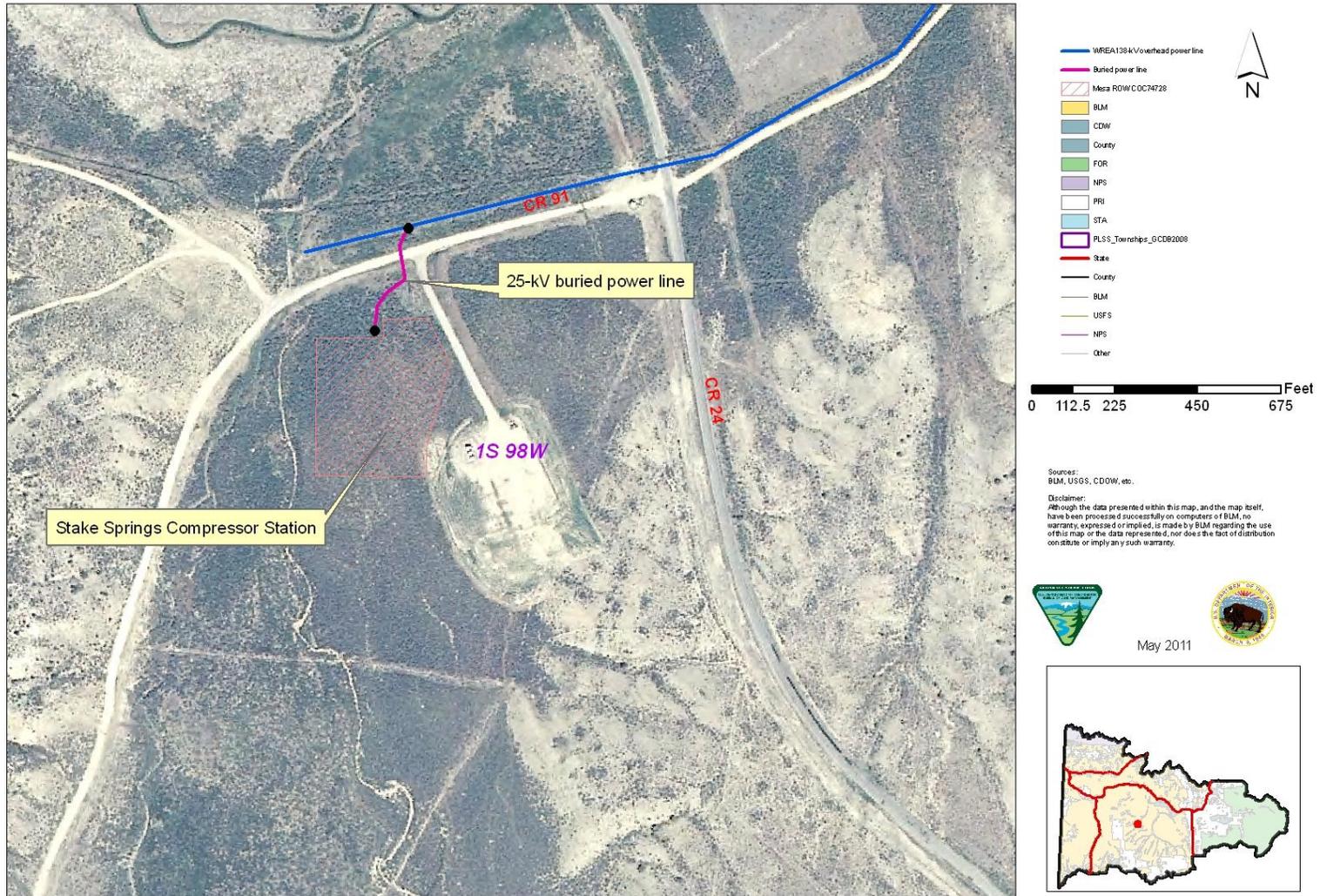
08/05/2011

ATTACHMENTS: Exhibit A – Map of Proposed Action

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

# WREA Buried Power Line to Mesa's Stake Springs Compressor Station T. 1 S., R. 98 W., sec. 29

EXHIBIT A



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

**DECISION RECORD**

**PROJECT NAME:** Power Line to Mesa Energy Compressor Station

**DETERMINATION OF NEPA ADEQUACY NUMBER:** DOI-BLM-CO-2011-0106-DNA

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0106-DNA, authorizing the construction, operation, and maintenance of a buried power line.

**Mitigation Measures**

1. The right-of-way holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
2. The holder shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing emissions, fresh water use and hazardous material utilization, production and releases.
3. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
4. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the Bureau of Land Management's White River Field Office at (970) 878-3800.
5. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the Bureau of Land Management's White River Field Office may take measures to clean-up and test air, water

(surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the holder of any liability or responsibility.

6. With the acceptance of this authorization, the commencement of development under this authorization, or the running of thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the pipeline, the holder, and through the holder, its agents, employees, subcontractors, successors and assigns, stipulates and agrees to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

7. All disturbed areas should be seeded with Native seed mix #5 from the White River ROD/RMP also listed below. Seeding rates in the White River ROD/RMP are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding. For broadcast application, double the seeding rate and then harrow to insure seed coverage. Applied seed must be certified and free of noxious weeds, and seed certification tags must be submitted to the Authorized Officer. Woody debris will not be scattered on the pipeline until after seeding operations are completed.

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8. The area should be surveyed for the presence of noxious/invasive species before and after construction. If undesirable species are found, they shall be promptly eradicated using materials and methods approved in advance by the BLM authorized officer. If invasive, non-native species establish within the project area and spread onto adjoining BLM lands, the applicant will be responsible for control of those populations.

9. Should the Proposed Action occur simultaneous with a wild horse gather, all project-related traffic would need to be coordinated with the BLM and the contractor for the gather.

10. To minimize the incidents of young foals becoming dislocated from their mare, crews would be required to slow or stop when wild horses are encountered, allowing the bands to move away at a pace slow enough so that the foal can keep pace and is not separated.

11. Place earthen trench plugs and/or ramps along the trench at well defined wild horse trails intersected by open trench. Regularly inspect open trench for trapped animals and if injured animals are found contact the BLM.

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24. All areas where the topsoil has been removed and soils have become compacted will be ripped to a depth of 18 inches below the finished grade or to bedrock before topsoil is re-spread. Another suitable method of de-compaction may be used before topsoil is re-spread with approval of the BLM AO. Areas where the topsoil has not been removed, but have been compacted, must be de-compacted by disking or other methods to prepare the soils for reclamation.

25. If, after initial construction activities are completed and if soil productivity is diminished from its pre-disturbance condition, then reseeding, hydro-mulching or other efforts will be initiated to re-establish soil productivity during reclamation activities.

#### **COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

#### **PUBLIC INVOLVEMENT**

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

#### **RATIONALE**

The proposal for a buried power line in consort with the applied mitigation conforms to the land use plan and the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

#### **ADMINISTRATIVE REMEDIES**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer 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 White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. 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 at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

**SIGNATURE OF AUTHORIZED OFFICIAL:** .....

  
Field Manager

**DATE SIGNED:**

06/05/2011