

**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-110-2011-0036-DNA

CASEFILE/PROJECT NUMBER: COC67123

PROJECT NAME: Moon Lake Power Line for Chevron USA

LEGAL DESCRIPTION: Sixth Principal Meridian
T.2N., R.103W.,
sec. 24, N½NW¼.

APPLICANT: Moon Lake Electric

ISSUES AND CONCERNS: Concerns were addressed in [DOI-BLM-CO-110-2006-024-EA](#).

DESCRIPTION OF PROPOSED ACTION: Moon Lake Electric (Moon Lake) has submitted a proposal to White River Field Office to construct a new power line to serve Drip Trap 18, located on a Chevron USA pipeline, analyzed in DOI-BLM-CO-110-2006-024-EA.

The project will be a 3-phase 14.4/24.9 Kv overhead distribution line. It would consist of two single wood poles extending 35 to 40 feet above ground with non-reflective conductors. One of the poles would be guy wired. Moon Lake requests a permanent right-of-way of 310 feet long and 50 feet wide (see Exhibit A). The right-of-way would encompass approximately 0.36 acres.

The power line is designed to meet all National Electrical Safety codes. The structures are designed with adequate clearances for raptor protection. Raptor deterrents can be added if required by the BLM. The power source would be Moon Lake's Edison Substation. Minimal blade work or excavation would be required during construction with exception of the holes for the poles and anchors. Any open holes left overnight would be covered with planks to protect people and wildlife from injury.

Construction would begin within ninety days of BLM approval and would take from five to ten days to complete. The construction crew would consist of four to eight workers using bucket trucks, a digger truck, a backhoe, and utility pickups. Rubber tired vehicles are used for all construction. Surface disturbance will be kept to a minimum and confined to the right-of-way. Flagging or engineering crews will consist of one to four workers using a pickup truck, as well as foot travel.

Moon Lake will need temporary and permanent access for future maintenance. Vehicle travel would be confined to existing roads and the requested right-of-way (ROW). All supplies and equipment are stored in one of their local warehouses. No toxic substances are used in the construction of any power lines. All construction waste will be hauled back and disposed of in Moon Lake owned dumpsters.

If use of the power line is discontinued for a period of one year or longer and is no longer needed in the future, Moon Lake would remove it at their expense and would restore the ROW, as much as possible, to its original condition.

Construction activities would not be performed when soil conditions are too wet to adequately support vehicles and equipment. If equipment creates ruts in excess of three inches deep, all construction or maintenance would be postponed until conditions are suitable. If maintenance is required for immediate repair of the power line, Moon Lake Electric would be responsible for the rehabilitation of disturbed areas.

There would be no polychlorinated biphenyls (PCBs) or any hazardous material used in the construction, operation, or maintenance of these power lines. Moon Lake would keep the power lines in safe and usable condition at all times in accordance with the National Electrical Safety Code.

Moon Lake would do everything in reason within its power to prevent fires on or near the construction area during the construction of said line and throughout the term of the ROW. Each vehicle used on the job site would be equipped with a radio and fire extinguisher. All litter would be taken off the job site.

Moon Lake will re-seed any areas that are cleared as a result of their construction activities. All re-seeding efforts will be done upon written request from the BLM office. Moon Lake will use BLM standard drilling or broadcasting techniques for any and all re-seeding. Re-seeding techniques will be determined at the time of the BLM's request for any and all re-seeding. Moon Lake will apply the BLM's recommendation of certified seed, at their application rates, for any re-seeding that is needed for this project. Any and all re-seeding will be done between August 15th and November 30th.

Moon Lake will control any noxious weed that appears in their right-of-way as a result of their construction activities. All weed control will be done upon written request from the BLM office. Any weed control that is required will be completed according to BLM specified methodology. If herbicides are to be used, Moon Lake will submit, in a timely manner, a Pesticide Use Proposal (PUP) according to the form. The PUP form shall be sent to Moon Lake upon the request from the BLM, for any weed control.

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: 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: DOI-BLM-CO-110-2006-024-EA (Five power lines to Chevron Wells)

Date Approved: April 3, 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 new proposal is for the same action (a short connecting power line to serve an oil and gas facility) analyzed in CO-110-2006-024-EA. The location for the current and previous projects is within a single developed oil and gas field with similar geographic and resource conditions. The concerns associated with construction in this field were addressed in CO-110-2006-024-EA and the same mitigation would apply.

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: Two alternatives, covering a reasonable range of alternatives (Proposed Action and the No Action Alternative) were analyzed in CO-110-2006-024-EA. No reasons were identified to analyze additional alternatives to

the Proposed Action were presented or raised, 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: Additional projects have been analyzed in the area but no known changes in circumstances or information have been found, thus the analysis is still valid.

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: The direct, indirect, and cumulative effects that could result from implementing this Proposed Action would still remain similar to CO-110-2006-024-EA.

5. Is 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 process of public involvement and interagency review associated with DOI-BLM-CO-110-2006-024-EA remains adequate for this Proposed Action. This project was listed on the WRFO on line NEPA register on 3/8/2011. No inquiries or comments have been received as of 11/10/2011.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 12/14/2010. 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.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	8/26/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	1/26/2011
Zoe Miller	Ecologist	Special Status Plant Species	7/8/2011

REMARKS:

Cultural Resources: The proposed power line right-of-way has been inventoried at the Class III (100 percent pedestrian) level (Polk 2011, compliance dated 8/26/2011) with no cultural resources identified on the surface within the inventoried area. It is unlikely that subsurface remains are present or would be impacted. It does not appear that there will be any cumulative loss of data for the regional cultural resource data base.

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.

Paleontological resources: The proposed power line is located in an area generally mapped as the Mancos Shale formation (Tweto 1979) which the BLM, WRFO has classified as a PFYC 3 formation. In other areas, the Mancos Shale is known to produce a variety of invertebrate such as ammonites, baculites, and scaphites and vertebrate fossils such as mosasaurs, plesiosaurs, fish and sharks teeth. To date no vertebrate fossils have been reported from the area around Rangely. (c.f. Armstrong and Wolny 1989)

Threatened and Endangered Wildlife Species: All wildlife-related issues and concerns were adequately addressed in the original environmental assessment DOI-BLM-CO-110-2006-024-EA. Mitigation listed below has been carried forward from the original document.

Threatened and Endangered Plant Species: There are no special status plant species concerns.

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.

Polk, Michael R.

2011 A Cultural Resource inventory for the Chevron Drip Trap Powerline Project, Rio Blanco County, Colorado. Sagebrush Consultants, L.L.C., Ogden, Utah. (11-55-01: SHPO #)

Tweto, Ogden

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

MITIGATION:

1. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
4. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

The following applicable mitigation from DOI-BLM-CO-110-2006-024-EA has been carried forward:

1. Power poles involved in this action will be designed to deter all raptor perching (i.e., cross-arms and top pole) and remain effective in preventing raptor electrocution. Moon Lake shall avoid drilling directly into any prairie dog burrow or mound system when installing power lines.
2. All power line installation should involve as little vehicle travel as is necessary. In those instances where the power lines will run cross-country (not adjacent to existing road),

Moon Lake will employ the technique of back-pulling when possible. Moon Lake will hand string (back-pull) those lines involving 1-2 poles.

3. The applicant shall monitor the disturbed and reclaimed areas for the presence of invasive, non-native, and/or noxious plant species that have become established as a result of the Proposed Action. The applicant will be responsible for controlling cheatgrass, noxious weeds, and/or problem weeds should they occur and/or increase in density as a result of the Proposed Action. Upon detection of noxious, non-native, and/or invasive plant species, the applicant will control their presence before seed production using materials and methods as outlined in the RMP and/or authorized in advance by the White River Field Office Manager. Application of herbicides must be under field supervision of an EPA certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM.
4. Any livestock control facilities and/or rangeland improvements impacted during this operation will be replaced or repaired to their prior condition.
5. The operator shall be required to collect and properly dispose of any solid wastes generated.
6. Potential impacts to surface water shall be mitigated by restricting non emergency maintenance activities on power lines when soils become saturated to a depth of three inches or more (as outlined in the Proposed Actions). Utility truck traffic shall be kept to a minimum to reduce the potential impacts of soil compaction.
7. All disturbed areas shall be promptly re-vegetated with Standard Seed Mix #1 of the White River Resource Area Resource Management Plan (RMP), B-19, Appendix B (see table below). Seeding rates in the 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. The applicant will be responsible for controlling cheatgrass, noxious weeds, and/or problem weeds should they occur and/or increase in density as a result of the Proposed Action. To control undesirable plant species, the applicant will use materials and methods as outlined in the RMP or authorized in advance by the White River Field Office Manager.

Standard Seed Mix #	Species (Variety)	Lbs PLS/Acre
1	Siberian wheatgrass (P27)	3
	Russian wildrye (Bozoisky)	2
	Crested wheatgrass (Hycrest)	3
Total		8 lbs/acre

8. The applicant is required to achieve a reclamation success rate of sufficient vegetative ground cover from reclamation plant species within three growing seasons. The reclamation shall be comparable of that of the nearby undisturbed plant communities at a Potential Natural Community (PNC) state in relation to the seed mix as deemed appropriate by the BLM.

9. 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.

COMPLIANCE PLAN (optional): 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 operator 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.

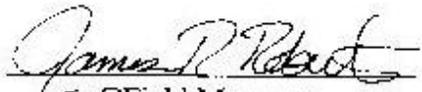
NAME OF PREPARER: Janet Doll

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:



FOP Field Manager

DATE SIGNED: 11/16/2011

ATTACHMENTS: Exhibit A-Site Map
Exhibit A-Zone Map

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.



MOON LAKE POWER LINE TO CHEVRON DRIP TRAP 18



EXHIBIT A-SITE



DOI-BLM-CO-110-2011-036-DNA

amend COC68665

6th PM
T.2N., R. 103W.,
sec 24

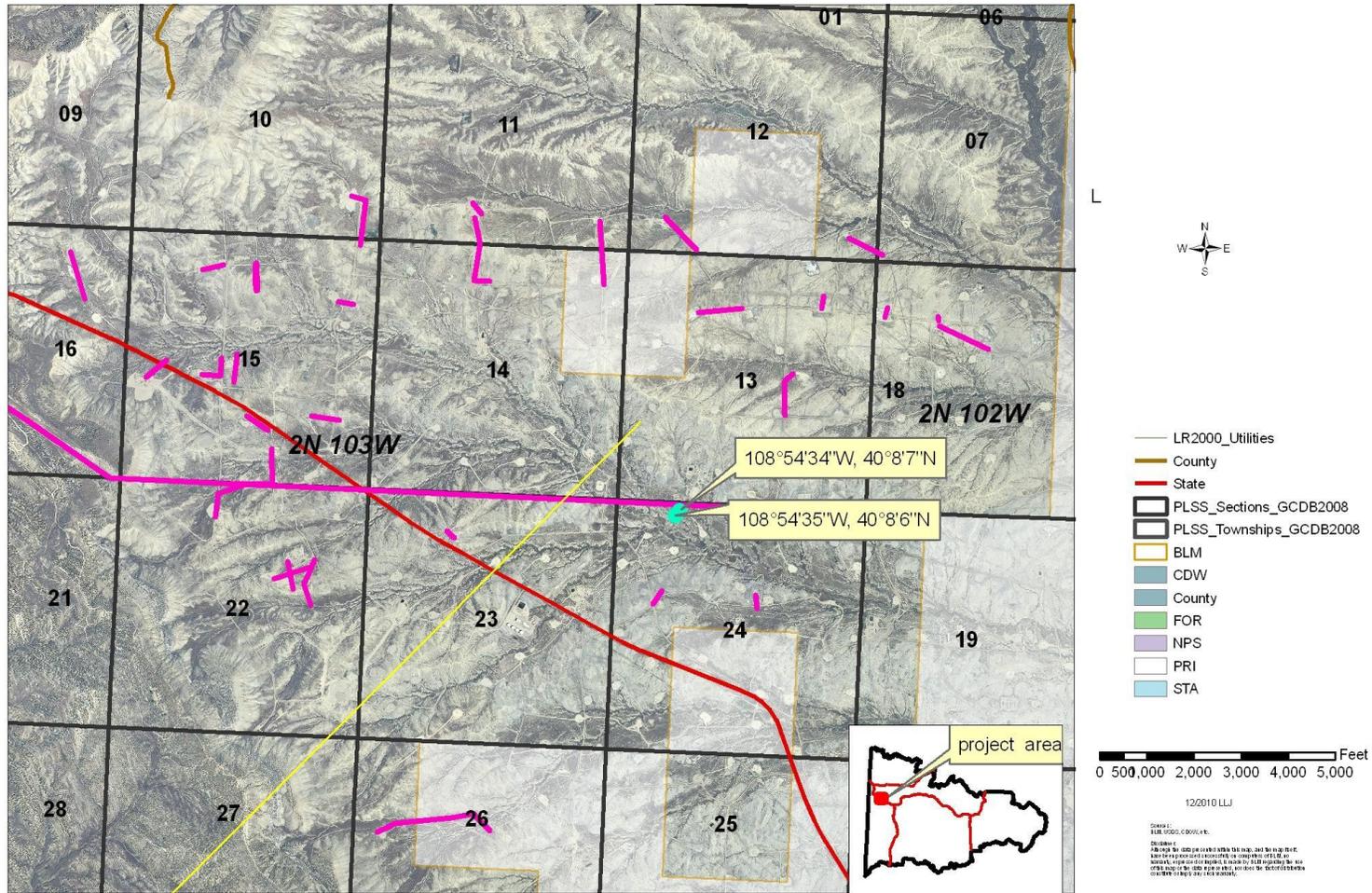




MOON LAKE POWER LINES IN RANGELY FIELD 2005-2010



EXHIBIT A-ZONE



**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: Moon Lake Power Line for Chevron USA

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-2011-0036-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2011-0036-DNA, authorizing the construction of a new power line to serve Drip Trap 18 located on a Chevron USA pipeline.

Mitigation Measures

1. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
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designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

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8. Any livestock control facilities and/or rangeland improvements impacted during this operation will be replaced or repaired to their prior condition.
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10. Potential impacts to surface water shall be mitigated by restricting non emergency maintenance activities on power lines when soils become saturated to a depth of three inches or more (as outlined in the Proposed Actions). Utility truck traffic shall be kept to a minimum to reduce the potential impacts of soil compaction.
11. All disturbed areas shall be promptly re-vegetated with Standard Seed Mix #1 of the White River Resource Area Resource Management Plan (RMP), B-19, Appendix B (see table below). Seeding rates in the 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. The applicant will be responsible for controlling cheatgrass, noxious weeds, and/or problem weeds should they occur and/or increase in density as a result of the Proposed Action. To control undesirable plant species, the applicant will use materials and methods as outlined in the RMP or authorized in advance by the White River Field Office Manager.

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12. The applicant is required to achieve a reclamation success rate of sufficient vegetative ground cover from reclamation plant species within three growing seasons. The reclamation shall be comparable of that of the nearby undisturbed plant communities at a Potential Natural Community (PNC) state in relation to the seed mix as deemed appropriate by the BLM.
13. 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.

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 Documentation of NEPA Adequacy will be posted on the WRFO on 3/8/2011.

RATIONALE

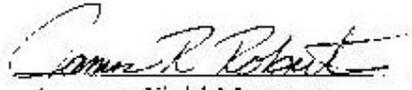
The proposal for an electrical line in concert with the applied mitigation conforms to the land use plan and the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM’s compliance with the requirements of NEPA.

ADMINISTRATIVE REMEDIES

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:


Cameron R. Robert
FBR Field Manager

DATE SIGNED:

11/16/2011