

**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-110-2013-0060-DNA

CASEFILE/PROJECT NUMBER: COC76166

PROJECT NAME: WREA Power Line To Ryan Gulch 23-6-297 Well Pad

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado
T. 2 S., R. 97 W.,
sec. 6, lots 18, 19, and 20.

T. 2 S., R. 98 W.,
sec. 1, lot 36.

APPLICANT: White River Electric Association, Inc.

DESCRIPTION OF PROPOSED ACTION: White River Electric Association, Inc. (WREA) proposes to construct a 25-kV three-phase distribution power line to the Ryan Gulch 23-6-297 well pad so that WPX Energy Rocky Mountain can pump water to their water processing facility (on private lands). The power line would begin near the Ryan Gulch Gas Plant. The power line would be overhead for 3,235 ft then buried 85 ft to the well pad. The power line right-of-way (ROW) would be 3,320 ft long, 50 ft wide, and contain approximately 3.81 acres.

To construct the power line, WREA would hydro-ax the right-of-way for placement of poles, stringing conductor, and to mitigate for wild land fire. The power line would be constructed "raptor safe" by maintaining adequate clearances and by placing raptor protection where clearance is compromised. WREA would use a 4-wheel drive 2-ton digger truck and standard utility line trucks. No road work or grading is expected. Construction would take approximately one week to complete and would begin as soon as approved.

WREA would revegetate all disturbed areas with Native Seed Mix #5 listed below. Seed mixture rates are Pure Live Seed (PLS) pounds per acre. Drill seeding is the preferred method; however, if disturbed areas are not accessible to drill seeding equipment, seed would be applied using a broadcast method at double the rate listed below, followed by harrowing to provide adequate soil cover.

Native Seed Mix #5	
Species	Lbs. PLS per acre
Basin Wildrye	3.5
Western Wheatgrass	3.5
Slender Wheatgrass	3
Thickspike Wheatgrass	3
Northern Sweetvetch	4.5
Lewis Flax	1

Decision to be Made: The BLM will decide whether or not to approve the power line right-of-way, and if so, under what terms and conditions.

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: DOI-BLM-CO-110-2010-0239-EA

Date Approved: 1/10/2011

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?

The Proposed Action is similar in location and nature to what has been previously analyzed. The Proposed Action is to construct a power line to WPX Energy's 23-6-297 well pad. The existing NEPA document (DOI-BLM-CO-110-2010-0239-EA) analyzed the surface disturbance required to construct a power line to Bargath's Ryan Gulch gas plant, which is the where the proposed power line will begin.

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?

Two alternatives (Proposed Action and No Action Alternative), covering a reasonable range of alternatives, were analyzed in DOI-BLM-CO-110-2010-0239-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?

Review by BLM WRFO specialists in this document (DOI-BLM-CO-110-2013-0060-DNA) did not indicate recent endangered species listings or updated lists of BLM-sensitive species that would be affected by the 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?

Review by BLM WRFO specialists in this document (DOI-BLM-CO-110-2013-0060-DNA) did not indicate there would be any direct, indirect, and cumulative effects from the Proposed Action that were not adequately addressed in DOI-BLM-CO-110-2010-0239-EA.

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

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 3/19/2012. External scoping was conducted by posting this project on the WRFO's on-line NEPA register on 3/21/2012. As of 6/7/2013, no comments or inquiries have been received.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 3/19/2013. 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	4/22/2013
Laura Dixon	Wildlife Biologist	Special Status Wildlife Species	3/26/2013
Baili Foster	Ecologist Intern	Special Status Plant Species	3/25/2013

REMARKS:

Cultural Resources: The proposed power line route has been inventoried at the Class III (100 percent) pedestrian level (Kramer 2013, compliance dated 4/22/2013) with no new cultural resources identified on the route surface.

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 that is mapped as having two formations exposed the Quaternary Alluvium and the Uintah Formation (Tweto 1979). The BLM, WRFO has classified the Quaternary Alluvium as a Potential Fossil Yield Classification (PFYC) 2 formation and the Uintah Formation as a PFYC 5 formation. PFYC 2 formations are not known or expected to produce fossils in the local area whereas PFYC 5 formations are known to produce scientifically noteworthy fossils. It is possible that using an auger to excavate holes for the new power pole structures could impact scientifically noteworthy fossil resources. However, auguring activities are generally not amenable to monitoring for fossil resources therefore as long as excavations into the underlying sedimentary formations are restricted to auguring only no monitoring shall be required. Any fossil impacted during auguring activities would represent a permanent, irreversible and irretrievable loss of data from the regional paleontological database..

Threatened and Endangered Wildlife Species: There are no threatened or endangered animal species that are known to inhabit or derive important use from the project area. As conditioned, the Proposed Action poses no reasonable electrocution risk to migrant or breeding raptors. The project site is encompassed by deer severe winter range and is subject to activity restriction from December 1 through April 30. Timing stipulations from the original EA (DOI-BLM-CO-110-2010-0239-EA) are carried forward. There are no new circumstances that would alter wildlife-related discussions in the former analysis.

Threatened and Endangered Plant Species: There were no special status plant species (SSPS) concerns associated with the original environmental assessment DOI-BLM-CO-110-2010-0239-EA. New potential habitat for the federally listed Dudley Bluffs twinpod (*Physaria obcordata*) and Dudley Bluffs bladderpod (*Physaria congesta*) has been established. Tu5, an unnamed tongue of the Uinta Formation was determined to be potential habitat due to possible erosion. Potential habitat is found approximately 50 meters (140 feet) southeast of the Proposed Action. The nearest known occupied twinpod population is approximately 0.85 miles northeast of the Proposed Action and the nearest known occupied bladderpod population is approximately 1.30 miles northeast of the Proposed Action. Due to the relatively low impact of the Proposed Action and the distance to occupied habitat, there should be no associated concerns for SSPS.

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.

Kramer, Dakota

2013 Class III Cultural Resources Inventory for the proposed WPX Energy 3-Phase power Line to pad 23-6-297 in Rio Blanco County, Colorado for White River Electric Association. Grand River institute, Grand Junction, Colorado (13-11-03: SHPO #RB.LM.NR2347)

Tweto, Ogden

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

MITIGATION:

The following applicable mitigation from DOI-BLM-CO-110-2010-0239-EA has been carried forward and shall be applied to the right-of-way:

1. All construction or maintenance shall be postponed when soils or road surfaces become saturated to a depth of three inches or more, unless otherwise approved by the Authorized Officer (AO). Emergency maintenance may occur when saturated soil conditions exist without prior approval of the AO. Timely notification is required after emergency maintenance occurs.
2. If access to pole locations for construction and/or maintenance result in ruts that are 3 inches or deeper, the holder shall notify the AO and initiate reclamation activities including seeding with a BLM approved seed mix, mulching, and installation of water bars or other means to reduce the concentration of storm water along tire ruts.
3. The 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.

4. The holder shall report all emissions or releases of any quantity of any substance that may pose a risk of harm to human health or the environment to the Bureau of Land Management's White River Field Office at (970) 878-3800.

5. Construction sites and all facilities shall be maintained in a sanitary condition at all times; any 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.

6. Regardless of a substance's status as exempt or non-exempt and regardless of fault, the holder shall 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. 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 holder's expense. Such action shall not relieve the holder of any liability or responsibility.

7. With the acceptance of this authorization or the running of thirty calendar days from its issuance, whichever occurs first, 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.

8. Any livestock control facilities and/or rangeland improvements impacted during construction will be replaced or repaired to their prior condition.

9. The holder shall be responsible for monitoring the occurrence of noxious weeds on site and eradicating/controlling same for the life of the project using materials and methods approved in advance by the BLM Authorized officer.

10. **No development activities**, including vegetation removal, shall be allowed **from January 1 – April 30** to avoid unnecessary disturbance in critical big game habitat.

11. All known nests within ¼ mile either side of the proposed route shall be revisited and their status documented prior to power line installation. Results shall be submitted to BLM staff biologists. Should an active nest be located, appropriate timing stipulations would be applied depending on species (TL-01 and TL-04 and NSO-02 and NSO-03 from the WRRRA ROD).

12. The holder shall remove as few trees as needed for the poles. Trees removed by chainsaw shall be cut with a stump height no greater than 6 inches, boles shall be limbed so that the height is no greater than 24 inches, and all limbs shall be scattered. If trees are visible to the public off of the travel routes, the trees shall be cut into 4 foot lengths down to 4 inches in diameter and

placed along the routes to facilitate removal and to deter the public from traveling the power line. Because it is unknown how many trees will need to be removed for poles and what may interfere with the power line, WREA shall contact the BLM WRFO Forester post construction so that an inspection of the site may take place and an estimate of trees removed may be calculated for billing.

13. The holder is responsible for obtaining all necessary state and local permits.

14. The holder shall take all measures necessary to protect existing facilities and coordinate with ROW holders prior to power line construction.

15. The holder 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 right-of-way and all constructed infrastructure, 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.

16. 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.

17. 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.

18. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and 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), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

19. 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 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.

20. 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 holder 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.

21. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

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 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: Stacey Burke

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.

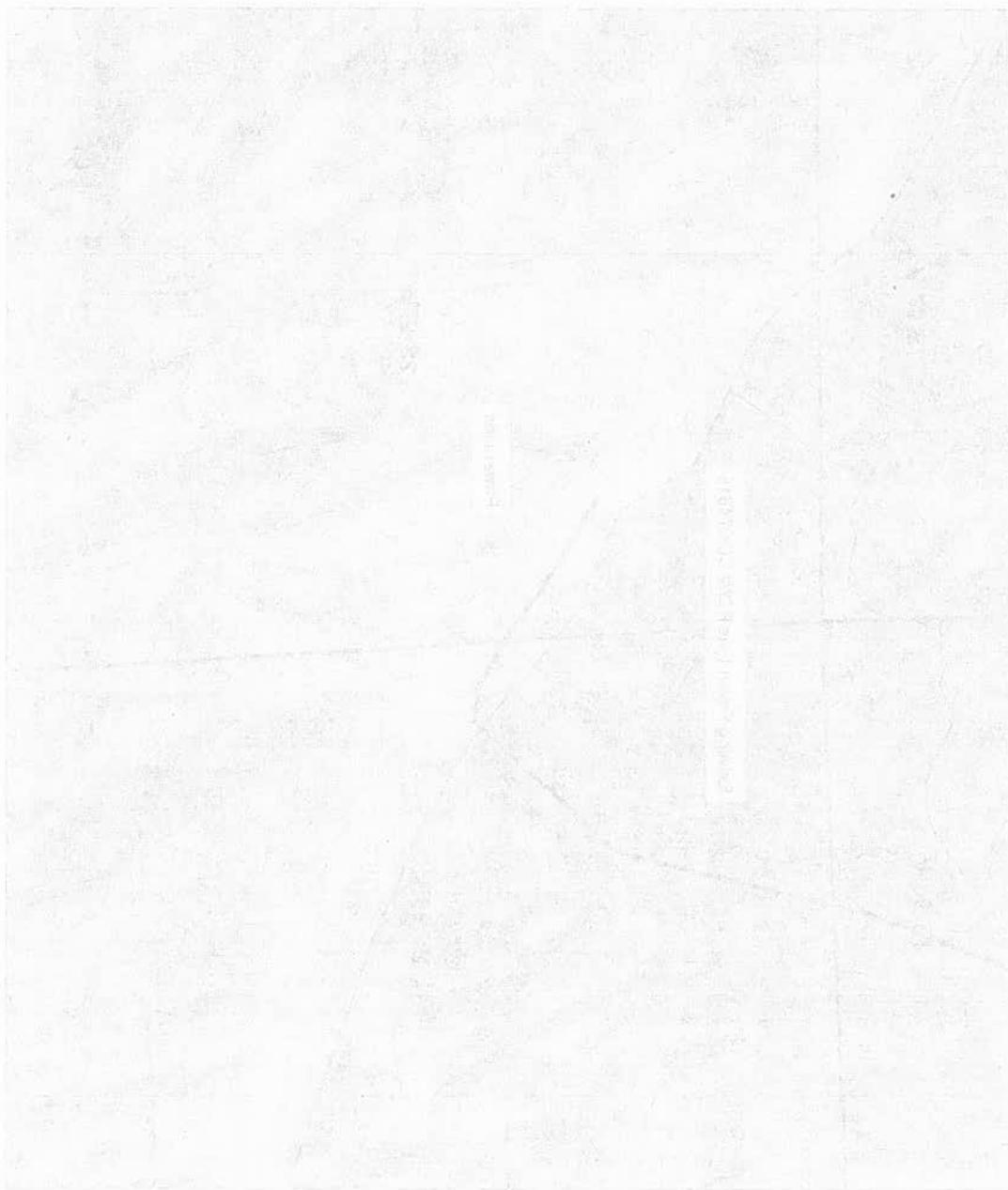
SIGNATURE OF AUTHORIZED OFFICIAL:


Acting Field Manager

DATE SIGNED: 6/10/13

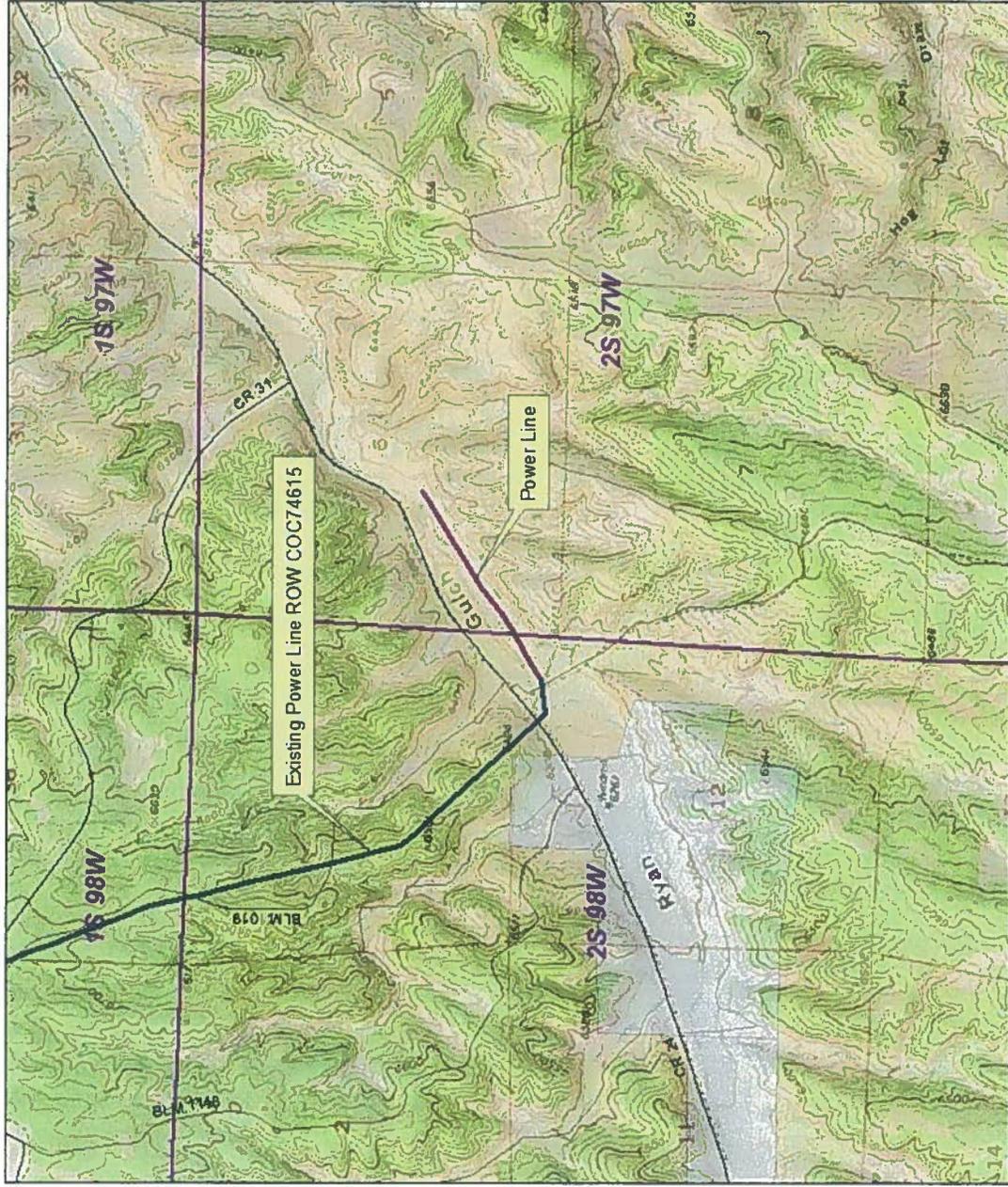
ATTACHMENTS: Exhibit A – Map of Proposed Action

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.

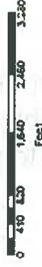


Power Line To Ryan Gulch 23-6-297 Well Pad

Exhibit A



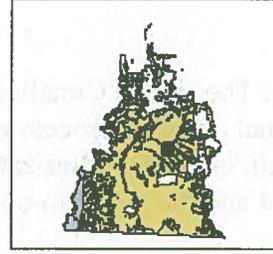
- COC74615 Power Line
- State
- County
- BLM
- USFS
- NPS
- Other
- PLSS_Townships_GCD63008



Source:
BLM, USGS, OP&A, etc.
Disclaimer:
Although the data of several sources are used, the map maker
assumes no responsibility for errors or omissions. The user
of this map or the data represented, or for the use of distribution
information or any other such warranty.



March 2013



**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: WREA Power Line To Ryan Gulch 23-6-297 Well Pad

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-2013-0060-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2013-0060-DNA, authorizing the construction, operation, maintenance, and termination of a 25-kV power line from the existing power line at the Ryan Gulch gas plant to the RG 23-6-297 well pad.

Mitigation Measures

1. All construction or maintenance shall be postponed when soils or road surfaces become saturated to a depth of three inches or more, unless otherwise approved by the Authorized Officer (AO). Emergency maintenance may occur when saturated soil conditions exist without prior approval of the AO. Timely notification is required after emergency maintenance occurs.
2. If access to pole locations for construction and/or maintenance result in ruts that are 3 inches or deeper, the holder shall notify the AO and initiate reclamation activities including seeding with a BLM approved seed mix, mulching, and installation of water bars or other means to reduce the concentration of storm water along tire ruts.
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7. With the acceptance of this authorization or the running of thirty calendar days from its issuance, whichever occurs first, 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.

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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 on March 21, 2013 and a copy of the completed Determination of NEPA Adequacy will be posted on the WRFO website.

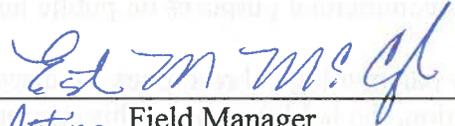
RATIONALE

The proposal for a power line, in concert with the applied mitigation, conforms to the land use plan. 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:


Acting Field Manager

DATE SIGNED: 6/10/13