

**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-110-2014-0001-DNA

CASEFILE/PROJECT NUMBER: COC76327

PROJECT NAME: WREA Power Line to RGU 24-25-198 Well Pad

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado
T. 1 S., R. 98 W.,
sec. 25, lots 13 and 14.

APPLICANT: White River Electric Association, Inc.

DESCRIPTION OF PROPOSED ACTION: White River Electric Association, Inc (WREA) proposes to construct a 25-kV three-phase overhead power line to the WPX Energy Rocky Mountain (WPX) RGU 24-25-198 well pad. The electrical power would be used for WPX's waste water pump, which is currently powered by a diesel generator.

The overhead power line would begin south of Rio Blanco County (RBC) Road 83 at the existing 25-kV power line (right-of-way COC50047). The power line would be 1,018 ft long, 50 ft wide, and contain approximately 1.17 acres.

WREA anticipates minimal tree and/or brush clearing to place four poles approximately 250 ft apart. The power line would be constructed "raptor safe". Equipment to be used would be a 4-wheel drive 2-ton digger truck and standard utility line trucks. Construction would take approximately two days to complete and the work would start as soon as possible.

Decision to be Made: The BLM White River Field Office (WRFO) will decide whether or not to grant the power line right-of-way and, if so, under what 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: 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-110-2011-0115-EA

Date Approved: August 12, 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 the RGU 24-25-198 well pad. The existing NEPA document (DOI-BLM-CO-110-2011-0115-EA) analyzed the RGU 24-25-198 well pad, pipeline, and water pipelines.

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-110-2011-0115-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-110-2014-0001-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-110-2014-0001-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-110-2011-0115-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 11/5/2013. External scoping was conducted by posting this project on the WRFO's on-line NEPA register on 11/6/2013. As of 2/5/2014, 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 11/5/2013. 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	11/15/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	12/17/2013
Heather Woodruff	Range Management Specialist/Ecologist	Special Status Plant Species	12/13/2013

REMARKS:

Cultural Resources: The area of the proposed power line project has been inventoried at the Class III (100 percent pedestrian) level by all or portions of at least three inventory projects (Conner and Davenport 2007, compliance dated 6/14/2007; Davenport 2011, compliance dated 7/13/2011; and Schwendler *et al* 2008, compliance dated 2/11/2009) with no cultural resources located within the immediate proposed power line corridor. However, there are known cultural resources within 305 meters (1000 feet) of the project area. The Proposed Action will have no direct impacts to any known cultural resources. However, there is a potential for impacts to

resources within 305 meters (1,000 feet) of the project due to increased human activity, which could potentially result in an increase of unauthorized collection of artifacts, and/or damaging or destroying the archaeological context of the sites in the area. There is an unknown potential for previously unknown subsurface resources in the area that could be impacted by construction related activities such as leveling a working area for the placement of power poles or staging areas. Auguring of a hole for placement of a power pole could also impact and/or destroy unknown subsurface resources. Any such losses would constitute a permanent, long term irreversible and irretrievable loss of data from the regional archaeological database. If any cultural resources are impacted by project implementation, particularly if there are previously unknown resources that are impacted, there would be a long term, permanent, irreversible, and irretrievable loss of data from the regional archaeological database.

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 Uintah Formation (Tweto 1979), which the BLM has classified as a Potential Fossil Yield Classification (PFYC) 5 formation. Formations that are placed in the PFYC 5 category are known to produce scientifically noteworthy fossil resources (c.f., Armstrong and Wolny 1989). A paleontological investigation of the area of the project was conducted in 2008 (Daitch *et al.* 2009, compliance dated 5/13/2009), which did not identify any fossil resources exposed on the surface.

The Proposed Action could result in impacts to scientifically noteworthy fossil resources if it becomes necessary to excavate into the underlying sedimentary rock formation to level work areas or locations needed for power pole placement. Auguring post holes could potentially impact scientifically noteworthy fossil resources; however, it is extremely difficult to identify and evaluate fossil resources in the relatively small diameter holes drilled for pole placement. If, in the unexpected event, any new fossils have been exposed by erosion since the 2009 inventory was completed, there could be a potential impact to fossils such as crushing, displacement, and/or unlawful collection of the recently exposed fossils. Any impacts to fossils as a result of excavation into the underlying rock formations or crushing, displacement, or unlawful collection of recently exposed fossils would represent a long term, 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. The project lies in mule deer severe winter range, a specialized component of winter range that supports nearly all of a herd in the most extreme winters (snowfall, temperatures, etc.). In November 2009 an agreement was reached by Colorado Parks and Wildlife (CPW), Williams, and BLM that supports CPW's research that is designed to better define deer response to applied BMPs and increased, but spatially confined natural gas development. To provide the necessary contrast in experimental design, gas development projects within a pre-defined area of William's Ryan Gulch Unit have been excepted from big game winter timing limitations through the year 2015.

The exception area encompasses about 11 percent of the deer severe winter range encompassed by William's leaseholdings in Piceance Basin or about 1 percent of the total severe winter range available within Game Management Unit (GMU) 22. The project is located in this exception area.

Threatened and Endangered Plant Species: In 2012 WPX had Ryan Gulch water line corridors surveyed for special status plant species (SSPS). The proposed overhead power line will be placed in an area where these previous plant surveys had been performed. The proposed power line is located within potential habitat for threatened Dudley Bluffs twinpod (*Physaria obcordata*) and Dudley Bluffs bladderpod (*Physaria congesta*). The nearest occupied population of Dudley Bluffs twinpod is approximately 1.6 miles to the west of the proposed project. The nearest occupied population of Dudley Bluffs bladderpod is 2.2 miles to the north of the proposed project. SSPS surveys are good for three years. Since the last survey for WPX was performed in 2012 in this area and no SSPS were found at that time, no additional surveys will be needed for this proposed project. There are no special status plant species issues or concerns associated with the Proposed Action.

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., and Barbara J. Davenport

2007 Class III Cultural Resource Inventory Report for Three proposed Ryan Gulch unit Well Locations (Federal NRG 41-9-198, RGU 11-25-198, and RGU 14-25-198) Related Access route in Rio Blanco County, Colorado for Williams production RMT. Grand River Institute, Grand Junction, Colorado. (07-11-14: OAH # RB.LM.R1067)

Daitch, David J., Lori S. Browne, and Paul C. Murphey

2009 Paleontological Technical Report: Williams Ryan Gulch 3-D Geophysical Investigation, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (09-127-04: RB.LM.R1083)

Davenport, Barbara

2011 Class III Cultural Resources Inventory of the Proposed Federal RGU #24-25-298 Well Location in Rio Blanco County, Colorado for Williams Field Services. Grand River Institute, Grand Junction, Colorado. (11-11-20: OAH # RB.LM.NR2265)

Hadden, Glade V.

Cultural Resource Inventory of the Proposed Yellow Creek pipeline Reconstruction Project – Phase Two in Rio Blanco County, Colorado. Bureau of Land Management, White River Field Office, Meeker, Colorado. (00-10-03: OAH # RB.LM.NR1106)

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 Salisbury.

2008 A Class II Cultural Resource Inventory for the Ryan Gulch 3-D Geophysical Exploration Project, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (09-127-01: OAH # RB.LM.R1083)

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-110-2011-0115-EA has been carried forward:

1. All earthwork (vegetation removal) associated with the development will take place outside of the migratory bird nesting season (May 15 – July 15). Vegetation removal will be allowed from July 16 – May 14.
2. There will be no construction and/or drilling activities allowed from January 1 – April 30 to avoid unnecessary activity in mule deer severe winter range. The WRFO will except/modify RMP-prescribed timing limitations for those projects where there is written documentation affirming mutual consent among CPW, the project proponent, and BLM. Outside such agreements, WRFO will consider excepting/modifying prescribed timing limitations upon written request from CPW on a project proponent's behalf. *Excepted from big game winter timing limitations through the year 2015.*
3. All access roads will be treated with water and/or a BLM-approved chemical dust suppressant during construction and drilling activities so that there is not a visible dust trail behind vehicles. All vehicles will abide by company or public speed restrictions during all activities. If water is used as a dust suppressant, there should be no traces of oil or solvents in the water and it should be properly permitted for this use by the State of Colorado. Only water needed for abating dust should be applied; dust abatement should not be used as a water disposal option under any circumstances.
4. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless there are safety concerns or activities are otherwise approved by the Authorized Officer.
5. In order to protect rangeland 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 AO and by submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

6. 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.

7. Damage to existing roads as a result of the Proposed Action will be repaired to a condition that is similar to the original state or better than what existed prior to the commencement of construction or recoating.

8. 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. 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.

9. All activities shall comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This includes acquiring all required state and/or local permits, effectively coordinating with existing facility ROW holders, and implementing all applicable mitigation measures required by each permit.

10. At least 90 days prior to termination of the right-of-way, the holder shall contact the authorized Officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination and rehabilitation plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, of surface material; recontouring, topsoiling, or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

11. The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.

12. In accordance with the 1997 White River ROD/RMP, all trees removed in the process of construction shall be purchased from the BLM. Trees should first be used in reclamation efforts and then any excess material made available for firewood or other uses.

- a) Woody materials required for reclamation shall be removed in whole with limbs intact and shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the

material originated. Redistribution of woody debris will not exceed 20 percent ground cover. Limbed material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Woody material will be distributed in such a way to avoid large concentrations of heavy fuels and to effectively deter vehicle use.

- b) Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of six inches or less prior to other heavy equipment operation. These trees shall be cut in eight foot lengths and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public for use as post and/or poles.

13. Disturbed areas shall be reseeded with Seed Mix Three from the WRFO Surface Reclamation Protocol (Table 5). Reclamation shall be completed following practices outlined in the Surface Use Plan of Operations submitted by Williams. Seeding rates listed in Table 5. are for drill seed application; if broadcast seeding is to be done the rate shall be doubled.

Table 5. Prescribed Seed Mix

Seed Mix	Cultivar	Species	Scientific Name	Application Rate (lbs PLS/acre)	
3	Rosanna	Western Wheatgrass	<i>Pascopyrum smithii</i>	4	
	Whitmar	Bluebunch Wheatgrass	<i>Pseudoroegneria spicata ssp. inermis</i>	3.5	
	Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3	
		Needle and Thread Grass	<i>Hesperostipa comata ssp. comata</i>	2.5	
	Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1	
		Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5	
	Alternates:				
	Critana	Thickspike Wheatgrass	<i>Elymus lanceolatus ssp. lanceolatus</i>	3	
	Sulphur Flower	<i>Eriogonum umbellatum</i>	1.5		

14. The area should be surveyed for the presence of noxious/invasive species before and after construction. If undesirable species are found, they should be promptly eradicated using approved materials and methods. If invasive, non-native species establish within the project area, and spread onto adjoining BLM lands, the holder will be responsible for control of those populations. The holder should eliminate any noxious plants before any seed production has occurred. Application of pesticides and herbicides on public lands will conform to BLM manual 9015 and the BLM WRFO ROD/RMP. The holder shall ensure that all off-road equipment is cleaned to remove seed and soil prior to commencing operations on public lands within the project area.

15. All right-of-way holders shall comply with all federal, state and/or local laws, rules, and regulations, including but not limited to onshore orders and notices to lessees, 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.

16. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the BLM WRFO.

17. All holders of rights-of-way shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) utilization, production, and release of hazardous material.

18. 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.

19. As a reasonable and prudent right-of-way holder, acting in good faith, all right-of-way holders 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 BLM WRFO (970) 878-3800.

20. As a reasonable and prudent right-of-way holder, acting in good faith, all right-of-way holders 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 right-of-way 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 BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the holder's expense. Such action will not relieve the holder of any liability or responsibility.

21. With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the power line, the right-of-way holder, and through the right-of-way holder, its agents, employees, subcontractors, successors and assigns, stipulate and agree 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.

22. 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.

Additional Mitigation (Updated Conditions of Approval for Cultural and Paleontological Resources)

23. 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.

24. 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.

25. 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.

26. 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.

27. Except for auguring post holes for the power poles 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 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

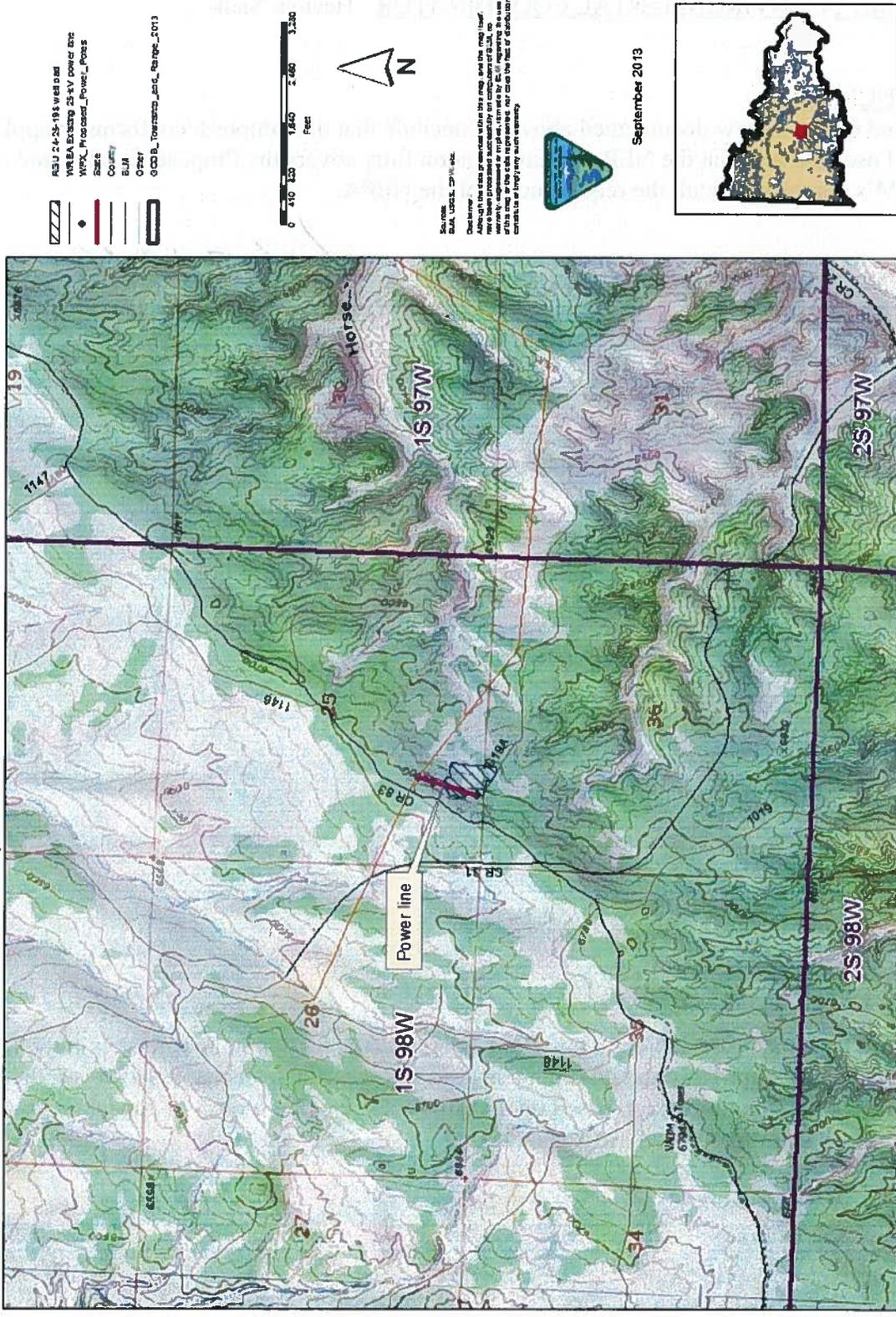
DATE SIGNED: 02/07/2014

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 Power Line to RGU 24-25-198 Well Pad
T1S, R98W, sec. 25**

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: WREA Power Line to RGU 24-25-198 Well Pad

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-110-2014-0001-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2014-0001-DNA, authorizing the construction, operation, and maintenance of a 25-kV overhead power line to the WPX Energy Rocky Mountain RGU 24-25-198 well pad.

Mitigation Measures

1. All earthwork (vegetation removal) associated with the development will take place outside of the migratory bird nesting season (May 15 – July 15). Vegetation removal will be allowed from July 16 – May 14.
2. There will be no construction and/or drilling activities allowed from January 1 – April 30 to avoid unnecessary activity in mule deer severe winter range. The WRFO will except/modify RMP-prescribed timing limitations for those projects where there is written documentation affirming mutual consent among CPW, the project proponent, and BLM. Outside such agreements, WRFO will consider excepting/modifying prescribed timing limitations upon written request from CPW on a project proponent's behalf. *Excepted from big game winter timing limitations through the year 2015.*
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	Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3	
		Needle and Thread Grass	<i>Hesperostipa comata ssp. comata</i>	2.5	
	Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1	
		Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5	
	Alternates:				
	Critana	Thickspike Wheatgrass	<i>Elymus lanceolatus ssp. lanceolatus</i>	3	
		Sulphur Flower	<i>Eriogonum umbellatum</i>	1.5	

14. The area should be surveyed for the presence of noxious/invasive species before and after construction. If undesirable species are found, they should be promptly eradicated using approved materials and methods. If invasive, non-native species establish within the project area, and spread onto adjoining BLM lands, the holder will be responsible for control of those populations. The holder should eliminate any noxious plants before any seed production has occurred. Application of pesticides and herbicides on public lands will conform to BLM manual 9015 and the BLM WRFO ROD/RMP. The holder shall ensure that all off-road equipment is cleaned to remove seed and soil prior to commencing operations on public lands within the project area.

15. All right-of-way holders shall comply with all federal, state and/or local laws, rules, and regulations, including but not limited to onshore orders and notices to lessees, 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.

16. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the BLM WRFO.

17. All holders of rights-of-way shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) utilization, production, and release of hazardous material.

18. 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.

19. As a reasonable and prudent right-of-way holder, acting in good faith, all right-of-way holders 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 BLM WRFO (970) 878-3800.

20. As a reasonable and prudent right-of-way holder, acting in good faith, all right-of-way holders 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 right-of-way 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 BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the holder's expense. Such action will not relieve the holder of any liability or responsibility.

21. With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the power line, the right-of-way holder, and through the right-of-way holder, its agents, employees, subcontractors, successors and assigns, stipulate and agree 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

27. Except for auguring post holes for the power poles 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 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 November 6, 2013 and a copy of the completed Determination of NEPA Adequacy will be posted on the WRFO website.

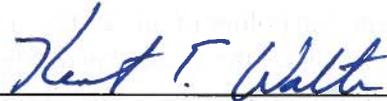
RATIONALE

The proposal for the construction, operation, and maintenance of a 25-kV overhead power line to the WPX Energy Rocky Mountain RGU 24-25-198 well pad, 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:



Field Manager

DATE SIGNED:

02/07/2014