

**Bureau of Land Management  
Winnemucca District Office  
Categorical Exclusion**

[X ] HRFO (1000)                      [ ] BRFO (3000)                      [ ] District (       )

|  |   |
|--|---|
| <b>CX#: DOI-BLM-NV-W010-2012-0008-CX</b>   | <b>Date: 11/29/2011</b>                   |
| File Code (43 CFR) : 43 CFR 2800   | Lease / Case File / Serial #: Nev-042767/ |
| Project Lead Preliminary Review:<br>Is the project located within a SG 75% BBDA (Sage Grouse 75% Bird Breeding Density Area)? No |   |

1. BLM District Office: Winnemucca District Office
2. Name of Project Lead: Julie McKinnon
3. Project Title: ROW Nev-042767 60kV Amendment
4. Applicant: Sierra Pacific Power Co.
5. Project Description: (briefly describe who, what, when, where, why, how)

Sierra Pacific Power Co. has submitted an application to perform routine maintenance on an existing 60kV power line and add a 25kV underbuild.

They are proposing to replace 12 of the existing 16 40' poles that were originally installed in 1937 and have deteriorated due to weather. Those four poles that are not proposed to be replaced were replaced within the past five years. The replacement poles would be 45' in length, slightly taller than the previous poles, for the purpose of adding the 25kV underbuild.

While replacing these poles, Sierra Pacific is proposing to add a new 25kV line as an "underbuild" on this existing 60kV power line to the point where this line was previously amended in 1990, where the addition of a 25kV "underbuild" was previously added to this power line. All work would remain within the existing authorized 50' wide footprint of the existing power line. Inside the existing footprint, surface disturbance is proposed to be minimal. No new disturbance is proposed outside of the existing authorized right-of-way.

Project dimensions (length, width, height, depth): 3,522' x 50'                      Acreage: 3.73

Will the project result in new surface disturbance? Yes X No       

Has the project area been previously disturbed? Yes X No        N/A       . If yes, what percent of the project area has been disturbed? 100% . If only part of the project area has been disturbed, indicate disturbed area on map. Describe disturbance (and attach photo of disturbed area if you have one):

6. Legal Description:        T. 35 N., R. 38 E., sec. 6 , NE    1/4, SE    1/4

USGS 24k Quad name: Winnemucca East

100k map name: Winnemucca

Land Status: BLM X Private        Other

**Part I: Plan Conformance Review**

The proposed Action is subject to the:

- Paradise-Denio Management Framework Plan
- Sonoma-Gerlach Management Framework Plan
- Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness and Other Contiguous Lands in Nevada RMP

*(The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM Manual 1617.3).*

**Part II: NEPA Review**

Categorical Exclusion Review: This Proposed Action qualifies as a categorical exclusion under:

43 CFR 46.210 DOI Implementation of NEPA of 1969, Listing of Departmental Categorical Exclusions (*formerly 516 DM2 Appendix 1*) (**Define Exclusion – see lists available at: S:\NEPA\_2010\NEPA Templates 2010\CX\CX Lists\ DOI CXs**)

516 DM11.9, (BLM) E. Realty #13: Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary. (**Define Exclusion - see lists available at: S:\NEPA\_2010\NEPA Templates 2010\CX\CX Lists\ BLM CXs**)

**ESA and BLM Sensitive Status Species**

| Evaluation Criteria  | Yes                      | No                       |
|--|--------------------------|--------------------------|
| 1. Are species listed under the Endangered Species Act likely to occur in the project area? If yes, list the species in Table 1 below. Verify with USFWS or use approved list. | <input type="checkbox"/> | X                        |
| 2. Are BLM NV Sensitive Species, based upon the current IM, likely to occur in the project area? If yes, list the species in the Table 1 below.                                | X                        | <input type="checkbox"/> |
| 3. Could the proposed action result in “take” under the Migratory Bird Treaty Act? If yes, attach appropriate mitigation measures.   | X                        | <input type="checkbox"/> |

**Table 1. Special Status Species that may occur in the project area:**

| ESA                      | BLM | Common ( <i>Scientific</i> ) Name             | May Be Affected?                     | Mitigation for BLM Sensitive Species ( <i>Attach ESA Section 7 Compliance to Form</i> )  |
|--------------------------|-----|---|--------------------------------------|--|
| <input type="checkbox"/> | X   | Golden eagle<br>( <i>Aquila chrysaetos</i> )  | X Yes<br><input type="checkbox"/> No | Use standard stipulations requiring compliance with APLIC standards for avian protection on power lines (Avian Protection Plan Guidelines, 2005, and Suggested Practices for Avian Protection: State of the Art 2006). |
| <input type="checkbox"/> | X   | Ferruginous hawk<br>( <i>Buteo regalis</i> )  | X Yes<br><input type="checkbox"/> No | See Golden eagle stipulation.  |
| <input type="checkbox"/> | X   | Swainson’s hawk<br>( <i>Buteo swainsoni</i> ) | X Yes                                | See Golden eagle stipulation.  |

|                          |   |   |                                      |   |
|--------------------------|---|---|--------------------------------------|---|
|                          |   |   | <input type="checkbox"/> No          |   |
| <input type="checkbox"/> | X | Western burrowing owl<br>( <i>Athene cunicularia hypugaea</i> ) | X Yes<br><input type="checkbox"/> No | Nesting season runs from March 1 <sup>st</sup> through August 31 <sup>st</sup> . A careful examination of any existing habitat in the project area that may be disturbed (including cross country routes) during these dates should be done to assure no burrows with eggs or young are present. If burrows are found, the BLM biologist should be notified immediately and burrows should be avoided by a minimum distance of 260 ft. to prevent destruction of the burrow and disturbance to nesting birds.   |
| <input type="checkbox"/> | X | Loggerhead shrike<br>( <i>Lanius ludovicianus</i> )             | X Yes<br><input type="checkbox"/> No | The Migratory Bird Treaty Act prohibits the destruction of nests (nests with eggs or young) of migratory birds. Nesting season runs from March 1 <sup>st</sup> through August 31 <sup>st</sup> . A careful examination of any existing habitat in the project area that may be disturbed (including cross country routes) during these dates should be done to assure no nests with eggs or young are present. If nests are found, the BLM biologist should be notified immediately and nests should be avoided by a minimum distance of 260 ft. to prevent destruction of the nest and disturbance to nesting birds. |
| <input type="checkbox"/> | X | Sage thrasher<br>( <i>Oreoscoptes montanus</i> )                | X Yes<br><input type="checkbox"/> No | See Loggerhead shrike stipulation.  |
| <input type="checkbox"/> | X | Brewer's sparrow<br>( <i>Spizella breweri</i> )                 | X Yes<br><input type="checkbox"/> No | See Loggerhead shrike stipulation.  |

**Table 2 Migratory Bird Treaty Act Consideration**

| Potential MBTA Species w/in the Project Area Common ( <i>Scientific</i> ) Name | May Be Affected?                     | Proposed Mitigation                |
|--|--------------------------------------|------------------------------------|
| Sage sparrow<br>( <i>Amphispiza belli</i> )                                    | X Yes<br><input type="checkbox"/> No | See Loggerhead shrike stipulation. |

**CX#: DOI-BLM-NV-W010-2012-0008-CX**  
**Applicant: Sierra Pacific Power Co.**  
**Project Title: Nev-042767 ROW renewal**

|   |  |                                    |
|---|--|------------------------------------|
| Green-tailed towhee<br><i>(Pipilo chlorurus)</i>        | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | See Loggerhead shrike stipulation. |
| Black-throated sparrow<br><i>(Amphispiza bilineata)</i> | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No | See Loggerhead shrike stipulation. |
|   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            |                                    |
|   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No            |                                    |

The Proposed Action has been reviewed to determine if any exceptions described in 43 CFR 46.215 Categorical Exclusions: Extraordinary Circumstances apply. (See attached page)

*Mitigation Measures/Remarks: (if there are any applicable mitigation measures, including any standard stipulations, conditions of approval, terms of conditions, etc. that would be attached to the permit, state "See Attached" and attach a copy to the CX.)*

**Part III: DECISION:** I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no other environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures identified above.

Remarks reserved for authorized officer:

Authorized Official     \s\ Michael Truden     Date:   1-23-12    
(Signature)

Administrative Review or Appeal Opportunities  
See 43 CFR 4.401(a) Part 4 for general rules relating to procedures and practice involving appeals.