

**U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-N010-2014-0057-CX

CASEFILE/PROJECT NUMBER (optional): COC050070 Amendment

PROJECT NAME: Yampa Valley Electric RCR 179 Upgrade

LEGAL DESCRIPTION: 6th PM, T. 5 N., R. 85 W., sec. 7, lots 11, 12, sec. 20, tract 142, Routt County CO.

APPLICANT: Yampa Valley Electric Association, Inc.

DESCRIPTION OF PROPOSED ACTION: Yampa Valley Electric Association, Inc. (YVEA) filed an application requesting authorization and upgrade of an existing overhead power line that crosses approximately 2,000 feet on public land. YVEA is proposing an upgrade of a single-phase distribution line to a 3-phase distribution line originating at an existing power pole located near Routt County Road 33 in sec. 7, T. 5N., R. 85 W., lot 12, and continue in a southerly direction along Routt County Road 179. Approximately 1,050 feet of existing power line would be relocated on public land in sec. 20, tract 142. One new pole would be located on public land.

The estimated length of the route is approximately 24,816 feet of which approximately 2,000 feet crosses public land. A temporary construction area of 50' X 50' is requested at the new pole location with a permanent width of 20 feet; approximate total acreage is 0.99.

The proposed distribution line would be designed for one 3-phase (3 conductors) circuit and one neutral wire. Single wooden pole structures with cross arm construction are proposed for the project, 33 feet above ground, 6 to 8 feet deep, with a span length of 250 feet to 350 feet. One new pole will be constructed on public land. Existing access roads and overland construction will be utilized. The estimated personnel is 8 people and 7 vehicles including 3 digger trucks, 2 pickups, line truck with trailer and 1 bucket truck.

Selective clearing of natural vegetation may be required. Vegetation would be left in place wherever possible to avoid excessive root damage. Following construction and cleanup, the disturbed surface would be restored to the original contour and seeded.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The proposed action was reviewed for conformance (43 CFR 1610.5, BLM 1617.3) with the following plan:

Name of Plan: Little Snake Record of Decision and Resource Management Plan

Date Approved: October 2011

Results: The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP goals, objectives, and management decisions:

Allow for appropriate ROW routes and development sites, while identifying areas that will not be compatible with such use. Objectives for achieving these goals include:

- Provide access for the development of roads and trails, utilities, transmission lines, communication sites, and other uses in an environmentally responsible manner.
- Provide access for the development of oil and gas pipeline routes and other uses associated with oil and gas development in an environmentally responsible manner.

Section/Page: Section 2.17 Lands and Realty/ page RMP-52

CATEGORICAL EXCLUSION REVIEW: The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR Part 46.210 and qualifies as a categorical exclusion under 516 DM 11.9E (12). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 applies:

Extraordinary Circumstances	YES	NO
1. Have significant adverse effects on public health and safety.	___	__X__
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	___	__X__
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	___	__X__
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	___	__X__
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	___	__X__
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	___	__X__
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	___	__X__
8. Have significant impacts on species listed, or proposed to be listed,		

on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	___ <u>X</u> ___
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	___ <u>X</u> ___
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	___ <u>X</u> ___
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	___ <u>X</u> ___
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	___ <u>X</u> ___

INTERDISCIPLINARY REVIEW:

Title	Resource	Date
Archaeologist	Cultural Resources	09/08/2014
Rangeland Mgmt Spec	T&E Plants	08/25/2014
Wildlife Biologist	T&E Animals	08/26/2014

COMPLIANCE PLAN: The ROWs will be checked for compliance with terms, conditions and stipulations on a five-year schedule. Responsibility for the compliance schedule and monitoring plan will be assigned to the Realty staff in the Little Snake Field Office. The primary inspector will be the Realty Specialist.

NAME OF PREPARER: Louise McMinn

NAME OF ENVIRONMENTAL COORDINATOR:

DATE:

COMPLIANCE WITH NEPA

This action is listed in the Department Manual (516 DM 2, Appendix 1 and 516 DM 11) as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

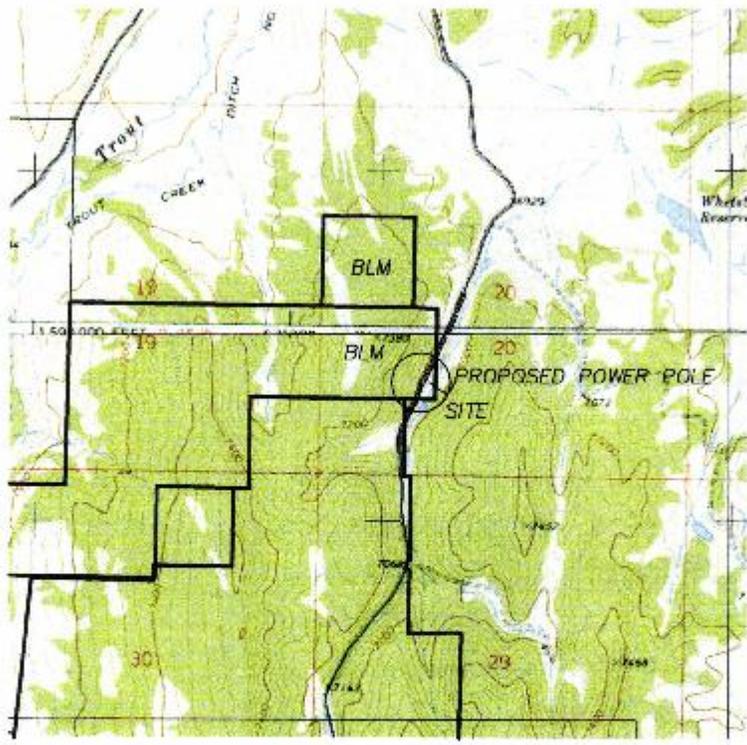
SIGNATURE OF AUTHORIZED OFFICIAL: Amy Carmichael for,
Wendy Reynolds, Field Manager

DATE SIGNED: 09/09/14

Contact Person

For additional information concerning this decision, contact Louise McMinn, Realty Specialist, Little Snake Field Office, 455 Emerson Street, Craig, CO 81625, Phone (970) 826-5070.

LOCATION MAP
EASEMENT
YAMPA VALLEY ELECTRIC COMPANY
LOCATED IN TRACT 142, SECTION 20,
TOWNSHIP 5 NORTH, RANGE 85 WEST,
OF THE 6TH, P. M., ROUTT COUNTY
COLORADO



SCALE
1:24,000

 **EMERALD MOUNTAIN
SURVEYS, INC.**
P.O. BOX 774812
STEAMBOAT SPRINGS,
COLORADO 80477
970-878-8888

YAMPA VALLEY
ELECTRIC COMPANY
BOX 1218
STEAMBOAT SPRINGS,
CO. 80477

Exhibit B
Stipulations
COC050070

1. The holder shall construct, operate, and maintain the facilities, improvements, and structures within the right-of-way in strict conformity with the plan of development which was approved and made part of the grant. Any relocation, development, shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all stipulations and approved construction, operation, and termination, shall be made available on the right-of-way during the construction, operation, and termination to the authorized officer. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.

2. You must comply with all terms, conditions, and stipulations of the original grant.

3. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.

4. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

5. If fossils are discovered during construction or other operations, all activity in the area will cease and the Field Office Manager will be notified immediately. An assessment of significance

will be made within an agreed time frame. Operations will resume only upon written notification by the Authorized Officer.

6. The BLM is responsible for informing all persons in the areas who are associated with this project of the requirements for protecting paleontological resources. Paleontological resources found on the public lands are recognized by the BLM as constituting a fragile and nonrenewable scientific record of the history of life on earth, and so represent an important and critical component of America's natural heritage. These resources are afforded protection under 43 CFR 3802 and 3809. Penalties possible for the collection of vertebrate fossils are under 43 CFR 8365.1-5.

7. The grant does not relieve you of your responsibility to obtain other required federal, state, or local permits.

8. The holder of Right-of-Way No. COC050070 agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C 9601, et.seq. or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901, et. seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

9. Power line design should follow suggested practices outlined in "Suggested practices for raptor protection on power lines: State of the Art in 1996" (Avian Power Line Interaction Committee (APLIC). 996)

10. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

11. No hazardous materials/waste or trash shall be disposed of on the public lands. If a release does occur, it shall be reported to the Little Snake Field Office immediately at (970) 826-5000. Any spills will be cleaned up to applicable standards.

12. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites 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.

13. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations).

14. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. The authorized officer prior to such use shall approve emergency use of pesticides in writing.

15. Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a pre-termination conference. This conference will be held to review the termination provisions of the grant.

16. The holder shall seed all disturbed areas, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained after the second growing season.

17. The holder is required to use the reclamation practices necessary to reclaim all disturbed areas. Reclamation will ensure surface and subsurface stability, growth of self-generating, permanent vegetative cover and compatibility with post land use. The vegetation will be diverse and of the same seasonal growth as adjoining vegetation. Post land use will be determined by the authorized officer but normally will be the same as adjoining uses.

18. Final Reclamation Standard:

The original landform has been restored for all disturbed areas including, roads, pipelines, and utility corridors.

A self-sustaining, vigorous, diverse, native (or otherwise approved) plant community is established on the site, with a density sufficient to control erosion and non-native plant invasion and can reestablish wildlife habitat or forage production. At a minimum, the established plant community will consist of species included in the seed mix and/or desirable species occurring in the surrounding natural vegetation. No single species will account for more than 30 percent total vegetative composition unless it is evident at higher levels in the adjacent landscape.

Permanent vegetative cover will be determined successful when the basal cover of desirable perennial species is at least 80 percent of the basal cover of the adjacent undisturbed area. Plants must be resilient as evidenced by well-developed root systems and flowers. Shrubs must be well established and in a "young" age class at a minimum (therefore, not comprised mainly of seedlings that may not survive until the following year).

In agricultural areas, irrigation systems and soil conditions are reestablished in such a way as to ensure successful cultivation and harvesting of crops.

Erosion features are equal to or less than surrounding area and erosion control is sufficient so that water naturally infiltrates into the soil and gulying, headcutting, slumping, and deep or excessive rilling (greater than 3 inches) is not observed.

The site is free of State- or county-listed noxious weeds, debris and equipment, and contaminated soil. The final inspection for final reclamation success and approval will be subject to an interdisciplinary review.