

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

## **DECISION RECORD**

### ***Moon Lake Power Line to Serve a Rectifier for Chevron*** **DOI-BLM-CO-N05-2015-0055-DNA**

#### **Decision**

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2015-0055-DNA, authorizing the construction, operation, maintenance and termination of approximately 220 feet of new 7.2/12.5kV overhead power line to serve a Chevron rectifier.

#### ***Applicant Committed Design Features***

1. Moon Lake Electric Association agrees to use BLM recommendation that equipment access and surface disturbance associated with this power line would be confined to the existing parallel ROW corridors that extend northwest from the existing access road. MLEA would not clear any brush.
  
2. For reclamation, Moon Lake Electric Association agrees to use BLM recommended Seed Mix #8 outlined in Table 1. BLM recommends that seeding occur between September 1 and March 31. If an alternate date of seeding is requested, Moon Lake will contact the designated Natural Resource Specialist prior to seeding for approval. Drill seeding is the preferred method of application and drill seeding depth must be no greater than ½ inch. If drill seeding cannot be accomplished, seed should be broadcast at double the rate used for drill seeding, and harrowed into the soil.

Table 1. BLM Seed Mix #8 for reclamation.

8	Viva Florets	Galleta Grass	<i>Pleuraphis jamesii</i>	3
	Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3
	Toe Jam Creek	Bottlebrush Squirreltail	<i>Elymus elymoides</i>	2.5
	Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	4
		Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.25
		Annual Sunflower	<i>Helianthus annuus</i>	2.5
		Mat Saltbush	<i>Atriplex corrugata</i>	2

### ***BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources***

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant 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 applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g), the applicant 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 operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. The applicant 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 or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. If any paleontological resources are discovered as a result of operations under this authorization, the applicant or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

### ***Mitigation Measures***

1. The holder is responsible for obtaining all appropriate state and local permits.
2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by

telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

3. The applicant shall monitor the disturbed and reclaimed areas for the presence of invasive, non-native, and/or noxious plant species that have become established as a result of the proposed action. The applicant will be responsible for controlling cheatgrass, noxious weeds, and/or problem weeds should they occur and/or increase in density as a result of the proposed action.
4. Upon detection of noxious, non-native, and/or invasive plant species, the applicant will control their presence before seed production using materials and methods as outlined in the White River ROD/RMP and/or authorized in advance by the White River Field Office Manager. Application of herbicides must be under field supervision of an Environmental Protection Agency (EPA) certified pesticide applicator. Herbicides must be registered by the EPA and pesticide use proposals must be approved by the BLM.
5. Equipment used for the project will be thoroughly cleaned prior to the start of the project and after completion of the project to prevent the spread of noxious weeds to and from the project area.
6. In consideration of natural reoccupation or future efforts to reestablish sage-grouse west of Rangely, and as an aid in reducing the availability of effective perches that may aggravate mortality of dispersing ferret, the proponent will be required to install perch deterrents on the cross arms and pole-top of those pole that will be located in the following legal subdivision:  
T2N R104W section 2
7. Solid wastes (garbage) and sewage from port-a-toilets would be properly disposed of offsite in an approved facility. The release of any chemical, oil, petroleum product, produced water, or sewage, etc., (regardless of quantity) must be reported by the lease holder, to the Bureau of Land Management – WRFO Hazardous Materials Coordinator at (970) 878-3800.
8. All construction or maintenance will 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, but timely notification is required.
9. If access to pole location for construction and/or maintenance results in ruts that are 3 inches or deeper, the holder will 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.
10. The applicant shall be required to achieve a reclamation success rate of sufficient vegetative ground cover from reclamation plant species within three growing seasons. The reclamation shall be comparable of that of the nearby undisturbed plant communities at a Potential

Natural Community (PNC) state in relation to the seed mix as deemed appropriate by the BLM.

11. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing paleontological sites, or for collecting fossils. If fossil materials are uncovered during any project or construction activities, the holder is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the holder as to:
  - whether the materials appear to be of noteworthy scientific interest
  - the mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not feasible)
12. If the holder 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 holder will be responsible for mitigation cost. 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 holder will then be allowed to resume construction.
13. 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.
14. Any livestock control facilities (fences, cattleguards, etc.) and/or rangeland improvements impacted during this operation will be replaced or repaired to their prior condition.

### **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.

### **Environmental Analysis and Finding of No Significant Impact**

The Proposed Action was analyzed in CO-110-2008-197-EA and it was found to have no significant impacts, thus an EIS is not required.

## Public Involvement

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on 05/06/2015. No comments or inquiries have been received.

## Rationale

Analysis of the Proposed Action has concluded that there are no significant negative impacts and that it meets Colorado Standards for Public Land Health. The proposal for the construction, operation and maintenance of a 7.2/12.5kV overhead power line to serve a Chevron rectifier, along with the applied mitigation measures, conforms to the land use plan.

## Monitoring and Compliance

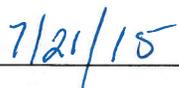
On-going compliance inspections and monitoring of drilling, production, and post-production activities will be conducted by White River Field Office staff during construction of well pads, access roads, and pipelines. Specific mitigation developed in the associated Categorical Exclusion and the lease terms and conditions 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.

## 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

  
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ACTING Field Manager

  
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Date