

**United States Department of the Interior  
Bureau of Land Management**

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**Environmental Assessment  
DOI-BLM-CO-N05-2015-0065-EA**

***White River Electric Association's Swenson Power Line***

**September 2015**

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



**BLM**

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# 1. INTRODUCTION

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## 1.1. Identifying Information

**Project Title:** WREA's Swenson Power Line

**Legal Description:** Sixth Principal Meridian, Colorado  
T. 3 S., R. 94 W.,  
sec. 26, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

**Applicant:** White River Electric Association, Inc.

**NEPA Document Number:** DOI-BLM-CO-N05-2015-0065-EA

**Lease/Casefile/Project Number:** COC77197

## 1.2. Background

The White River Electric Association, Inc. (WREA) originally intended to follow County Road 253 (Upper Piceance Creek) with a buried power line; however the private landowners refused to grant an easement for the power line.

## 1.3. Purpose and Need for Action

The purpose of the Proposed Action is to provide White River Electric Association, Inc. with authorized use of the public land managed by the BLM to develop a power line in compliance with the Federal Land Policy and Management Act (FLPMA) and BLM right-of-way regulations. The need for the action is to respond to a right-of way application request submitted by the applicant to construct, operate, maintain, and abandon a power line and associated infrastructure on public lands administered by the BLM White River Field Office. The FLPMA allows for use of public land for rights-of-way for commercial and private infrastructure, with appropriate consideration of other public resources.

## 1.4. Decision to be Made

Based on the analysis contained in this EA, the BLM will decide whether to approve or deny the proposed power line right-of-way (ROW), and if so, under what terms and conditions. Under the National Environmental Policy Act (NEPA), the BLM must determine if there are any significant environmental impacts associated with the Proposed Action warranting further analysis in an Environmental Impact Statement (EIS). The Field Manager is the responsible officer who will decide one of the following:

- To approve the ROW grant with design features as submitted;
- To approve the ROW grant with additional mitigation added;
- To analyze the effects of the Proposed Action in an EIS; or

- To deny the ROW grant.

## 1.5. Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

**Land Use Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

**Date Approved:** July 1997

**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.” (page 2-49)

## 2. PUBLIC INVOLVEMENT

### 2.1. Scoping

NEPA regulations (40 CFR 1500-1508) require that the BLM use a scoping process to identify potential significant issues in preparation for impact analysis. The principal goals of scoping are to identify issues, concerns, and potential impacts that require detailed analysis. Scoping is both an internal and external process.

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 6/9/2015. External scoping was conducted by posting this project on the WRFO’s on-line National Environmental Policy Act (NEPA) register on 6/10/2015.

## 3. PROPOSED ACTION AND ALTERNATIVES

### 3.1. Proposed Action

#### *3.1.1. Project Components and General Schedule*

WREA proposes to construct a 7.2-kV single-phase overhead and buried power line to the Swenson home site in Upper Piceance Creek east of State Highway 13.

The power line would begin at the existing power line along State Highway 13. The power line would cross private land owned by Mr. Swenson and BLM lands. The total length of the power across private and BLM lands would be 21,894 ft (4.15 miles) long (see Exhibit A). The power line would be overhead from State Highway 13 across the private land, crossing about 878 feet of BLM land to the top of the divide. From this point the power line would then be buried across the remainder (about 2,611 feet) of the BLM land. The power line would continue to be buried across the private to the home site. The total power line right-of-way (ROW) across BLM lands would be 3,489 ft long. The width of the overhead portion of the power line would be 50 ft while

the width of the buried portion of the power line would be 25 ft. The power line ROW would contain approximately 2.51 acres.

To construct the buried power line, WREA would excavate a 48-inch deep trench using a tracked backhoe. The trench would be approximately 18-inches wide. The total disturbance width for installation of the buried power line would be approximately 8 ft.

To construct the overhead power line, WREA would need to clear some aspen trees with chainsaws and scrape some oak brush from approximately 800 ft of the ROW on BLM lands. Very little cutting is expected other than to insure existing roads and trails are passable. A tracked digger derrick would be used so less cutting would be required. Equipment to be used would be a small dozer, a tracked digger derrick, 4-wheel drive 2-ton digger truck, 4-wheel drive 2-ton bucket truck, and standard utility line trucks. All poles and structures would be constructed “raptor friendly” by maintaining adequate clearances and placing raptor protection when electrical clearance is compromised. Construction across BLM lands is expected to take two weeks to complete with the entire line taking approximately six weeks to complete. Construction would begin in the summer or fall of 2015.

WREA submitted a plan for surface reclamation of the disturbed power line ROW in accordance with the White River Field Office’s (WRFO) surface reclamation protocol. This is available for review in the case file located in the WRFO.

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

1. The operator 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 operator 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 operator, 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 operator 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 operator 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 operator 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.

### **3.2. No Action Alternative**

The No Action Alternative constitutes denial of the ROW grant associated with the Proposed Action. Under the No Action Alternative, none of the proposed project components described in the Proposed Action would take place.

### **3.3. Alternatives Considered but Eliminated from Detailed Analysis**

Originally, WREA proposed to construct an overhead and buried power line across the BLM lands. In the original application, the overhead portion of the power line across BLM lands would have been 3,088 ft long with 12 poles spaced approximately 300 ft apart. The buried portion of the power line across BLM lands would have been 401 ft long. In order to minimize the removal of aspen trees, interruption of the continuity of cover offered by aspen canopies, and to preclude line strikes by birds, WREA amended their application to bury the power line across the BLM lands from the east until the line emerges from the aspen stand at the crest of the Grand Hogback. This amendment involves burying another 2,611 feet of power line.

## **4. ISSUES**

The CEQ Regulations state that NEPA documents “must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). While many issues may arise during scoping, not all of the issues raised warrant analysis in an

environmental assessment (EA). Issues will be analyzed if: 1) an analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of the impacts. The following sections list the resources considered and the determination as to whether they require additional analysis.

## 4.1. Issues Analyzed

The following issues were identified during internal scoping as potential issues of concern for the Proposed Action. These issues will be addressed in this EA.

- **Vegetation**: The Proposed Action has potential for short term impacts to vegetation associated with the project.
- **Invasive, Non-Native Species**: The Proposed Action has potential for introduction of additional or new invasive, non-native species associated with the project.
- **Migratory Birds**: Construction activity that takes place in close proximity to active nests of migratory birds can disrupt and fail reproductive efforts. Clearing of oakbrush/serviceberry shrubland and aspen woodland from the right-of-way would reduce the availability of woody nest substrate. Aerial power lines that bisect woodland stands can pose a strike hazard, especially to nesting and migrant woodland raptors (accipiters and owls) that hunt within the canopy under low light conditions.
- **Terrestrial Wildlife**: Distribution line corridors do not, in themselves, generally have strong influences on the distribution of big game or their pattern of use. Commonly, access tracks persist along these corridors and, with unregulated use, the issue for big game then becomes road-related avoidance and disuse of adjacent habitat.
- **Special Status Animal Species**: Mature, closed-canopy aspen woodlands are favored nest habitat for BLM-sensitive northern goshawk, whose nesting activities are susceptible to disruption as discussed in the Migratory Bird section above.
- **Paleontological Resources**: Any excavations into the underlying sedimentary rock formation has the potential to impact scientifically noteworthy fossils, which would result in some level of irreversible, irretrievable cumulative loss the regional fossil database.
- **Livestock Grazing**: The Proposed Action has potential for minimal interruption of livestock grazing (authorized sheep use) if project is not completed until winter 2015.
- **Forestry and Woodland Products**: The proposed power line bisects a large aspen woodland and would require the removal of some aspen trees during power line construction/burial.
- **Access and Transportation**: The Proposed Action has potential to facilitate the creation of an unauthorized motorized travel route if not properly mitigated.

- **Realty Authorizations:** A right-of-way is required for the power line.
- **Hazardous or Solid Wastes:** The potential for harm to human health or the environment are presented by the risks associated with spills of fuel, oil, and/or hazardous substances used during construction, operation, maintenance, and removal of the power line. Accidental releases could cause soil, surface water, and/or groundwater contamination.

## 4.2. Issues Considered but not Analyzed

- **Air Quality:** Dust and equipment emissions would result in increased atmospheric pollutants but is not expected to result in the exceedance of National Ambient Air Quality Standards, Colorado Ambient Air Quality Standards, Prevention of Significant Deterioration increments, or other significant impact thresholds.
- **Soil Resources:** The utilization of construction equipment to install the power poles, bury the power line, and complete access road improvements could result in localized and short-term impacts to private and BLM soil resources including rutting, soil compaction, and reduced rainfall infiltration. The soil resources processes should return to pre-disturbance levels with the reestablishment of post-disturbance herbaceous and woody vegetation.
- **Geology and Minerals:** The proposed power line route would not cross any known mineral leases or mining claims. Installation of the proposed overhead and buried power line would have minimal to no impacts on the geologic and mineral resources.
- **Surface and Ground Water Quality:** Surface and/or groundwater resources shouldn't be impacted by the installation of power poles, burial of the power line, or proposed road improvements.
- **Floodplains, Hydrology, and Water Rights:** Based on U.S. Army Corp of Engineer data (2007), none of the proposed developments are located within a mapped 100 year flood plain. Based on BLM GIS 2015 data, the proposed ROW is unencumbered by water rights associated with any springs or wells. The proposed ROW follows a pre-existing two-track which should minimize but not eliminate potential impacts to hillslope hydrology. Impacts could include the interruption of subsurface water flow paths. These subsurface flow paths are critical in the downslope movement of subsurface waters. When interrupted, saturated zones could form above the disturbance and result in small-scale slumping or rotational failures. Any impacts to hillslope hydrology should quickly return to pre-disturbance conditions with the reestablishment of vegetation.
- **Native American Religious Concerns:** No Native American religious concerns are known in the area, and none have been noted by 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.

- **Cultural Resources**: Grand River Institute (GRI) of Grand Junction carried out cultural resource inventory at the Class III intensity level of the public lands portion of the project area. A total of 4 acres were inventoried, and no private property was surveyed for the Proposed Action; however consideration was given to potential effects of cultural resources off the public lands that could be reasonably attributable to the BLM's decision (i.e., sphere of influence). Given the terrain and vegetation cover of the project area on both sides of the public lands, authorization of the power line across public lands would not "influence" a project towards any known archaeological sites or an area with high site potential on private property.

The inventory completed by GRI did not identify any eligible sites, on BLM administered lands. Therefore, no "historic properties" were identified as being within the area of the Proposed Action. "Historic properties" are cultural resources that are eligible or potentially eligible for inclusion on the National Register of Historic Places (NRHP). The Proposed Action will not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places. The project inventory and evaluation is in compliance with the National Historic Preservation Act, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

- **Social and Economic Conditions**: There would not be any substantial changes to local social or economic conditions.
- **Environmental Justice**: According to the most recent Census Bureau statistics (2010) and guidelines provided in WO-IM-2002-164, there are no minority or low income populations within the WRFO.
- **Prime and Unique Farmlands**: There are no prime and unique farmlands within the project area.
- **Wilderness**: There are no designated Wilderness areas or Wilderness Study Areas located near the Proposed Action.
- **Wild and Scenic Rivers**: There are no Wild and Scenic Rivers within the WRFO.
- **Scenic Byways**: There are no Scenic Byways within the project area.
- **Visual Resources**: The Proposed Action is located in an area that has a Visual Resource Management (VRM) Class II objective to retain the existing character of the landscape where management activities may be seen but should not attract attention of the casual observer. This area was also placed into a Visual Resource Inventory (VRI) Class II, which means this is a higher valued landscape. Because the majority of the power line is proposed to be buried, it is unlikely to attract the attention of casual observers and would not change the VRI Class II rating. The portion of the power line that is an overhead-type power line is a relatively short section that is approximately 800 feet long and is located approximately 1.5 miles away from State Highway (SH) 13 and is screened by

topography on the north and south sides. Therefore, it is unlikely that the Proposed Action will attract the attention of casual observers traveling the 65 mph speed limit on SH 13.

- **Recreation:** The Proposed Action is located within a parcel of BLM lands that does not have any motorized access for the public, but is only accessible by a steep and difficult two mile off route hike from Garfield County Road 253, through BLM lands managed by the Colorado River Valley Field Office. Therefore, the recreational experiences and opportunities are primarily limited to those that own private property adjacent to this parcel, those that make arrangements with these private property owners to access this parcel, and those that choose to hike into this area. This results in a very low amount of big game and mountain lion hunting as the only recreational activities on this BLM parcel. The approximately 1,500 acre BLM parcel does have one Special Recreation Permit authorized for commercial mountain lion hunting outfitting and guiding to take place on the southern portion of this parcel. There is no geographic overlap with this SRP and the Proposed Action. Overall, the Proposed Action is expected to not impact existing recreational experiences or opportunities.
- **Lands with Wilderness Characteristics:** There are no lands with wilderness characteristics identified near the Proposed Action.
- **Wild Horses:** The Piceance-East Douglas Herd Management Area, North Piceance or West Douglas Herd Areas are not located within the project area.
- **Wetlands and Riparian Zones:** The proposed power line on BLM lands straddles the crest of the Grand Hogback and is separated from riparian-bearing systems associated with the Piceance Creek headwaters by lengthy reaches of ephemeral channel: from Piceance Creek to the east by 1.1 miles and an unnamed perennial tributary of Piceance Creek to the west by 1.7 miles.
- **Fire Management:** The Proposed Action has little to no impact on the Northwest Colorado Fire Management Plan due to the majority of the power line being buried.
- **Aquatic Wildlife:** Piceance Creek is the nearest perennial system that supports a higher-order aquatic community. The upper reaches of Piceance Creek are characterized by small channels with limited flow that are intermittently occupied by speckled dace and mountain sucker. The BLM lands associated with the project are separated from Piceance Creek by 1.1 miles of ephemeral channel to the east and 3.9 miles of ephemeral and perennial (unoccupied by fish) channels to the west.
- **Special Status Plant Species:** There are no special status plants or plant habitat in the area of the Proposed Action.
- **Areas of Critical Environmental Concern:** There are no ACEC's in the area of the Proposed Action.

## 5. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

### 5.1. General Setting & Access to the Project Area

The project area on BLM lands is in Garfield County, Colorado approximately 21 miles north of Rifle. Access to the site would be via State Highway 13 and Garfield County Roads 253 and 252. Access to the power line across BLM lands would be via existing two-track roads from the private lands on the east and west ends of the power line (Exhibit A). The vegetation is aspen woodlands and oak/serviceberry shrublands. The topography is steep slopes where the overhead power line will be constructed. The buried portion of the power line is through an aspen stand, a herbaceous park with small scattered stands of Gambel oak, and along a maintained road on a mountain shrub slope.

### 5.2. Cumulative Impacts

#### 5.2.1. Cumulative Impacts Analysis Areas

The geographic extent of cumulative impacts varies by the type of resource and impact. The timeframes, or temporal boundaries, for those impacts may also vary by resource. Different spatial and temporal cumulative impact analysis areas (CIAAs) have been developed and are listed with their total acreage in Table 1.

**Table 1. Cumulative Impact Analysis Areas by Resource**

Resource	CIAA	Total CIAA Acreage	Temporal Boundary
Access and Transportation	The BLM parcel where the Proposed Action is located.	Approximately 1,500 acres	From when the proposed project is completed through when there is no unauthorized motorized use of the buried power line route.
Vegetation and Invasive, Non-Native Species	Between the Wilcoxson F. (#06836) and the Robinson J. (#06834) Allotments.	Approximately 900 acres public land.	From the start of the project until the monitoring is completed in 3 years on Invasive, Non-Native Species
Forestry and Woodland Products	4-mile segment of Grand Hogback	10 Square Miles	From the start of construction until construction is complete along the two-track

Livestock Grazing	Between the Wilcoxson F. (#06836) and the Robinson J. (#06834) Allotments.	Approximately 900 acres public land.	From the start to finish of construction.
Migratory Birds, terrestrial wildlife, special status species	4-mile segment of Grand Hogback	10 square miles	6-week construction timeframe
Paleontological Resources	Boundary of the power line ROW on BLM administered lands	2.51 acres	Any loss of fossils and the contextual information associated with them would constitute a permanent, long term, irreversible and irretrievable loss of scientific data from the regional database
Realty Authorizations	Boundary of the power line ROW on BLM administered lands	2.51 acres	For 30 years (the term of the ROW grant)
Hazardous or Solid Wastes	Boundary of the power line ROW on BLM administered lands	2.51 acres	From the start of construction through the operation, maintenance, and removal of the power line.

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### ***5.2.2. Past, Present, and Reasonably Foreseeable Future Actions***

Cumulative effects are defined in the CEQ regulations (40 CFR 1508.7) as “...the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.”

The proposed power line route would not cross any existing mineral leases or mining claims. The project area is also not anticipated to be the site of much future oil and gas development since it is located outside of the Mesaverde Play Area. Based on a 2007 Reasonably Foreseeable Development Scenario (RFD), it is assumed that the majority of future oil and gas development within the WRFO would occur within the Mesaverde Play Area.

Other past, present, and reasonably foreseeable actions in the project area include livestock grazing and associated range improvement projects, vegetation treatments, and both wildfires

and prescribed burns. Recreation use is characterized by a very low amount of big game and mountain lion hunting by those that own private property adjacent to this parcel, those that make arrangements with these private property owners to access this parcel, and those that choose to hike into this area.

## **5.3. Vegetation**

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### **5.3.1. Affected Environment**

Plant communities that appear within the area associated with this project include: serviceberry; oak brush; snowberry; mountain brome; western, beardless bluebunch, and slender wheatgrasses; letterman and Columbia needle grasses; June grass; wildrye; Indian rice grass; sagebrush; rabbitbrush; aspen; Douglas fir; and numerous other forbs. The BLM lands in this area are generally found on the steeper slopes where minimum influence occurs from wildlife, livestock, and/or human utilization. The vegetation species here are in a healthy mid to late seral productive state with litter accumulation that contributes to soil protection and precipitation retention.

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### **5.3.1. Environmental Consequences – Proposed Action**

#### **Direct and Indirect Impacts**

Vegetation associated with the proposed overhead and buried portions of the power line route and the construction area for equipment and manpower would temporarily impact those species that exist. With proper reclamation this impact would be realized in the short term and be expected to reestablish with the above listed species because of the dense over story of these species available to reestablish the available species potentially without additional seeding of the area along with the precipitation patterns common to the area.

#### **Cumulative Impacts**

Past and current uses in the area have not created impacts to soils or generated erosion of exposed soils but rather the vegetation has acquired a competitive stand of plants species able to be competitive with potential invasive, non-native species that may be brought into the area. Uses in the area are expected to continue into the future with the vegetation expected to continue to be maintained. There are not expected to be any cumulative impacts to vegetative communities from the proposed project along with other impacts in the area which affect the ability of these plant communities to continue to resist the introduction of invasive, non-native weed species.

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### **5.3.1. Environmental Consequences – No Action Alternative**

#### **Direct and Indirect Impacts**

The area would remain unaltered if no overhead or buried power line is allowed to be constructed so the potential for invasive, non-native species to be spread by this impact would not exist except from what is expected from livestock and wildlife utilizing the area.

## **Cumulative Impacts**

Past and present impacts are similar to those analyzed in Alternative A. Under the No Action Alternative, there would be no influence on the plant communities if this alternative was implemented.

## **5.4. Invasive, Non-Native Species**

### ***5.4.1. Affected Environment***

WRFO policy is to actively eradicate small isolated infestations of noxious weeds to prevent spread and reduce long-term control costs. In areas with more extensive infestations of noxious weeds, policy is to control these plants to a maintenance level. Non-native, invasive plant populations reduce rangeland productivity of desired forage and negatively alter plant communities and negatively impact wildlife species, as the native plants to which they are adapted are displaced. As noxious weed infestations increase in occurrence, control costs also increase.

The area is currently receiving active weed treatments on private lands, and because of livestock management practices with sheep grazing, there are relative few occurrences of invasive, non-native species located on BLM lands (Canada thistle, musk thistle, houndstongue, and common mullein). During an allotment tour on June 17, 2015, no plants were noted in the areas visited on private lands. Therefore the capacity of these range land acres to be fully functional has not been compromised by invasive, non-native plant species. One would expect to find a few isolated invasive, non-native plants in locations associated with the roads, trails and/or where mechanical equipment has been utilized.

Based on the current plant community composition and livestock grazing management, the native species are able to replenish root reserves, biomass accumulation, and further plant propagation of the native species, which will sustain the land's ability to naturally compete with invasive, non-native species. At this time, it is possible that there are no invasive, non-native weed species being carried out of this area to propagate elsewhere.

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### ***Environmental Consequences – Proposed Action***

#### **Direct and Indirect Impacts**

The Proposed Action will allow approximately 2.51 acres of BLM lands to become susceptible to invasive, non-native plant species due to construction of the power line. The cross country route is adjacent to a two track type road where the proposed overhead and buried power line would be located, which could potentially open up approximately 0.66 of a mile where invasive, non-native plants could travel versus a single location where invasive, non-native species could become established. Due to minimum accessibility by the public, the grazing use at a moderate level or less, weed management in the area, and the lack of major roads in the area allows the native vegetation to effectively resist establishment of weeds that are usually transported into an area via the activities or uses previously listed.

With continued proper land management (weed treatment on small infestations and livestock grazing management), the plant populations in the area disturbed by the construction of the overhead or buried power line would be expected to provide reestablishment of native plant species to be competitive against an establishment of invasive, non-native plant species to the area.

### **Cumulative Impacts**

Past and current uses in the area have not created impacts to soils or generated erosion of exposed soils but rather the vegetation has acquired a competitive stand of plants species able to be competitive with potential invasive, non-native species that may be brought into the area. Uses in the area are expected to continue into the future with the vegetation expected to continue to be maintained. There are not expected to be any cumulative impacts to vegetative communities from the proposed project along with other impacts in the area which affect the ability of these plant communities to continue to resist the introduction of invasive, non-native weed species.

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### ***Environmental Consequences – No Action Alternative***

#### **Direct and Indirect Impacts**

The area would remain unaltered if no overhead/buried power line project is allowed to be constructed so the potential for invasive, non-native species to be spread by this impact would not exist.

#### **Cumulative Impacts**

Past and present impacts are similar to those analyzed in Alternative A. Under the No Action Alternative, there would be no influence on the plant communities if this alternative was implemented.

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### ***Mitigation Measures and Residual Impacts***

The holder shall monitor all disturbed and reclaimed areas through final abandonment for the presence of invasive, non-native, and/or noxious plant species. The holder will be responsible for eradication of noxious weeds that occur on site using materials and methods approved in advance by the Authorized Officer.

## **5.5. Migratory Birds**

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### ***5.5.1. Affected Environment***

Breeding birds associated with the project area's aspen woodlands and Gambel oak/serviceberry shrublands nest principally from May 15 to July 15 with an estimated overall nest density of 0.5 to 1 nest per acre. Birds that have been identified for heightened management attention include flammulated owl, Cassin's finch, and red-naped sapsucker in aspen woodlands and Virginia's warbler in mountain shrublands. These birds are widely distributed at appropriate densities throughout the White River Field Office.

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## 5.5.2. Environmental Consequences – Proposed Action

### Direct and Indirect Impacts

Clearing of oakbrush/serviceberry shrubland and aspen woodland from the right-of-way would reduce the availability of woody nest substrate in a narrow linear configuration over the life of the project. Acreage involved would be small, but cleared corridors can interrupt animal movement and distribution patterns, particularly in interior woodland species intolerant of stand edges.

Installation of the aerial portion of the power line corridor (about 880 feet) would involve clearing about 1 acre of shrubs from a 50-foot corridor paralleling a user-created track. Clearing would temporarily remove above-ground shrub stems from the outer margin of a 5-acre stand of oakbrush and serviceberry. Although the redevelopment of mature oakbrush structure is prolonged (70+ years), project-scale reduction of nest habitat relative to like-habitat on the Grand Hogback would be minor and discountable.

The proposed power line bisects a 230-acre aspen stand at a narrow (550-ft wide) constriction. This point would be a natural point of concentration for migratory birds that travel within or beneath tree canopies and is especially relevant to the hunting activities of woodland raptors. Under the original proposal (i.e., aerial) about one acre of aspen would have bisected the width of the stand in a 50-ft corridor. Burying the power line through the aspen stand would involve clearing very few trees along an 8-ft line totaling 0.16 acre.

Although minor in scale, the narrowing of the cleared corridor would aid in maintaining the conformation and continuity of the aspen canopy. Maintenance of a traditional 50+ ft wide tree-free corridor (safeguarding an aerial power line from tree fall) through the aspen would have created an abrupt change in habitat types that can act as a behavioral barrier that deters movements by interior woodland species. For those species that avoid stand margins and are reluctant to cross habitats of dissimilar character, such corridors would reduce effective habitat patch size from a single 230-acre stand to 2 stands of 60 and 170 acres—an alteration that can affect the habitat's capacity to support the former abundance and distribution of animals.

The applicant's willingness to bury the power line through the aspen stand would also substantially reduce the risk of migratory birds colliding with power line conductors, particularly forest-dwelling raptors that are naïve (e.g., migrants or young) or hunting under low light conditions. Although mortality from line strikes may be infrequent on a seasonal or annual basis, exposure to that risk would persist for decades.

The remaining power line right-of-way on BLM land would be buried through an herbaceous park with small scattered stands of Gambel oak or along a maintained road on a mountain shrub slope. Neither circumstance would influence habitats that contribute substantially to the availability of migratory bird nest habitat.

## **Cumulative Impacts**

The removal of mature deciduous shrub canopies may be considered an incremental contribution to the loss of shrubland nesting habitat (e.g., fluid mineral development), but the magnitude and configuration of loss (one acre on the margin of a five-acre shrub stand) relative to the extent and availability of like-habitat on the Grand Hogback would be a discountable trace. The modification of aspen and grassland communities as migratory bird habitat would be insignificant.

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### **5.5.3. Environmental Consequences – No Action Alternative**

#### **Direct and Indirect Impacts**

There would be no action authorized that would influence migratory birds or their habitats.

#### **Cumulative Impacts**

None.

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## **5.6. Terrestrial Wildlife**

### **5.6.1. Affected Environment**

The project area is used by deer and elk primarily as summer range, though the period of occupation typically extends from May through November. Although there is no specialized use attributed to the project site, it is closely associated with private lands east of the Grand Hogback which have been designated by Colorado Parks and Wildlife (CPW) as elk summer concentration area to the north and elk winter concentration area to the south.

The proposed power line corridor passes through a narrow saddle on the crest of the Grand Hogback that join a pair of north-south drainages paralleling the Hogback and a pair of east-west drainages that cross the crest. This common point of intersection is likely an important big game movement corridor, as is the narrow aspen constriction that provides a wooded travel corridor joining the stand's two larger lobes.

BLM-administered woodlands within 350 meters of the proposed alignment were surveyed for raptor nests consistent with WRFO raptor nest survey protocols in May 2015. No raptor nests were found.

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### **5.6.2. Environmental Consequences – Proposed Action**

#### **Direct and Indirect Impacts**

Distribution lines and their corridors do not, in themselves, generally have strong influences on the distribution of big game or their pattern of use. Commonly, access tracks persist along these corridors and, with unregulated use, the issue for big game then becomes road-related avoidance and disuse of adjacent habitat. However, in this instance, the power line has been sited along existing routes and because the BLM parcel is land-locked (i.e., surrounded by private lands with no public access) the project would not entail an expansion of the road network or increase the frequency of use. The project is expected to be installed in the summer and fall of 2015 and

would not coincide with big game reproductive activities. With the exception of temporary displacement of animals in the immediate project vicinity during construction, there would be no lasting effect on current patterns of animal use or distribution. Clearing of mature shrubs along the power line corridor would involve less than one acre. The narrow corridor would parallel a user-created track along the outer edge of a five-acre stand of oakbrush and serviceberry. Besides a minor reduction in the areal extent of the stand, clearing would not compromise cover functions, but would increase, at a diminutive scale, the availability of palatable woody forage as treated shrubs re-sprout.

The applicant's willingness to bury the power line through the aspen stand and consequent reduction in the width of the cleared corridor would help maintain the continuity of aspen cover and be less likely to impede big game movements through this juncture. The discussion and mitigation for northern goshawk in the Special Status Animal Species section pertains to other woodland-associated raptors as well.

### **Cumulative Impacts**

The proposed project would have no measurable influence on big game or raptor resources and would represent a minor, isolated, and short term contribution to forms of relatively benign disturbances imposed on these wildlife groups from regional mineral development, livestock management, and recreation activities.

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#### ***5.6.3. Environmental Consequences – No Action Alternative***

### **Direct and Indirect Impacts**

There would be no action authorized that would influence terrestrial wildlife or their habitats.

### **Cumulative Impacts**

None.

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#### ***5.6.4. Mitigation Measures and Residual Impacts***

The following mitigation would be relevant only if project implementation extended into the 2016 raptor nesting season or beyond (see discussion in Special Status Animal Species section):

Surface disturbing and disruptive activities would not be allowed within 0.25 mile of active nest sites during the period from nest territory establishment to dispersal of young from the nest (within a period from February 1 through August 31).

## **5.7. Special Status Animal Species**

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### ***5.7.1. Affected Environment***

All woodlands within 350 meters (1,148 ft) of the project alignment were surveyed for evidence of raptor nesting in May 2015. Although no nests were found, the survey effort was limited to 70 acres, which represents 30 percent of contiguous canopies in the larger stand and use by BLM-sensitive northern goshawk as nesting or foraging habitat cannot be discounted.

High elevation forests in the White River National Forest east of the project area are known to support Canada lynx reintroduced to the state in 2003, however, the project locale is located about two miles from the nearest lynx analysis unit (Bar H-L). Lynx analysis units (LAUs) are the smallest practical management units that contain suitable lynx habitat and approximate the home range size of a female lynx. The nearest potential habitat recognized by Colorado Parks and Wildlife (CPW) is 1.3 miles east of the nearest BLM-administered land associated with the project. Although the project area may serve infrequently as a travel corridor for dispersing lynx, these habitats are incapable of supporting consistent or long-term use that contributes substantively to lynx conservation or restoration.

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### ***5.7.2. Environmental Consequences – Proposed Action***

#### **Direct and Indirect Impacts**

Based on the results of timely raptor nest surveys, construction activity in 2015 would be sufficiently separated from any potential goshawk nesting to preclude detrimental levels of disturbance and, further, power line installation is expected to take place very late, if not beyond, the 2015 nesting season. The future utility of this aspen stand by goshawk, now or in the future, would be aided by burying the power line through the aspen stand on BLM lands. This practice would not only sharply reduce the risk of line-strike, but by reducing the width of cleared right-of-way, would better maintain continuous forested canopy as foraging habitat and a movement corridor.

#### **Cumulative Impacts**

The project would contribute little, if at all, to cumulative impacts on individual reproductive efforts or nesting/foraging habitat of northern goshawk. Although individual trees along a narrow track would require removal for trenching, the narrow interval of clearing would be expected to maintain a continuous forested canopy and have no effective influence on habitat character or utility.

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### ***5.7.3. Environmental Consequences – No Action Alternative***

#### **Direct and Indirect Impacts**

There would be no action authorized that would have any effective influence on northern goshawk.

#### **Cumulative Impacts**

None.

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### ***5.7.4. Mitigation Measures and Residual Impacts***

In the event construction were to lapse into the 2016 nesting season or beyond and construction were to take place between March 1 and August 15, a supplemental survey of aspen woodlands for raptor nesting activity would be required within 0.25 mile of the power line alignment. The following timing limitation would be imposed on project-related activities within 0.25 mile of a newly discovered active nest that may compromise a successful nesting effort. This mitigation would prevent project-related activities from interfering with successful nesting outcomes.

Surface disturbing and disruptive activities would not be allowed within 0.25 mile of identified nests of BLM-sensitive raptors from February 1 through August 15 or until fledging and dispersal of young.

## **5.8. Paleontological Resources**

### ***5.8.1. Affected Environment***

The proposed power line is located in an area that is mapped as having two fossil bearing formations; Williams Fork and Iles Formations (Tweto 1979). The BLM WRFO has classified both formations as Potential Fossil Yield Classification (PFYC) 4/5 formations. PFYC 4/5 formations are known to produce scientifically noteworthy fossils. Any excavations into the underlying sedimentary rock formation has the potential to impact scientifically noteworthy fossils, which would result in some level of irreversible, irretrievable cumulative loss of the regional fossil database. Monitoring and recovery of as much scientific data as possible could reduce the loss; however, there would still be some data loss.

### ***5.8.2. Environmental Consequences – Proposed Action***

#### **Direct and Indirect Impacts**

If it becomes necessary to excavate into the underlying sedimentary rock formation, for any reason, while constructing the power line there is a high potential to impact scientifically noteworthy fossil resources. Fossils could potentially be crushed and destroyed beyond recognition or displaced from their context and lost through accelerated erosion until such time as reclamation is successful. However, if the only excavations are auger holes for the power line poles, impacts are likely to be limited in areal extent, just the hole, and very difficult to analyze. The auger severely limits visibility in the excavation and thoroughly grinds up the formation, rendering any fossils that might be present unrecognizable.

If there are surface exposures of the formations along the power line right-of-way, there is the potential for the construction and maintenance equipment to crush or displace any fossil that might be present as the equipment traverses the terrain. Smaller fossils could be completely crushed and displaced while larger fossils could be partially crushed and distorted by equipment passage.

#### **Cumulative Impacts**

Under the Proposed Action, there is a potential to directly impact fossil resources during construction, plus leave fossil resources exposed to accelerated exposure in areas where vegetation cover is stripped away or other ground disturbing activities could expose the formations. Any such losses would result in the irreversible, irretrievable permanent loss of fossils and valuable scientific data that might have been associated with those fossils.

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### **5.8.3. Environmental Consequences – No Action Alternative**

#### **Direct and Indirect Impacts**

There would be no new construction related impacts to fossil resources under the No Action Alternative. Fossils would only be impacted by the naturally occurring slow erosion of the formation due to weathering.

#### **Cumulative Impacts**

The slow natural erosion of a formation plus any accelerated erosion, which is a result of construction disturbance, results in a slow but reasonably steady irreversible, irretrievable permanent loss of scientific data from the regional paleontological database.

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### **5.8.4. Mitigation Measures and Residual Impacts**

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.

## **5.9. Livestock Grazing**

### **5.9.1. Affected Environment**

The project area is situated between the Robinson J. (#06834) and the Wilcoxson F. (#06836) allotments. Both allotments are being grazed by sheep as authorized by the Bair Brothers Ranch with no fences that exist to make each allotment stand alone, essentially they are fenced together. These allotments are a mixture of range sites that are predominantly brushy loam, loamy slopes, mountain swale, and pinyon-juniper and aspen woodlands. These range sites primarily have an overstory that consists of gambel oak, serviceberry, snowberry, pinyon, juniper, big sagebrush, aspen, and Douglas fir. Mixed within the understory of these range sites are bromes, wheatgrasses, Indian ricegrass, bluegrass, and wildrye along with several forb species. These ranges are currently in a healthy productive state based on the June 2015 allotment tour.

On the public lands, the mountain shrub plant community would be considered the major plant community on public lands within the allotment. Within both the Robinson J. and the Wilcoxson F. allotments, it would be fair to say that most of the forage available for livestock use is located on private lands. Also the majority of watering locations for livestock are located on private lands, and thus livestock use will be central to these areas. Livestock use would focus on watering locations due in part to the quality and availability of water, canopy cover, and succulent forage, as well as being influenced by the act of being herded, as sheep are constantly herded and watched by sheep herders.

The proposed grazing system is to turn out livestock mid-May to the first part of June and grazing the entire allotments until moved to the White River National Forest lands for summer grazing and returned to the allotments about mid-September before being transported to market or their home ranches.

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## ***Environmental Consequences – Proposed Action***

### **Direct and Indirect Impacts**

The Proposed Action will allow approximately 2.51 acres of BLM lands to become unusable for grazing in the short term from the proposed construction of the overhead or buried power line until vegetation is re-established. The cross country route is adjacent to a two track type road where the proposed power line would potentially open up additional width to the existing two track for livestock to trail from place to place within the allotments, with portions of the topography being steep sections. Due to the timing of this project, it is not anticipated that this could impact the livestock operator if it is allowed to be constructed, and based on the fact that the sheep are brought off the summer pastures at approximately mid-September. The impacts are expected to be minor because sheep are herded to various locations so this location could be avoided. The BLM recommends that the livestock operators will be notified of the location and timing of the proposed project.

### **Cumulative Impacts**

Past and current uses in the area, including livestock grazing, have not created impacts to soils or generated erosion of exposed soils with the competitive stand of plants species currently located within the allotments and due to the livestock management taking place with sheep grazing. Uses in the area are expected to continue into the future with the current level of range utilization (low to moderate) in the area expected to be maintained. There are not expected to be any cumulative impacts to livestock management from the proposed project along with other impacts in the area which affect the ability to graze the public lands associated with the Proposed Action.

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## ***Environmental Consequences – No Action Alternative***

### **Direct and Indirect Impacts**

The area they would remain unaltered if no overhead or buried power line project is allowed to be constructed so the potential for conflicts with livestock or range management in the short term would not exist.

### **Cumulative Impacts**

Past and present impacts are similar to those analyzed in Alternative A. Under the No Action Alternative, there would be no influence on the plant communities from construction of the proposed project but plant community influence would continue to be expected from livestock grazing currently conducted at a low use level if this alternative was implemented.

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## ***Mitigation Measures and Residual Impacts***

The holder must coordinate with the livestock grazing permittee authorized to graze livestock in the project area a minimum of 72 hours prior to construction activities associated with this grant. Livestock grazing permittee contact information can be found at [www.blm.gov/ras/](http://www.blm.gov/ras/) or by contacting the WRFO Range staff (970-878-3800). The holder will provide the grazing permittee the location, nature, and extent of the anticipated activity being completed.

## **5.10. Forestry and Woodland Products**

### ***5.10.1. Affected Environment***

The entire length of the power line follows a user-created two-track. The 878 ft of overhead power line on the western portion of BLM lands primarily crosses through a brushy loam ecological site dominated by serviceberry and oakbrush. At the top of divide where the power line will be buried, there are some aspen stands that the power line will bisect, the largest being a stand where two un-named drainages coming from the north and the west meet on top of the divide. Here the power line will be buried through approximately 900 ft of aspen. The remainder of aspen woodlands that would be impacted is sparse/isolated patches of aspen along the eastern portion of BLM lands prior to the power line crossing back onto private lands.

### ***5.10.2. Environmental Consequences – Proposed Action***

#### **Direct and Indirect Impacts**

The overhead portion of the power line will primarily be constructed through oakbrush and serviceberry and will not impact any forestry or woodland products. The buried portion of the power line will follow an existing user-created two-track and requires an 8 ft wide clearing to bury the line. Since the proposed route already follows a two-track, it is expected only a nominal number of aspen trees will need to be cleared using chainsaws. This small amount of clearing should not alter the canopy structure of the aspen stands and will not be noticeable with the exiting two-track already bisecting the stand.

#### **Cumulative Impacts**

Past and present use of the two-track in the project area has resulted in the removal of a small number of aspen trees in the analysis area resulting in a small opening in the canopy. Installation of the power line may require a small number of aspens to be removed by hand for construction purposes, but the number of trees to be removed is minimal and will result in no noticeable cumulative impacts to the canopy structure over what has already be done by the two-track.

### ***5.10.3. Environmental Consequences – No Action Alternative***

#### **Direct and Indirect Impacts**

There would be no impacts to forestry or woodland products from the No Action Alternative.

#### **Cumulative Impacts**

Past and present impacts from existing user created two-tracks would remain from the No Action Alternative. No additional impacts from the current situation would result from the No Action Alternative.

## **5.11. Access and Transportation**

### ***5.11.1. Affected Environment***

The Proposed Action is located within an isolated BLM parcel that is approximately 1,500 acres in size located along the southern boundary of the WRFO. This parcel does not have any

motorized travel routes that are accessible to the public. There is an existing travel route located along the ridge near the northeast corner of this BLM parcel and then a potentially faint travel route that connects to the western portion of the proposed power line. All existing travel routes are co-located with the Proposed Action.

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### ***5.11.2. Environmental Consequences – Proposed Action***

#### **Direct and Indirect Impacts**

Because there are existing travel routes along all BLM portions of the Proposed Action except the western portion, there is potential for an unauthorized travel route to be created as a result of installing the buried power line. By using heavy equipment to dig the power line trench, install the power line, and then bury the power line, it is likely that vegetation will be temporarily trampled or removed by the use of these vehicles. Without any mitigation this route could be used as a travel route and become an unauthorized travel route. In order to prevent this from occurring, the applicant must place large woody debris, that is dead and down or removed as a result of installing the power line, in such a manner that prevents the use of the buried power line as a travel route. This mitigation should prevent the use of motor vehicles along the buried power line corridor.

#### **Cumulative Impacts**

If not mitigated properly the Proposed Action could contribute to expanding the BLM travel and transportation system without authorization. Unauthorized routes are not planned or analyzed for impacts and therefore could result in indirect and unexpected impacts to various resources. With proper mitigation, the Proposed Action should not result in any cumulative impacts to the travel and transportation system or access to public lands.

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### ***5.11.3. Environmental Consequences – No Action Alternative***

#### **Direct and Indirect Impacts**

By not implementing the proposed power line project, there would be no impacts to the BLM travel and transportation system. There would also not be any change to existing access to public lands as a result of this alternative.

#### **Cumulative Impacts**

There are no cumulative impacts identified as a result of this alternative.

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### ***5.11.4. Mitigation Measures and Residual Impacts***

By burying the power line, it is likely that travel of the power line corridor will not be needed in order to maintain this power line over the years. Burying the power line should decrease the likelihood that an unauthorized motorized travel route will be inadvertently created by implementing the Proposed Action.

The applicant must place large woody debris, that is dead and down or removed as a result of installing the power line, in such a manner that prevents the use of the buried power line as a travel route.

## **5.12. Realty Authorizations**

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### **5.12.1. Affected Environment**

The power line requires a right-of-way (ROW) across the BLM land.

### **5.12.2. Environmental Consequences – Proposed Action**

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#### **Direct and Indirect Impacts**

The ROW for the 7.2-kV buried distribution power line (COC77197) across BLM lands would be 3,489 ft long, 25 ft wide for the buried portion and 50 ft wide for the overhead portion, and contain approximately 2.51 acres. The total length of the power line from the existing WREA power line along Highway 13 to the Swenson home site would be 21,894 ft (4.15 miles) long across private and BLM lands. No additional work areas would be necessary. If accurate “as built” mapping is not provided to BLM, conflicts may develop in the future with other ROW holders.

#### **Cumulative Impacts**

As the number of ROW holders in the project area increases so would competition for suitable locations for facilities. Increased ROW densities would also lead to a higher probability of conflict between ROW users.

### **5.12.3. Environmental Consequences – No Action Alternative**

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#### **Direct and Indirect Impacts**

Failure to authorize the proposed project would not result in any increased impacts to realty authorizations in the area.

#### **Cumulative Impacts**

There would not be any cumulative effects from not authorizing the proposed project.

### **5.12.4. Mitigation Measures and Residual Impacts**

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1. The holder shall provide the BLM AO with data in a format compatible with the WRFO’s ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW 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 Universal Transverse Mercator (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.

2. Construction activity should take place entirely within the areas authorized in the ROW grant.

3. At least 90 days prior to termination of the ROW, the holder shall contact the AO to arrange a joint inspection of the ROW. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material (e.g., gravel or concrete), as well as final recontouring, spreading of topsoil, and seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

4. Evidence of the Public Land Survey System (PLSS) and related Federal property boundaries will be identified and protected prior to commencement of any ground-disturbing activity. This will be accomplished by contacting Bureau Land Management (BLM) Cadastral Survey to coordinate data research, evidence examination and evaluation, and locating, referencing or protecting monuments of the PLSS and related land boundary markers from destruction. In the event of obliteration or disturbance of the Federal boundary evidence the responsible party shall immediately report the incident, in writing, to the Authorizing Official. BLM Cadastral Survey will determine how the marker is to be restored. In rehabilitating or replacing the evidence the responsible party will be instructed to use the services of a Certified Federal Surveyor (CFedS), procurement shall be per qualification based selection, or reimburse the BLM for costs. All surveying activities will conform to the Manual of Surveying Instructions (Manual) and appropriate State laws and regulations. Local surveys will be reviewed by Cadastral Survey before being finalized or filed in the appropriate State or county office. The responsible party shall pay for all survey, investigation, penalties, and administrative costs.

5. Any proposal involving additional surface disturbance outside of the existing right-of-way disturbance requires an application to the BLM for analysis and authorization. New stipulations for construction would be applied to projects subject to the regulations and policies existing at the time of authorization.

6. The holder shall monitor all disturbed and reclaimed areas through final abandonment for the presence of invasive, non-native, and/or noxious plant species. The holder will be responsible for eradication of noxious weeds that occur on site using materials and methods approved in advance by the Authorized Officer.

7. The holder shall notify the authorized officer at least 60 days prior to non-emergency activities that would cause surface disturbance in the right-of-way. A "Notice to Proceed" shall be required prior to any non-emergency activities that would cause surface disturbance on the right-of-way. Any request for a "Notice to Proceed" must be made to the authorized officer, who will review the Proposed Action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, special status species, and cultural resource protection. The

authorized officer may require the completion of special status species surveys or other resource surveys. Additional measures may be required to protect special status species or other resources.

## **5.13. Hazardous or Solid Wastes**

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### ***5.13.1. Affected Environment***

There are no known hazardous or other solid wastes on the subject lands. No hazardous materials are known to have been used, stored, or disposed of at sites included in the project area.

### ***5.13.2. Environmental Consequences – Proposed Action***

#### **Direct and Indirect Impacts**

The proposed activities may use regulated materials and would generate some solid and sanitary wastes. The potential for harm to human health or the environment is presented by the risks associated with spills of fuel, oil, and/or hazardous substances used during construction and operation of the power line. Other accidents and mechanical breakdowns of machinery are also possible.

#### **Cumulative Impacts**

Construction and operation of the proposed power line could contribute some small amounts of hazardous materials to those already present as a result of the oil and gas activities in the area.

### ***5.13.3. Environmental Consequences – No Action Alternative***

#### **Direct and Indirect Impacts**

No hazardous or other solid wastes would be generated under the No Action Alternative.

#### **Cumulative Impacts**

Not implementing the Proposed Action would reduce the risk of harm to human health and/or the environment, but the No Action Alternative would not substantially result in a cumulative change to the resource area.

### ***5.13.4. Mitigation Measures and Residual Impacts***

1. As a reasonable and prudent ROW holder acting in good faith, the holder 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.
2. As a reasonable and prudent ROW holder, acting in good faith, the holder 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 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.

3. 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, the holder will provide a current copy of said plan to the BLM WRFO.

4. 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, the holder, and through 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.

5. 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.

6. 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.

## **5.14. Colorado Standards for Public Land Health**

In January 1997, the Colorado BLM approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, special status species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. If there is the potential to impact these resources, the BLM will note whether or not the project area currently meets the standards and whether or not implementation of the Proposed Action would impair the standards.

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### **5.14.1. Standard 1 – Upland Soils**

The construction equipment detailed in the Proposed Action could result in localized and short-term impacts to BLM managed soil resources including rutting, soil compaction, and reduced rainfall infiltration. The soil resources processes should return to pre-disturbance levels with the re-establishment of herbaceous and woody vegetation.

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### **5.14.2. Standard 2 – Riparian Systems**

The Proposed Action and no action alternatives would have no reasonable likelihood of influencing riparian or aquatic resources and would not affect the status of the land health standards applied to the upper reaches of Piceance Creek.

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### **5.14.3. Standard 3 – Plant and Animal Communities**

The project locale presently meets the land health standard for animal communities. The proposed project and no action alternative would have no substantive effect on any animal group or their habitats. Meeting of the land health standard would not be diminished with implementation of the proposed project.

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### **5.14.4. Standard 4 – Special Status Species**

The project locale presently meets the land health standard for special status animals and plants. The proposed project and No Action Alternative would have no substantive effect on northern goshawk, Dudley Bluffs Twinpod, or Dudley Bluffs Bladderpod or their habitat. Meeting of the land health standard would not be diminished with implementation of the proposed project.

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### **5.14.5. Standard 5 – Water Quality**

Surface and/or groundwater resources shouldn't be impacted by the installation of power poles, burial of the power line, or proposed road improvements.

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## **6. SUPPORTING INFORMATION**

### **6.1. Interdisciplinary Review**

**Table 2. List of Preparers**

<b>Name</b>	<b>Title</b>	<b>Area of Responsibility</b>	<b>Date Signed</b>
Keith Sauter	Hydrologist	Air Quality; Soil Resources; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Prime and Unique Farmlands	8/16/15
Paul Daggett	Mining Engineer	Minerals and Geology	8/18/2015
Ed Hollowed	Wildlife Biologist	Wetlands and Riparian Zones, Special Status Animal Species, Migratory Birds, Aquatic and Terrestrial Wildlife,	8/20/2015
Matthew Dupire	Ecologist	Special Status Plant Species, Forestry and Woodland Products, Areas of Critical Environmental Concern	8/20/2015
Brian Yaquinto	Archaeologist	Cultural Resources, Paleontological Resources, Native American Religious Concerns	8/17/2015
Aaron Grimes	Outdoor Recreation Planner	Visual Resources, Lands with Wilderness Characteristics, Recreation, Access and Transportation, Wilderness, Scenic Byways	8/17/15
Melissa J. Kindall	Range Technician	Vegetation, Livestock Management, Invasive-Non, Native Species, Wild Horse Management	8/19/2015
Stacey Burke	Realty Specialist	Realty Authorizations	8/17/2015

Name	Title	Area of Responsibility	Date Signed
Kyle Frary	Fire Management Specialist	Fire Management	8/24/2015
Heather Sauls	Planning & Environmental Coordinator	NEPA Compliance	8/31/2015

## 6.2. Tribes, Individuals, Organizations, or Agencies Consulted

History Colorado (the State Historic Preservation Office) was consulted on this project.

## 6.3. References

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Tweto, Ogden

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

DOI, BLM, White River Field Office

2007 White River Field Office Integrated Weed Management Plan, June 2007, DOI-BLM-CO-110-2010-0005-EA

# APPENDIX A. FIGURES

Overhead/Buried Power Line To Swenson Private Property  
T3S, R94W, sec. 26 and 27

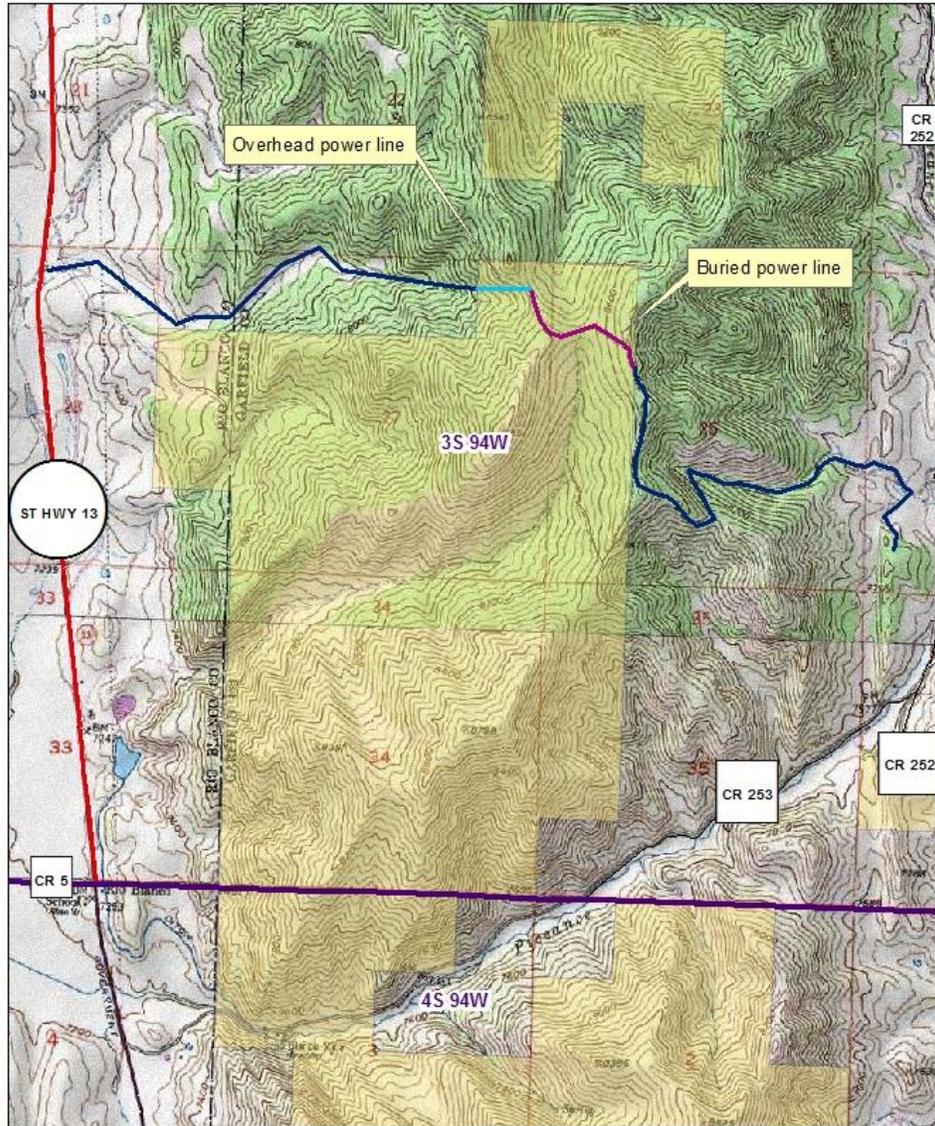


Exhibit A

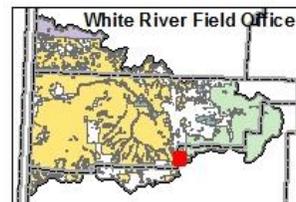


**Legend**

- Power Line on Private
- COC77197
- Township & Range
- State
- County
- BLM
- Other
- Bureau of Land Management
- Private



**NOTE TO MAP USERS**  
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked for current status on any specific tract of land.



Date: 8/26/2015