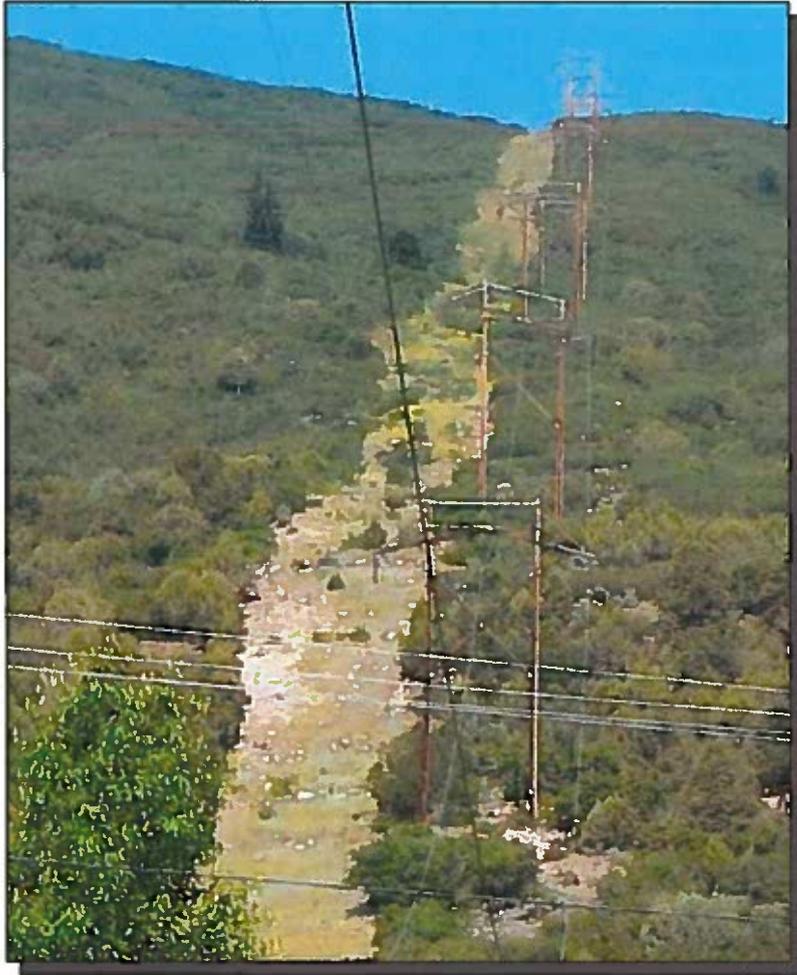


**CATEGORICAL EXCLUSION**  
**DOI-BLM-CO-040-2016-0001-CX**

**Power Transmission Line  
Right-of-Way (ROW) Renewal**



*Prepared by:*

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## CATEGORICAL EXCLUSION

DOI-BLM-CO-N040-2016-0001-CX

### BACKGROUND.

Lease/Serial/Case File No: COC-030996 (285002)

### PROPOSED ACTION.

Installation of a New Inset Structure on an Existing Transmission Line.

### APPLICANT.

Public Service Company of Colorado (PSCo)

### DESCRIPTION OF PROPOSED ACTION.

The Proposed Action is to approve the installation of a new inset structure on one span of an existing approved transmission line owned and operated by the Public Service Company of Colorado (PSCo) authorized by ROW Grant COC 030996. The installation of the inset structure would resolve ground clearance issues identified on a span of the 5207 Rifle-Hopkins 230 kV transmission line, specifically on the span between pole structures 493 and 494 (See Figure 1).

**Line 5207 - Span 493-494.** A new inset structure (See Figure 2) would be installed approximately halfway between structures 493 and 494. The inset structure would be a resin composite in an n H-frame configuration and would utilize direct embedded foundation that would be backfilled with expansive foam. Due to the difficult access, the holes for the poles would be manually excavated and the poles would be flown in by helicopter. Access to the project location would be from public roads and transmission line access road. The existing transmission line access road has been minimally

maintained and would require some vegetation removal and grading.

The maintenance work would take approximately 2 weeks.

**LOCATION OF PROPOSED ACTION.**

COC-030996 (PSCo Line 5207 Rifle-Hopkins 230 kV, Span 493 - 494). See vicinity map below (Figure 1. Project Vicinity).

Sixth Principal Meridian, Colorado T. 6 S., R. 89 W., Sec. 33, SE1/4SE1/4; Sec. 34, SW1/4SW1/4.

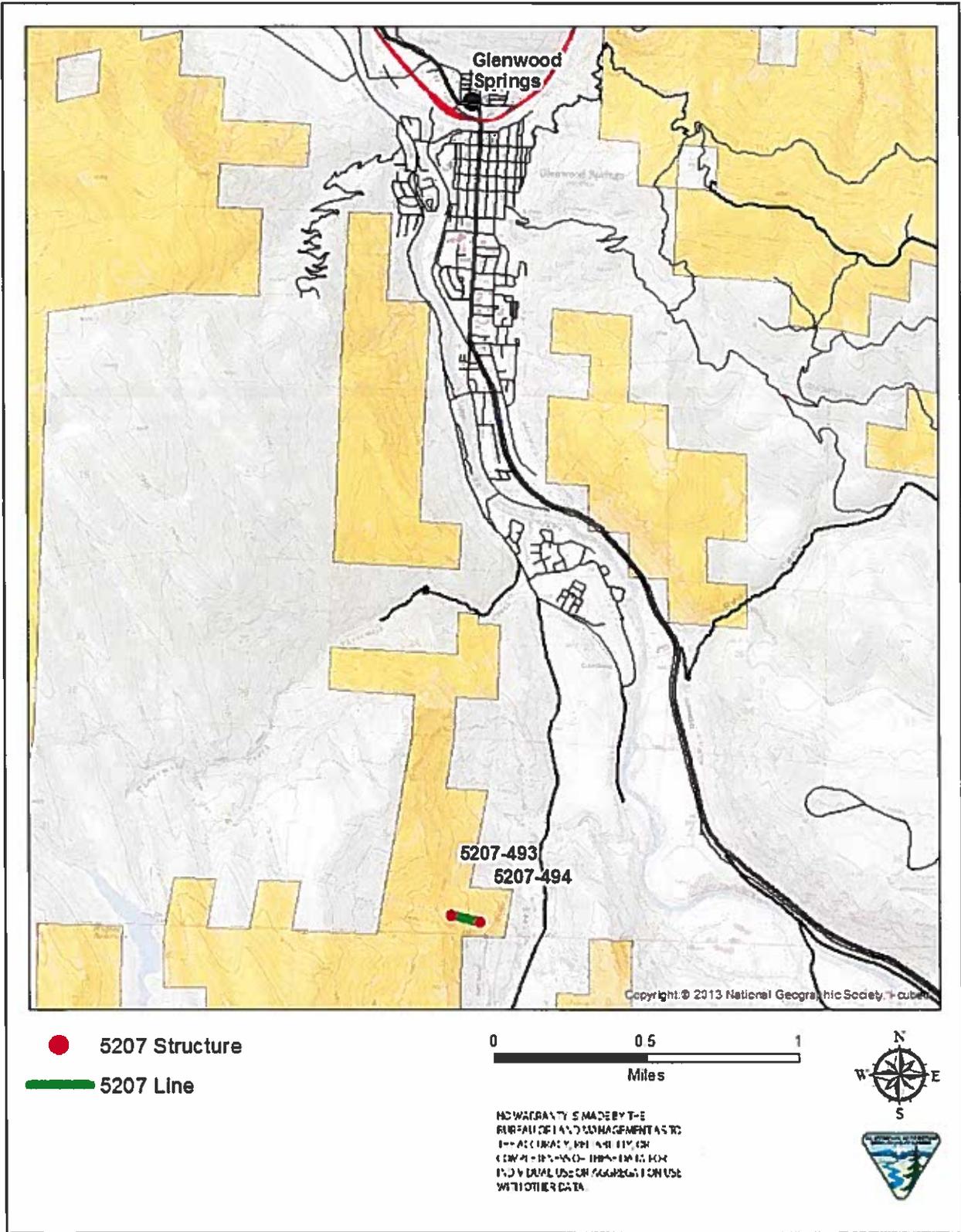


Figure 1. Project Vicinity



**Figure 2. Example of Resin Composite Pole Installation**

## LAND USE PLAN CONFORMANCE.

The Proposed Action is subject to and has been reviewed for and is in conformance with (43 CFR §1610.5 and § 2800, BLM 1617.3) the following plan:

**Name of Plan.** The current land use plan is the *Colorado River Valley Field Office Record of Decision and Approved Resource Management Plan (ROD/RMP)*.

**Date Approved.** June 12, 2015.

**Decision Number/Page.** Page 106, Lands and Realty LRT-Goal-01 and LRT-OBJ-01.

**Decision Language.** Meet public needs while for realty authorizations such as ROWs, renewable energy sources, permits, and leases when such needs are consistent with other resource values.

Provide for the development of transportation systems, utilities, communication sites, and renewable energy resources when such needs are consistent with other resource values.

## COMPLIANCE WITH NEPA.

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E. Realty Numbers:

(13) Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside of the right-of-way boundary.

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 516 DM 2 apply.

**Table 1. Exclusions.**

EXCLUSIONS	YES	NO
1. Have significant impacts on public health or 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.		X
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
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).		X
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).		X

## INTERDISCIPLINARY REVIEW.

**Table 2. BLM Interdisciplinary Team Authors and Reviewers.**

Name	Title	Area of Responsibility
Julie McGrew	Realty Specialist	IDT Lead
Kimberly Leitzinger	Outdoor Recreation Planner	Wilderness, Recreation, Wild and Scenic Rivers
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern; T/E/S Plants; Vegetation; Wetlands & Riparian Zones
Pauline Adams	Hydrologist	Water, Air, Soil, Geology
Isaac Pittman	Rangeland Management Specialist	Invasive, Non- Native species (Noxious Weeds)
Greg Wolfgang	Outdoor Recreation Planner	Travel Management
Erin Leifeld	Archaeologist	Cultural Resources and Native American Religious Concerns
Hilary Boyd	Wildlife Biologist	Aquatic and Terrestrial Wildlife Including T/E/S and Migratory Birds
Brian Hopkins	Assistant Field Manager	NEPA Compliance

## REMARKS/MITIGATION.

The following mitigations will be carried forward within the permit under special conditions:

### 1. SOIL DISTURBANCE

Minimize soil disturbance and loss during construction, especially on steep slopes (>30%). Rehabilitate disturbed soils and vegetation, by re-contouring soils across the disturbed area post-construction.

### 2. CULTURAL RESOURCES AND NATIVE AMERICAN RELIGIOUS CONCERNS.

A records search of the general project area, and a Class III inventory of the Area of Potential Effect (APE), as defined in the National Historic Preservation Act (NHPA), was completed by an archaeological contractor (CRVFO CRIR# 19216-1). The current proposed project resulted in 1.49 acres of new cultural inventory and no cultural resources were documented. The project inventory and evaluation is in compliance with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources. The project has a determination of *no historic properties affected*.

The Ute have a generalized concept of spiritual significance that is not easily transferred to Euro-American models or definitions. As such the BLM recognizes that the Ute have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. No traditional cultural properties, unique natural resources, or properties of a type previously identified as being of interest to local tribes, were identified during the cultural resources inventory of the project area. No additional Native American Indian consultation was conducted for the proposed project.

**SUMMARY OF FINDINGS AND DECISION.**

I considered this action and determined that it 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.**

Authorizing Official:  Date: 6/3/2016  
Karl R. Mendonca, Field Manager

**Contact Person.**

For additional information concerning this CX review, contact Julie McGrew, Realty Specialist, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652, (970) 876-9053.

## RIGHT-OF-WAY RENEWAL STIPULATIONS

1. The holder shall contact the Authorized Officer (AO) at least 180 days prior to the non-emergency anticipated start of any surface disturbing activities. It is the holder's responsibility to comply with all applicable Federal, State, and local laws and regulations existing or hereafter enacted or promulgated. The BLM will determine if any surveys or inventories are required. As necessary, the holder shall demonstrate compliance in writing, i.e., with surveys and inventories completed by qualified individuals, with the following laws including, but not limited to, the Endangered Species Act (if potential habitat is determined to be present), the National Historic Preservation Act, and the Native American Graves Protection and Repatriation Act. Evaluations and inventories can be completed by BLM, or by the holder in order to meet the holder's schedule and subject to approval by the AO. Inventories may be time sensitive and may require US Fish and Wildlife Service concurrence, therefore this process could take longer than 60 days to complete. The holder shall not initiate any surface disturbing activities on the right-of-way without a "Notice to Proceed", as determined necessary by the AO.
  
2. Cultural Resources - Education/Discovery Stipulation.
  - A. Pursuant to 43 CFR 10.4(g) the holder of this authorization or its contractor 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), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
  - B. The operator or its contractor is responsible for informing all persons who are associated with the project 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 uncovered during any project or construction activity, the operator must stop work in the area of the discovery that might further disturb such materials, and immediately contact the AO. Within five working days the AO will inform the operator as to the mitigation measures the operator will likely have to undertake before the site can be used (assuming in place preservation is not necessary).
  - C. The holder shall notify the AO at least 180 days prior to non-emergency activities that would cause surface disturbance in the ROW or TUP. The BLM will determine if a cultural resource inventory, treatment, or mitigation is required.
  - D. A "Notice to Proceed" stipulation shall be required for any non-emergency activities as defined above that would cause surface disturbance on the ROW or TUP. Any request for a "Notice to Proceed" should be made to the AO, who shall review the proposed action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, threatened and endangered species, and cultural resource protection. Additional measures may be required to protect these resources.
  
3. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.

4. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated regarding toxic substances or hazardous materials. In any event, the holder 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 of 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 of State government.
5. All construction, operation and maintenance shall be within the authorized limits of the right-of-way granted herein.
6. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support such equipment. If the equipment creates ruts in excess of four (4) inches deep, the soil shall be deemed too wet to adequately support the construction equipment.
7. Holder shall disturb and remove only the minimum amount of soils and vegetation necessary for the construction of structures and facilities. Topsoil shall be conserved during excavation and reused as cover on disturbed areas to facilitate regrowth of vegetation.
8. The holder shall evenly spread the excess soil excavated from pole holes within the right-of-way and in the immediate vicinity of the pole structure.
9. The holder is subject to the stipulations contained in the original grant, in addition to the attached stipulations. If there is a conflict, the attached stipulations will supersede the original stipulations. BLM roads should not be maintained without first consulting with the authorized officer.
10. Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination and rehabilitation plan as necessary. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.
11. The holder shall be responsible for weed control 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) including pesticides/herbicides approved for use on BLM land. Use of pesticides/herbicides shall comply with the applicable Federal and state laws. Pesticides/herbicides 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/herbicides, the holder shall obtain from the authorized officer written approval of the applicant's 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 plan should be submitted no later than March 1 of any calendar year to cover the proposed activities for the next growing season. Emergency use of pesticides/herbicides shall be approved in writing by the authorized officer prior to such use.