

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
73544 Hwy 64
Meeker, CO 81641

ENVIRONMENTAL ASSESSMENT

NUMBER: CO-110-2004-124-EA

CASEFILE/PROJECT NUMBER (optional): COC-57190

PROJECT NAME: Blue Mountain Energy (BME) waterline replacement and relocation TR127

LEGAL DESCRIPTION: SW Sec. 2, NE Sec. 3, T2 N, R101W, 6th P.M.

APPLICANT: Blue Mountain Energy, Inc.

ISSUES AND CONCERNS (optional):

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction:

Proposed Action: BME proposes to relocate and replace approximately 5,200 feet of the buried water supply line that extends from the White River to the mine site. The realignment parallels Rio Blanco Road 65 on the east. A 50 foot wide construction corridor is proposed. Upon completion the disturbance will be reclaimed and reseeded this year. Total surface disturbance will be about 6.1 acres.

No Action Alternative: The waterline would not be realigned.

ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD:

NEED FOR THE ACTION: Maximum recovery and efficient development of the coal resources currently under lease by Blue Mountain Energy. Section 3 Mineral leasing Act of 1920, as amended by section 13 of the Federal Coal Leasing Amendments Act of 1976 (30U.S.C. 203)

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

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-7:

Decision Language: Ensure that federal coal resources identified as acceptable for further consideration for coal leasing, are available for exploration, leasing and development.

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

STANDARDS FOR PUBLIC LAND HEALTH: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, threatened and endangered species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in specific elements listed below:

CRITICAL ELEMENTS

AIR QUALITY

Affected Environment: There are no special designation air sheds or non-attainment areas nearby that would be affected by the proposed action. During periods of low precipitation, air quality in the area of the proposed action is often diminished by dust caused by human disturbance.

Environmental Consequences of the Proposed Action: The proposed action would result in short term, local impacts to air quality during and after construction, due to dust being blown into the air. After adequate vegetation is reestablished, blowing dust should return to pre-construction levels.

Environmental Consequences of the No Action Alternative: No increase in dust would occur.

Mitigation: None

CULTURAL RESOURCES

Affected Environment: The area of the proposed water line reroute has been inventoried at the Class III (100% pedestrian) level (Chandler and Nickens 1979) with no cultural resources

recorded along the pipeline corridor at that time. Recent investigation of the pipe line route indicates the presence of a late 1950's vintage can concentration and extensive fence post or firewood cutting. The cans include beer cans (Coors and Falstaff), soda cans (one Shasta soda can) and a number of all metal motor oil cans, either Valvoline or Havoline. All of the beverage cans are open with "Church Key" type can opener and the oil cans were opened with the commonly used oil can opener and spout tool. The resource is not considered important or eligible for the National Register of Historic Places.

Environmental Consequences of the Proposed Action: The proposed action will not impact any cultural resources that are considered to be important in the local history or prehistory even though the historic can concentration will be destroyed.

Environmental Consequences of the No Action Alternative: There would be no new impacts to known cultural resources under the No Action Alternative.

Mitigation: The operator 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 activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

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

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

INVASIVE, NON-NATIVE SPECIES

Affected Environment: Several noxious weed species have been identified as occurring in the area of the proposed action, they are; bull, musk and Canada thistle, spotted and diffuse knapweed and cheatgrass. Because of soils and low precipitation reclamation of the project area is relatively difficult.

Environmental Consequences of the Proposed Action: Blue Mountain Energy maintains an active weed control program and maintains Pesticide Use Proposals for treatment of all of the above species with exception of cheatgrass. Seeding with non-native species is recommended because of the difficulty in reclaiming this project. The recommended species are well adapted to the site and will not invade or inter-breed into the adjacent plant community.

Environmental Consequences of the No Action Alternative: There would be no impacts.

Mitigation: From the White River RMP, Appendix B, Seed species used in reseeding disturbed areas will be based on the seed mixes identified in table B1 and B2. These mixes are based on range sites as determined by soils.

Table B-1. Standard Seed Mixes

Seed Mix #	Species (Variety)	Lbs PLS/ Acre	Range sites
1	Siberian wheatgrass (P27)	3	Alkaline Uplands, Badlands, Clayey 7"-9", Clayey Salt Desert, Cold Desert Breaks, Cold Desert Overflow, Gravelly 7"-9", Limey Cold Desert, Loamy 7"-9", Loamy Cold Desert, Loamy Salt Desert, Saline Lowland, Salt Desert Breaks, Salt Flats, Salt Meadow Sands 7"-9", Sandy 7"-9", Sandy Cold Desert, Sandy Salt Desert, Shale 7"-9", Shale/Sands Complex, Shallow Loamy, Shallow Sandy, Shallow Slopes, Silty Salt Desert, Silty Swale, Steep
	Russian wildrye (Bozoisky)	2	
	Crested wheatgrass (Hycrest)	3	
	Alternates: Yellow sweetclover, Fourwing saltbush, Winterfat, Western wheatgrass		

MIGRATORY BIRDS

Affected Environment: The project area consists primarily of lower elevation (5700') Wyoming big sagebrush/rabbitbrush shrublands with scattered or sparse stands of Utah juniper. The proposed line would intersect 2 small (1.4 and 2.8 acres) stands of juniper woodlands that are composed predominantly of submature trees with scattered mature individuals. There are a number of migratory birds that fulfill nesting functions in these types during the months of May, June, and July, including several species identified as having higher conservation interest by the Rocky Mountain Bird Observatory, Partners in Flight program (i.e., Brewer's sparrow, green-

tailed towhee, gray flycatcher, pinyon jay, juniper titmouse, black-throated gray warbler, and violet-green swallow).

Environmental Consequences of the Proposed Action: This project would be implemented late in the summer or early fall of 2004 beyond the point when all viable nesting attempts have been completed. Vegetation clearing and pipeline installation activity would have no influence on the breeding activities of migratory birds.

Environmental Consequences of the No Action Alternative: There would be no action authorized that would have potential to disrupt the breeding activities of migratory birds.

Mitigation: None

THREATENED, ENDANGERED, AND SENSITIVE ANIMAL SPECIES (includes a finding on Standard 4)

Affected Environment: There are no animals listed under the Endangered Species Act or included on BLM's sensitive species list that inhabit or derive important benefit from the area potentially influenced by the proposed action.

Environmental Consequences of the Proposed Action: The proposed action would have no conceivable influence on special status animals or associated habitat.

Environmental Consequences of the No Action Alternative: There would be no immediate action authorized that would have potential to affect special status animals or associated habitat. However, alternate plans to provide water to the mine would likely be developed. Any alternate alignment would be situated at increasing distances from the paved county road, but would probably be as unlikely to involve special status species as the proposed action.

Mitigation: None

Finding on the Public Land Health Standard for Threatened & Endangered species: Because there are no special status animals potentially influenced by this proposal, a land health standard finding is not relevant. There would be no change in the status of the land health standard for threatened & endangered animals in the region.

THREATENED, ENDANGERED, AND SENSITIVE PLANT SPECIES (includes a finding on Standard 4)

Affected Environment: There are no Threatened, Endangered or Sensitive plant species occurring in the area of the proposed action.

Environmental Consequences of the Proposed Action: None

Environmental Consequences of the No Action Alternative: None

Mitigation: None

Finding on the Public Land Health Standard for Threatened & Endangered species:

There is no reasonable likelihood that the proposed action or no action alternative would have an influence on the condition or function of Threatened, Endangered, or Sensitive plant species.

WASTES, HAZARDOUS OR SOLID

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 this site.

Environmental Consequences of the Proposed Action: No listed or extremely hazardous materials in excess of threshold quantities are proposed for use in this project. While commercial preparations of fuels and lubricants proposed for use may contain some hazardous constituents, they would be stored, used and transported in a manner consistent with applicable laws, and the generation of hazardous wastes would not be anticipated.

Environmental Consequences of the No Action Alternative: No hazardous or other solid wastes would be generated under the no action alternative.

Mitigation: The operator shall be required to collect and properly dispose of any solid wastes generated by this project.

WATER QUALITY, SURFACE AND GROUND (includes a finding on Standard 5)

Affected Environment: The proposed action is in segment 13a, and is tributaries to the White River immediately above the confluence with Piceance Creek to a point immediately above the confluence with Douglas Creek. A review of the Colorado's 1989 Nonpoint Source Assessment Report (plus updates), the 305(b) report, the 303(d) list and the Unified Watershed Assessment was one to see if any water quality concerns have been identified. The waterline does not include any perennial surface waters. The State has classified this segment as a "Use Protected" reach. Its designated beneficial uses are: Warm Aquatic Life 2, Recreation 2, and Agriculture. The antidegradation review requirements in the Antidegradation Rule are not applicable to waters designated use-protected. For those waters, only the protection specified in each reach will apply. For this reach, minimum standards for three parameters have been listed. These parameters are: dissolved oxygen = 5.0 mg/l, pH = 6.5 - 9.0 and Fecal Coliform = 2000/100ml and 630/100 ml E. coli. In addition standards for inorganic and metals have also been listed and can be found in the table of stream classifications and water quality standards. This segment retained its Recreation Class 2 designation after sufficient evidence was received that a Recreation Class 1a use was unattainable.

Environmental Consequences of the Proposed Action: Depletion of the vegetation cover needed to protect watersheds from raindrop impact and runoff could cause short-term erosion problems and increased sedimentation to the White River until successful best management practices have been implemented and proven to be successful. The magnitude of these impacts would be dependent on the amount of surface disturbance and climatic conditions during the time the soils are exposed to the elements.

Environmental Consequences of the No Action Alternative: Impacts from the no-action alternative are not anticipated.

Mitigation: Efforts need to be made to keep sediment from leaving the site. Apply the following Conditions of Approval listed in Appendix B of the White River ROD/RMP to help minimize surface disturbing impacts:

When preparing the site, all suitable topsoil should be stripped from the surface of the location and stockpiled for reclamation once the construction is completed

All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the Authorized Officer.

Finding on the Public Land Health Standard for water quality: The proposed action will not affect achievement of the land health standard.

WETLANDS AND RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: There are no wetlands or riparian communities potentially influence by the proposed action. Kenney Reservoir, on the White River, is about 0.5 mile south of the nearest point of activity.

Environmental Consequences of the Proposed Action: Riparian and wetland communities would not be directly or indirectly affected by pipeline installation. Successful reclamation of surface disturbance would, on a diminutive and very local scale, increase the expression of erosion-resistant perennial ground cover, and incrementally complement proper channel function by enhancing upland soil stability and infiltration and reducing the amount of sediment deposited downstream.

Environmental Consequences of the No Action Alternative: Although an alternate alignment would likely be presented under this alternative, it would probably be as unlikely to involve riparian or wetland resources as the proposed action.

Mitigation: None

Finding on the Public Land Health Standard for riparian systems: Because there are no riparian or wetland resources potentially influenced by the proposed or no-action alternatives, a land health standard finding is not relevant. Successful reclamation of surface disturbance would help increase the expression of erosion resistant perennial ground cover; complementing proper channel function by enhancing upland soil stability and infiltration and reducing excessive sediment deposition. There would be no change in the status of the land health standard in downstream riparian and wetland communities.

CRITICAL ELEMENTS NOT PRESENT OR NOT AFFECTED:

No ACECs, flood plains, prime and unique farmlands, Wilderness, or Wild and Scenic Rivers exist within the area affected by the proposed action. There are also no Native American religious or environmental justice concerns associated with the proposed action.

NON-CRITICAL ELEMENTS

The following elements **must** be addressed due to the involvement of Standards for Public Land Health:

SOILS (includes a finding on Standard 1)

Affected Environment: Baseline soils data have been collected for Rio Blanco County by the NRCS and are published in an order III Soil Survey. The table below identifies soils impacted by the proposed action and identifies characteristics for each type. This survey is available for a more in-depth description from the White River Field Office.

Soil Characteristics of Soil Mapping Units

Soil Number	Soil Name	Slope	Range site	Salinity	RunOff	Erosion Potential	Bedrock
70	Redcreek-Rentsac complex	5-30%	PJ woodlands/PJ woodlands	<2	Very high	Moderate to high	10-20
75	Rentsac-Piceance complex	2-30%	PJ woodland/Rolling Loam	<2	Medium	Moderate to high	10-20
105	Zoltay clay loam	1-3%	Deep Loam	<2	Medium	Slight	>60

No special designations (CSU-1) have been assigned to area intersected by the proposed action.

Environmental Consequences of the Proposed Action: Short-term impacts would be expected from any surface disturbing activity. Impacts from the proposed action would be loss of the protective vegetation cover, possible increase in salt and sedimentation during storm events and soil compaction from trenching equipment. These impacts could continue until successful re-vegetation has occurred.

Environmental Consequences of the No Action Alternative: In the no-action alternative, neither the surface disturbance nor the impacts to soils resources would occur.

Mitigation: Re-establishing vegetation as soon as allowable would be favorable to control any erosion problems that may occur.

Finding on the Public Land Health Standard for upland soils: The proposed action will not affect achievement of the Land Health Standard.

VEGETATION (includes a finding on Standard 3)

Affected Environment: The proposed action is located along the existing county road 65. The soils within the project area are principally a Yamac Loam and associated with this soil type is the ecological site Rolling Loam. The dominate plant community is big sagebrush, Douglass rabbitbrush, needle-and-thread grass, squirreltail, and western wheatgrass. Intermixed within the shrub/grass community is a pinion/juniper woodland, which have partially invaded these open stands of sagebrush

Environmental Consequences of the Proposed Action: The proposed action would disturb a desert sagebrush/grass vegetation community adjacent to county road 65. This would fragment this ecological site, however this fragmentation would only be an extension of the existing disturbance of county road 65. The short-term soil and vegetation disturbances would be offset in the long-term by reclaiming the disturbed area with a seed mix that is suited for this ecological site (see Invasive, Non-native Species section).

Environmental Consequences of the No Action Alternative: None

Mitigation: Same as outlined in the Invasive, Non-native Species section.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): A partial disturbance of the rolling loam ecological site would occur under the proposed action. However, the integrity and functionality of this site would not be affected as a whole in meeting the Standards for plant communities within this locality.

WILDLIFE, AQUATIC (includes a finding on Standard 3)

Affected Environment: The nearest aquatic habitats are located at the upper end of Kenney Reservoir, on the lower White River, about 0.5 mile south of the nearest point of pipeline activity.

Environmental Consequences of the Proposed Action: Aquatic habitats associated with the White River would not be measurably influenced by pipeline installation. Successful reclamation of surface disturbance would, on a diminutive scale, increase the expression of erosion-resistant perennial ground cover, and incrementally complement proper channel function

by enhancing upland soil stability and infiltration and reducing the amount of sediment deposited downstream.

Environmental Consequences of the No Action Alternative: Although an alternate alignment would likely be presented under this alternative, it would probably be as unlikely to involve aquatic resources as the proposed action.

Mitigation: None

Finding on the Public Land Health Standard for plant and animal communities: Because there are no aquatic habitats or animals potentially influenced by the proposed or no-action alternatives, a land health standard finding is not relevant. Successful reclamation of surface disturbance, by enhancing upland soil stability and infiltration and reducing downstream sediment movement, would indirectly and incrementally complement overall land health and proper channel function; however, this diminutive effect would have no measurable influence on aquatic habitats associated with the lower White River.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment: The project area consists primarily of lower elevation (5700') Wyoming big sagebrush/rabbitbrush shrublands with scattered or sparse stands of Utah juniper and depauperate herbaceous understories dominated by cheatgrass. These ranges are used by deer and elk predominantly during the winter and early spring months (classified as deer severe winter range by Colorado Division of Wildlife). Approximately 4.6 acres of this type would be disturbed by pipeline installation. About seventy-five percent of the proposed alignment lies within 75 feet of a paved county road. The remaining 1000' extends up to 125 feet from the road.

The right-of-way would intersect about 650' of ridgeline juniper woodlands (affecting about 0.75 acre) involving 2 stands of 1.4 and 2.8 acres. These woodlands are composed predominantly of submature trees with scattered mature individuals. In one instance, the pipeline would isolate a 75' stringer of woodland parallel and within 100' of the highway (0.5 acre). These low elevation juniper woodlands support low density nesting activity by raptors, especially red-tailed hawk, Cooper's hawk, and long-eared owl. A BLM biologist inspected woodland habitat between the road and 300' east of the right-of-way in mid-June 2004 and found no evidence of past or current raptor nest activity.

Nongame populations associated with these lower elevation juniper/sagebrush ranges are typically common and broadly distributed in extensive shrubland and woodland communities found throughout the Resource Area, but several species, namely the sage sparrow and gray vireo, are more specialized and narrowly associated with these shrubland and woodland habitats, respectively.

Environmental Consequences of the Proposed Action: The proposed action would occur outside the period of big game occupation and would have no potential to adversely influence animal distribution or behavior. About 5 acres of sagebrush and rabbitbrush, as a winter forage

source for big game, would be cleared along a narrow corridor. This temporary reduction of woody forage would be insignificant in the context of the available woody forage base, particularly when considering the somewhat lower utility of resources in close proximity to established roads. Successful reclamation would, on a very minor scale, increase the availability of perennial grasses (i.e., superior to annual grasses) that are sought by big game during winter and spring months.

Right-of-way clearing would remove less than 1 acre of woodland habitat in the long term. Corridor clearing can have inordinate influence on woodland habitats by effectively reducing stand size and continuity. By closely paralleling the county road, this alignment would minimize not only the direct involvement of woodland habitat with more optimal utility for nongame species (e.g., habitats in close association with activity sources support diminished nesting use), but isolates only one very small woodland margin (about 0.4 acre) within 100' of the road. The effects of pipeline installation would have no measurable influence on the short or long term utility or suitability of shrubland or woodland habitats for nongame species.

Environmental Consequences of the No Action Alternative: There would be no immediate action authorized that would have potential to affect resident wildlife or associated habitat. Any alternate alignment would be situated at increasing distances from the paved county road, as an existing and permanent source of concentrated vehicular activity, and increase the likelihood of adversely influencing the utility or suitability (e.g., reducing the effective size and continuity of woodland stands) of woodland habitats, particularly for non-game animals.

Mitigation: After reclamation seeding has been finalized, any woody material from trees cleared from the right-of-way will be evenly redistributed over that portion of the right-of-way from which the trees were originally removed. This is required in order to deter subsequent vehicle use of the right-of-way and to minimize development of new roads and trails, consistent with the road density objectives established for big game severe winter ranges in the White River Resource Area Resource Management Plan (Record of Decision page 2-29).

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): The project area generally meets the public land health standard for most animal communities, although those herbaceous understories dominated by introduced annuals are incapable of supporting the abundance or diversity of nongame relative to well developed native bunchgrass communities. This project would have insignificant influence on shrubland and woodland habitat extent or utility, and successful reclamation would increase, albeit on a very localized and diminutive scale, the complement of perennial bunchgrasses in understory composition. The proposed action is therefore consistent with continued meeting of this land health standard.

OTHER NON-CRITICAL ELEMENTS: For the following elements, only those brought forward for analysis will be addressed further.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Access and Transportation			X
Cadastral Survey	X		
Fire Management	X		
Forest Management	X		
Geology and Minerals		X	
Hydrology/Water Rights	X		
Law Enforcement		X	
Paleontology			X
Rangeland Management			X
Realty Authorizations	X		
Recreation		X	
Socio-Economics		X	
Visual Resources			X
Wild Horses	X		

ACCESS AND TRANSPORTATION

Affected Environment: Access is by Rio Blanco County road # 65.

Environmental Consequences of the Proposed Action: An increase in traffic and traffic congestion is to be expected on Rio Blanco County Road # 65.

Environmental Consequences of the No Action Alternative: None.

Mitigation: None.

PALEONTOLOGY

Affected Environment: The proposed pipeline route is located in an area mapped as the Mesa Verde formation which the BLM has classified as a Category I formation meaning it is a known producer of scientifically important fossil resources.

Environmental Consequences of the Proposed Action: If it should become necessary to excavate into the underlying bedrock formation to bury the pipeline there is a potential to impact scientifically important fossil resources.

Environmental Consequences of the No Action Alternative: There would be no new impacts to fossil resources under the No Action Alternative.

Mitigation: If it should become necessary to excavate into the underlying bedrock formation to bury the pipeline to the required depth a paleontological monitor shall be present during excavation into the bedrock.

If paleontological materials (fossils) are uncovered during project activities, the operator is to immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating paleontological site damage.

RANGELAND MANAGEMENT

Affected Environment: The proposed action is located within the Spooky Mountain allotment (06316). Cross Mountain Ranch is the authorized permittee who operates a sheep ranch and runs on this allotment during the winter to early spring period.

The soils within the project area are principally a Yamac Loam, and associated with this soil type is the ecological site Rolling Loam. The dominate plant community is big sagebrush, Douglass rabbitbrush, needle-and-thread grass, squirreltail, and western wheatgrass. Intermixed within the shrub/grass community is a pinion/juniper woodland, which have partially invaded these open stands of sagebrush. These shrub/grass communities are utilized by sheep for meeting forage requirements, particularly during winter months.

The portion of the allotment associated with the proposed action receives limited use by the authorized grazing permittee due to its locality at the southern end of the allotment. This southern end has been isolated from the majority portion of the allotment due to coal production activities to the north, such as the coal mine, spoils pile, conveyor belt, and associated network of roads.

Environmental Consequences of the Proposed Action: The individual proposed action would have minimal impacts on the authorized grazing use because the amount of new surface disturbance is nominal and is adjacent to county road 65. However, previously this allotment has entailed considerable impacts from coal production activities, which have resulted in a reduction and fragmentation of available rangelands, thus a loss of available forage for grazing use has occurred.

Overall, the short-term soil and vegetation disturbances would be offset in the long-term by reclaiming the disturbed area with a seed mix that is suited for this ecological site. Therefore stabilizing the site and reintroducing a desirable plant component that has the ability to compete with cheatgrass, an invasive annual grass species.

Environmental Consequences of the No Action Alternative: None

Mitigation: None

VISUAL RESOURCES

Affected Environment: This pipeline is in an area managed as Visual Resource Management Area (VRM) Class 3. The objective of this class is to partially retain the existing character of the landscape. The level of change to characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

This project will parallel a county road. The area is generally open brush and grass so few trees will be affected. After reclamation is achieved, impacts will be minimal.

Environmental Consequences of the Proposed Action: The visual affects from this project will be result in a moderate change to the characteristic landscape. VRM Class 3 objectives will be met.

Environmental Consequences of the No Action Alternative: None

Mitigation: none

CUMULATIVE IMPACTS SUMMARY: No cumulative impacts were identified.

REFERENCES CITED

Chandler, Susan M. and Paul R. Nickens

1979 Archaeological Investigations of the Coal Development Areas and Coal Transport Corridors for the Moon Lake Project, Rio Blanco County, Colorado and Uinta County, Utah. Nickens and Associates/Centuries Research Inc., Montrose, Colorado.

Tweto, Ogden

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

PERSONS / AGENCIES CONSULTED:

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility
Caroline Hollowed	Hydrologist	Air Quality
Caroline Hollowed	Hydrologist	Areas of Critical Environmental Concern
Caroline Hollowed	Hydrologist	Threatened and Endangered Plant Species
Michael Selle	Archaeologist	Cultural Resources Paleontological Resources
Robert Fowler	Forester	Invasive, Non-Native Species
Ed Hollowed	Wildlife Biologist	Migratory Birds
Ed Hollowed	Wildlife Biologist	Threatened, Endangered and Sensitive Animal Species, Wildlife
Marty O'Mara	Hazmat Collateral	Wastes, Hazardous or Solid
Caroline Hollowed	Hydrologist	Water Quality, Surface and Ground Hydrology and Water Rights
Ed Hollowed	Wildlife Biologist	Wetlands and Riparian Zones
Chris Ham	ORP	Wilderness
Caroline Hollowed	Hydrologist	Soils
Jed Carling	Range Specialist	Vegetation
Ed Hollowed	Wildlife Biologist	Wildlife Terrestrial and Aquatic
Chris Ham	ORP	Access and Transportation
Max McCoy	NRS	Fire Management
Robert Fowler	Forester	Forest Management
Paul Daggett	Mining Engineer	Geology and Minerals
Jed Carling	Range Specialist	Rangeland Management
Penny Brown	Realty Specialist	Realty Authorizations
Chris Ham	ORP	Recreation
Max McCoy	NRS	Visual Resources
Valerie Dobrich	NRS	Wild Horses

Finding of No Significant Impact/Decision Record (FONSI/DR)

CO-110-2004-124-EA

FINDING OF NO SIGNIFICANT IMPACT (FONSI)/RATIONALE: The environmental assessment and analyzing the environmental effects of the proposed action have been reviewed. The approved mitigation measures (listed below) result in a Finding of No Significant Impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

DECISION/RATIONALE: It is my decision to approve the proposed action with mitigation as listed below.

MITIGATION MEASURES:

1) After reclamation seeding has been finalized, any woody material from trees cleared from the right-of-way will be evenly redistributed over that portion of the right-of-way from which the trees were originally removed.

2) The operator 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 activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

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

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

proceed by the authorized officer.

- 4).Seed species used in reseeded disturbed areas will be based on the seed mixes identified in the Mine Reclamation Plan.
- 5) The operator shall be required to collect and properly dispose of any solid wastes generated by this project.
- 6) Efforts need to be made to keep sediment from leaving the site. Apply the following Conditions of Approval listed in Appendix B of the White River ROD/RMP to help minimize surface disturbing impacts:
- 7) When preparing the site, all suitable topsoil should be stripped from the surface of the location and stockpiled for reclamation once the construction is completed.
- 8) All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the Authorized Officer.
- 9) Re-establishing vegetation as soon as allowable would be favorable to control any erosion problems that may occur.
- 10) If it should become necessary to excavate into the underlying bedrock formation to bury the pipeline to the required depth a paleontological monitor shall be present during excavation into the bedrock.
- 11) If paleontological materials (fossils) are uncovered during project activities, the operator is to immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating paleontological site damage.

COMPLIANCE/MONITORING:

NAME OF PREPARER: Max McCoy

NAME OF ENVIRONMENTAL COORDINATOR: *Caroline P. Helbowed 7/6/04*

SIGNATURE OF AUTHORIZED OFFICIAL: *Hunt T. Walter*
Field Manager

DATE SIGNED:

ATTACHMENTS: Location map of the proposed action.

Location of Proposed Action CO-110-2004-124-EA

