



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Glenwood Springs Field Office
2300 River Frontage Road
Silt, Colorado 81652
www.co.blm.gov



CATEGORICAL EXCLUSION DOI-BLM-CO-N040-2010-0050-CX

A. Background

BLM Office: Glenwood Springs Field Office

Lease/Serial/Case File No:
COC070774 / 287001

Proposed Action Title/Type:

The proposed action is an amendment to an approved right-of-way grant issued to the Town of Basalt for a 1 million gallon above ground water tank (yet to be constructed). This grant was issued on November 17, 2009. A design change was submitted because the applicant felt it better addressed the Visual Resources.

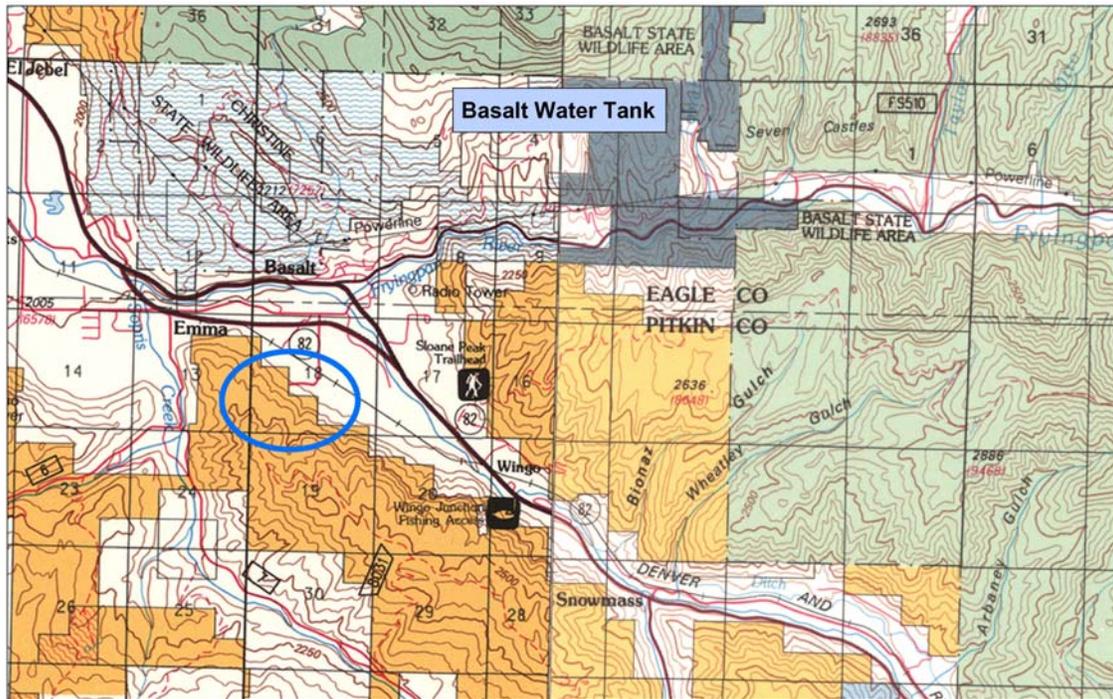
The project consists of the construction of a new 1.0 million gallon welded steel potable water storage tank, soil nail wall, approximately 3400 linear feet of 12" waterline, 1600 linear feet of 8" waterline and new primitive road construction within an easement through private property. The project is generally located on the hillside above Basalt High School.

The changes include:

1. Construction Slopes – recent geotechnical investigation indicated that slope stability cannot be maintained at the original 1:1, and have been adjusted to 1.5:1. As a result, the berm area needed to be modified in order to catch the downhill grade and the location of the top of the berm shifted closer to the tank.
2. Tank Location – the tank has been relocated approximately 20 feet to the northwest. The tank location shifted in order to preserve vegetation along the existing road.
3. Top of Tank Elevation – the base of the tank elevation would change from 6,872 to 6,876.3; resulting in the top of the tank from 6,904 to 6,908.3. This is required to match that of the existing water storage tank to manage hydraulics. The final change would be 4.3 feet in a higher height.
4. Retaining Wall Height – Mechanically Stabilized Earth (MSE) wall will be installed to replace a portion of the soil nail wall on the north side of the tank. The MSE wall would allow additional height to be added to the existing grade without compromising the disturbance area. Total wall height would change from 10 feet to 20 feet.

These modifications would still be within the footprint of the original grant authorization. If approved, the applicant would begin construction in 2010.

Location of Proposed Action: T. 8 S., R. 86 W., Sec. 18, lot 23, 6th Principal Meridian, Pitkin County, Colorado



B. 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: Record of Decision and Glenwood Springs Resource Management Plan.

Date Approved: January, 1984; revised in 1988; amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance - amended in August 2006 - Roan Plateau Planning Area Including Naval Oil Shale Reserves Numbers 1 & 3 Resource Management Plan Amendment & Environmental Impact Statement.

Decision Number/Page: Page 41, Utility and Communication Facility Management.

Decision Language: To respond, in a timely manner, to requests for utility and communication facility authorizations on public land while considering environmental, social, economic, and interagency concerns.

C. 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:

(12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.

(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, and

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.

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:

Name _____ Title _____ Area of Responsibility _____

INTERDISCIPLINARY REVIEW:

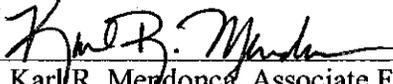
<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Cheryl Harrison	Archaeologist	Cultural and Native American Concerns
Kimberly Miller	Outdoor Recreation Planner	Wilderness, WSR, Recreation
Greg Wolfgang	Outdoor Recreation Planner	VRM, Travel Management
Carla DeYoung	Ecologist	ACEC, T/E/S Plants, Vegetation
Brian Hopkins	Wildlife Biologist	Wildlife, T/E/S Wildlife, Migratory Birds
Jeff O'Connell	Hydrologist	Soil, Air, Water
Mike Kinser	Rangeland Mgt Spec.	Riparian, Wetlands
Monte Senor	Rangeland Mgt Spec.	Range Mgt, Invasive Species, Noxious Weeds
Alton Anderson	Fuels Specialist	Fuels

REMARKS/MITIGATION (the following mitigations will be carried forward within the permit under Special Conditions:

Cultural/Native American Stipulation: The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

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.

D. Signature

Authorizing Official:  Date: 4/21/2010
Karl R. Mendonca, Associate Field Manager

Contact Person

For additional information concerning this CX review, contact Carole Huey, Realty Specialist, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652, 970-876.9023.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT

SERIAL NUMBER COC070774 Amendment 1

1. A right-of-way is hereby granted pursuant to Title V of the Federal land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

Town of Basalt
101 Midland Ave
Basalt, CO 81621

receives a right to construct, operate, maintain, and terminate a municipal water tank and related access road and pipeline on public lands described as follows:

6th Principal Meridian, Pitkin County, Colorado

T. 8 S., R. 86 W.
Section 18; Lot 23

And as shown on the attached map in Exhibit A.

b. The right-of-way area granted herein is 20' X 852' for the access road and buried pipeline, and 1 Million Gallon Water tank containing 1.31 acres, more or less.

c. This instrument shall terminate on December 31, 2038, unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to

the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental: For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices. ***Rental was determined by the DOI, Appraisal Services Directorate to be \$1824.00 annually, or \$14,924.00 25 year advance payment.***
4. Terms and Conditions:
 - a. This grant is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800, and all other applicable federal, state, and local laws, regulations, and standards.
 - b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
 - c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
 - d. The plans, maps, and designs set forth in the Application, the map in Exhibit A, and Special Stipulations and Condition in Exhibit B, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
 - e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
 - f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

EXHIBIT B , SPECIAL STIPULATIONS, COC070774 Amendment 1
Municipal Water Tank, Access Road, and Buried Pipeline

1. The holder shall inform the Realty Specialist at least ten days prior to the commencement of construction under this grant. Contact the Glenwood Springs Field Office, Realty Specialist.
2. All activities shall be confined to the COC070774 right-of-way corridor.
3. The holder shall promptly remove and dispose in an authorized sanitary landfill, all waste generated by its activities. Waste includes, but is not limited to, human waste, trash, garbage, petroleum products, ashes and equipment. No burning of trash, brush, or any other material shall be allowed.
4. It is the holders responsibility to coordinate with all other rights-of-way holders and adjacent landowners to make sure any conflicts are resolved with both road and site improvement and future use and maintenance.
5. The Glenwood Springs Field Manager shall be notified at least 90 days prior to relinquishment or expiration of the ROW grant. The holder shall contact the authorized officer to arrange a joint inspection of the ROW. This inspection shall be held to determine if the ROW is in an acceptable condition. If it is not, then the holder shall be responsible for returning the ROW to a condition acceptable to the authorized officer. This shall be accomplished before relinquishment or expiration of the ROW.
8. This grant shall not be assignable without written permission of the authorized officer. This Grant may be renewed. If renewed, the Grant shall be subject to the regulation existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
9. Soil and Water: To mitigate potential negative impacts associated with erosion and soil transport, it is essential that the proponent install, inspect, and maintain appropriate stormwater controls and erosion control and sediment containment BMPs throughout the life of the project. Such BMPs should be used during and following project implementation prior to the reestablishment of vegetation and interim reclamation. These BMPs would include properly designed and installed culverts at drainage crossings, stabilized cut and fill slopes along the access road and at the tank site, revegetation and erosion control on denuded slopes, and sediment control BMPs such as silt fences and straw wattles.
10. Compliance Monitoring - Soil and Water: The proponent (Town of Basalt) or a qualified representative (such as an engineer, geologist, or landscape architect) of the proponent shall monitor project activities throughout the implementation of the proposed activities (i.e. road upgrading, tank installation, pipeline installation, reclamation) and prior to the establishment of vegetation. Monitoring shall occur weekly at a minimum and following runoff events. The objective is to identify (Best Management Practices) BMP effectiveness and maintenance needs to ensure soil and water resource protection.
11. Visual Resource Management: All common “Visual Mitigation Practices” described in the Otak Visual Mitigation Plan (Exhibit C) will be incorporated during design, construction, grading and reclamation, maintenance, and monitoring efforts.
12. The implementation of the Visual Mitigation will be collaborative and adaptive process. The Town of Basalt must hire a landscape architect (L.A.) to work with the engineers and construction contractor to ensure the plans objectives are being met and maximum results are achieved. Meetings should occur with the L.A. at a minimum to include; 1) review of a road construction plan, 2) pre-construction meeting, 3) periodic progress monitoring during implementation phases consisting of grading, construction, and reclamation.

13. The water tank and all associated above-ground facilities and infrastructure will be painted Shale Green, (Munsell Soil Color Chart (5Y 4/2)).

14. The proponent (Town of Basalt) will establish a maintenance plan to ensure reclamation and revegetation efforts are successful. If long-term reclamation is not successful, additional mitigation measures would be the responsibility of the proponent until VRM Class II objectives are met.

15. The proponent (Town of Basalt) will establish a monitoring plan and coordinate with BLM VRM specialist. Monitoring would be at a minimum once a year over a 5-year period. Any needed adaptive measures would be implemented in a prompt manner and could occur anytime during the monitoring period. The long term objective would be for the project to blend into the existing landscape without the presence of new lines, forms, colors, or textures resulting from the project. The standard used for final reclamation success would be the photo found in “Otak, Visual Mitigation Plan, April 2008” Appendix C.

16. Cultural/Native American Concerns: Education/Discovery/NAGPRA Stipulation: The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

17. Weeds: The Lessee is required to reseed the disturbed area with a certified weed-free native seed mixture identified in the vegetation mitigation section below. The Lessee will monitor their right-of-way for the life of the easement for the presence of any noxious weeds and will be responsible for promptly controlling any noxious weeds on the Colorado State Noxious Weed List A or B (except redstem filaree). If the Lessee chooses to use herbicides as the control method on public lands, a Pesticide Use Proposal shall be submitted to the BLM and approved prior to initiating any herbicide spraying.

18. Revegetation: To aid in restoring a native plant community to the site and to minimize the potential for noxious weeds to invade and become established, all disturbed areas beyond the edge of the roadway will be seeded with native perennial grasses adapted to the site. The seed mix and application rate are shown in the following table.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Variety</u>	<u>Application Rate (PLS lbs/acre)*</u>	<u>% of Mix</u>
Bluebunch wheatgrass	Pseudoroegneria spicata	Goldar, P-7, Secar	9.0	25
Bottlebrush squirreltail	Elymus elymoides	VNS	5.4	20
Western wheatgrass	Pascopyrum smithii	Arriba, Rosanna	9.0	20
Slender wheatgrass	Elymus trachycaulus	San Luis	5.0	15
Indian ricegrass	Achnatherum hymenoides	Paloma, Nezpar, Rimrock	3.2	10
Mutton grass	Poa fendleriana	VNS	0.6	10
TOTAL			32.2	100

All seed to be applied will be certified weed-seed free. Seed may contain up to 2.0% of “other crop” seed by weight, including the seed of other agronomic crops and native plants; however, a lower percent of other crop

seed is recommended. Seed tags or other official documentation shall be supplied to the Colorado River Valley Field Office Authorized Officer at least 7 days before the date of proposed seeding for acceptance. Seed that does not meet the above criteria shall not be applied to public lands.

The seed may be applied by broadcast-seeding, followed by raking or harrowing to provide 0.25 to 0.5 inch of soil cover, or by drill-seeding, using one-half the application rate above and drilled to a depth of 0.25 to 0.5 inch. Mulch must be applied within 24 hours following completion of seeding to aid in moisture retention for seed germination and establishment. Mulch shall consist of crimping certified weed-free straw or weed-free native grass hay into the soil.

19. Wildlife: To minimize impacts to wintering big game, construction shall not occur during the 5-month period December 1 to May 1. To minimize impacts to migratory birds, removal of vegetation shall not occur during the period May 1 to July 1. To minimize impacts to all wildlife species, contractors shall not bring dogs to the construction site.

Cultural Resources, Education/Discovery Stipulation:

20. Construction [shall] not occur between December 1 and May 31. Exception: Under mild winter conditions, the last 60 days of the seasonal limitation period (inclusive of the additional CDOW request to May 31) may be suspended through consultation with the CDOW. Severity of the winter will be determined on the basis of snow depth, snow crusting, daily mean temperatures, and whether animals are concentrated on the winter range during the winter months.

21. Contractors shall not bring dogs onsite, to avoid problems with construction dogs chasing wildlife. This stipulation is based on a recommendation by CDOW in its letter of July 2, 2009.

Additionally, the attached CDOW letter (Exhibit D) noted that the Town of Basalt is benefiting from the use of BLM lands and that the Town of Basalt should contribute to a habitat improvement on Light Hill to compensate for loss of big game winter range. BLM has no authority to impose this condition to the right-of-way grant.

22. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. 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 ROW or on facilities authorized under this ROW grant (see 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government. 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. Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

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IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

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Signature of Holder

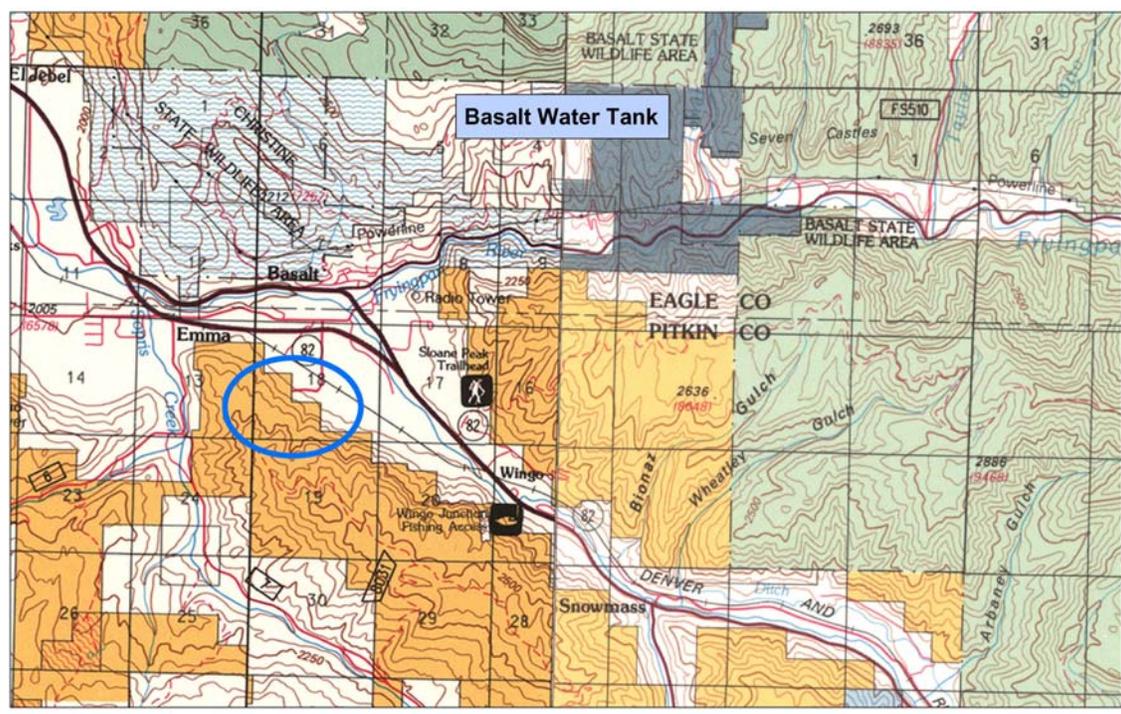
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Signature of Authorized Officer  
Karl R. Mendonca, Associate Field Manager

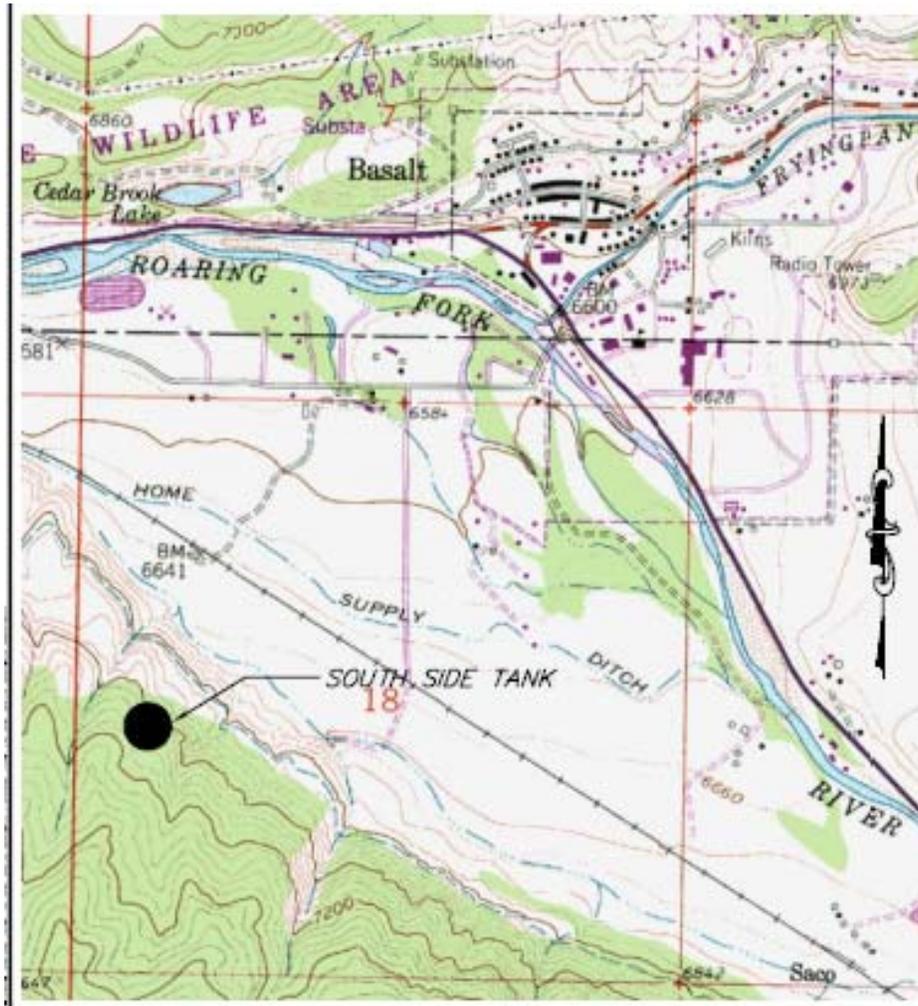
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Name and Title

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Effective date of Grant)

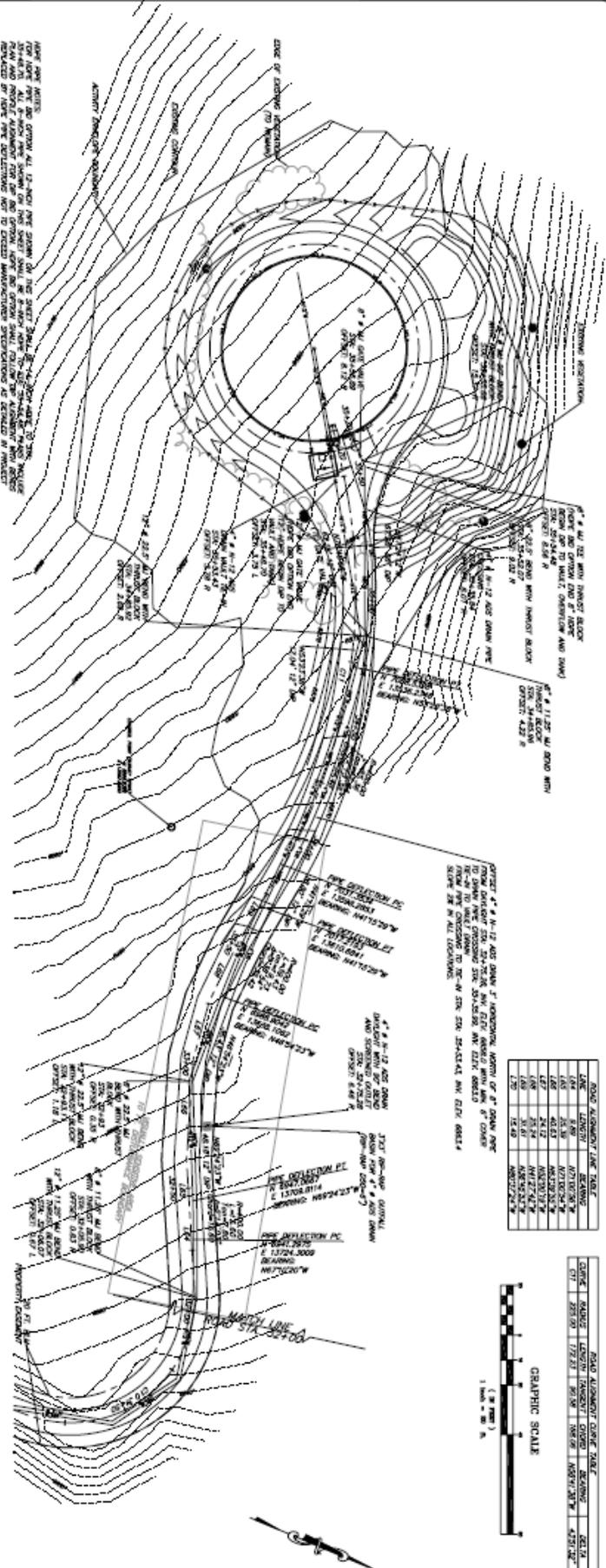
**EXHIBIT A: Maps**





**EXHIBIT B:**



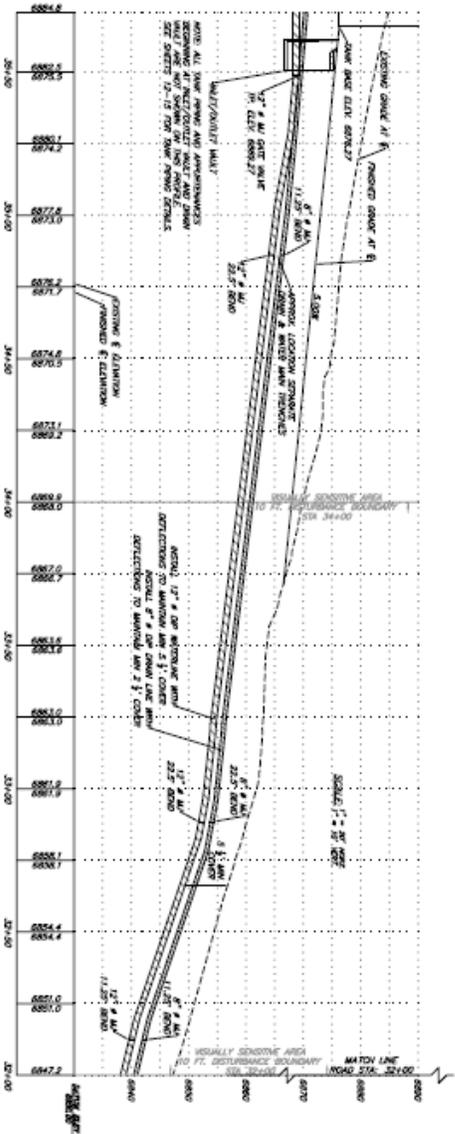


**ROAD ALIGNMENT LINE TABLE**

| LINE | STATION  | BEARING         | LENGTH |
|------|----------|-----------------|--------|
| 1    | 32+00.00 | N 11° 12' 00" W | 100.00 |
| 2    | 32+10.00 | N 11° 12' 00" W | 100.00 |
| 3    | 32+20.00 | N 11° 12' 00" W | 100.00 |
| 4    | 32+30.00 | N 11° 12' 00" W | 100.00 |
| 5    | 32+40.00 | N 11° 12' 00" W | 100.00 |
| 6    | 32+50.00 | N 11° 12' 00" W | 100.00 |
| 7    | 32+60.00 | N 11° 12' 00" W | 100.00 |
| 8    | 32+70.00 | N 11° 12' 00" W | 100.00 |
| 9    | 32+80.00 | N 11° 12' 00" W | 100.00 |
| 10   | 32+90.00 | N 11° 12' 00" W | 100.00 |
| 11   | 33+00.00 | N 11° 12' 00" W | 100.00 |

**GRAPHIC SCALE**

1" = 100'



**GENERAL NOTES:**  
 ROAD ALIGNMENT AND PROFILE IS LOCATED ON LINE AND CLUMP TABLE.  
 THE ALIGNMENT AND PROFILE IS LOCATED ON SHEET 17 OF 17.  
 ALL DIMENSIONS ARE SHOWN ON THIS SHEET UNLESS OTHERWISE NOTED.  
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PRELIMINARY  
 NOT  
 FOR  
 CONSTRUCTION



**SCHMEISSER GORDON MEYER**  
 ENGINEERS & SURVEYORS  
 118 W. 9TH STREET, SUITE 200  
 DENVER, CO 80202  
 (303) 733-8800  
 (303) 733-8801  
 (303) 733-8802  
 (303) 733-8803  
 (303) 733-8804  
 (303) 733-8805  
 (303) 733-8806  
 (303) 733-8807  
 (303) 733-8808  
 (303) 733-8809  
 (303) 733-8810

**Town of Basalt  
 South Side Tank**

**EXISTING ROAD PROFILE STA 32+00 - 35+71**

| STATION | ELEVATION |
|---------|-----------|
| 32+00   | 6647.2    |
| 32+10   | 6654.4    |
| 32+20   | 6661.6    |
| 32+30   | 6668.8    |
| 32+40   | 6676.0    |
| 32+50   | 6683.2    |
| 32+60   | 6690.4    |
| 32+70   | 6697.6    |
| 32+80   | 6704.8    |
| 32+90   | 6712.0    |
| 33+00   | 6719.2    |
| 33+10   | 6726.4    |
| 33+20   | 6733.6    |
| 33+30   | 6740.8    |
| 33+40   | 6748.0    |
| 33+50   | 6755.2    |
| 33+60   | 6762.4    |
| 33+70   | 6769.6    |
| 33+80   | 6776.8    |
| 33+90   | 6784.0    |
| 34+00   | 6791.2    |
| 34+10   | 6798.4    |
| 34+20   | 6805.6    |
| 34+30   | 6812.8    |
| 34+40   | 6820.0    |
| 34+50   | 6827.2    |
| 34+60   | 6834.4    |
| 34+70   | 6841.6    |
| 34+80   | 6848.8    |
| 34+90   | 6856.0    |
| 35+00   | 6863.2    |
| 35+10   | 6870.4    |
| 35+20   | 6877.6    |
| 35+30   | 6884.8    |
| 35+40   | 6892.0    |
| 35+50   | 6899.2    |
| 35+60   | 6906.4    |
| 35+70   | 6913.6    |
| 35+80   | 6920.8    |
| 35+90   | 6928.0    |
| 36+00   | 6935.2    |
| 36+10   | 6942.4    |
| 36+20   | 6949.6    |
| 36+30   | 6956.8    |
| 36+40   | 6964.0    |
| 36+50   | 6971.2    |
| 36+60   | 6978.4    |
| 36+70   | 6985.6    |
| 36+80   | 6992.8    |
| 36+90   | 7000.0    |
| 37+00   | 7007.2    |
| 37+10   | 7014.4    |
| 37+20   | 7021.6    |
| 37+30   | 7028.8    |
| 37+40   | 7036.0    |
| 37+50   | 7043.2    |
| 37+60   | 7050.4    |
| 37+70   | 7057.6    |
| 37+80   | 7064.8    |
| 37+90   | 7072.0    |
| 38+00   | 7079.2    |
| 38+10   | 7086.4    |
| 38+20   | 7093.6    |
| 38+30   | 7100.8    |
| 38+40   | 7108.0    |
| 38+50   | 7115.2    |
| 38+60   | 7122.4    |
| 38+70   | 7129.6    |
| 38+80   | 7136.8    |
| 38+90   | 7144.0    |
| 39+00   | 7151.2    |
| 39+10   | 7158.4    |
| 39+20   | 7165.6    |
| 39+30   | 7172.8    |
| 39+40   | 7180.0    |
| 39+50   | 7187.2    |
| 39+60   | 7194.4    |
| 39+70   | 7201.6    |
| 39+80   | 7208.8    |
| 39+90   | 7216.0    |
| 40+00   | 7223.2    |
| 40+10   | 7230.4    |
| 40+20   | 7237.6    |
| 40+30   | 7244.8    |
| 40+40   | 7252.0    |
| 40+50   | 7259.2    |
| 40+60   | 7266.4    |
| 40+70   | 7273.6    |
| 40+80   | 7280.8    |
| 40+90   | 7288.0    |
| 41+00   | 7295.2    |
| 41+10   | 7302.4    |
| 41+20   | 7309.6    |
| 41+30   | 7316.8    |
| 41+40   | 7324.0    |
| 41+50   | 7331.2    |
| 41+60   | 7338.4    |
| 41+70   | 7345.6    |
| 41+80   | 7352.8    |
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| 70+40   | 9412.0    |
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| 71+80   | 9512.8    |
| 71+90   | 9520.0</  |

**EXHIBIT C: OTAK Visual Mitigation Plan**  
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# EXHIBIT D: CDOW Letter

Form 2800-18

Issuing Office CON40000

(Revised  
March 2004)

STATE OF COLORADO

Bill Ritter, Jr., Governor  
DEPARTMENT OF NATURAL RESOURCES

## DIVISION OF WILDLIFE

AN EQUAL OPPORTUNITY EMPLOYER

Thomas E. Remington, Director  
6060 Broadway  
Denver, Colorado 80216  
Telephone: (303) 297-1192  
[wildlife.state.co.us](http://wildlife.state.co.us)



*For Wildlife-  
For People*

THE  
UNITED  
STATES  
Department  
the Interior  
Bureau of  
Land  
Management

of

July 2, 2009

U.S. Bureau of Land Management  
Glenwood Springs Field Office  
P.O. Box 1009  
Glenwood Springs, CO 81602

### RE: Town of Basalt Water Tank on Light Hill

Dear Brian:

The proposed site for a Town of Basalt water tank on the lower bench of Light Hill lies within mapped mule deer and elk winter range. During the hard winter of 2007 elk and deer were found on the lower north facing slopes of light Hill and Williams Hill. Even though snow depths were great, the snow did not crust allowing for movement of mule deer and elk to forage on the mountain shrubs. Loss of any habitat on Light Hill will negatively impact wildlife and it should be preserved to the greatest extent possible due to all of the development pressures on big game winter range in the valley. The site is also utilized during the spring green-up period and is important for mule deer and elk. The Division would prefer an alternative site which is not located in big game winter range be considered before allowing construction on BLM lands.

If the site is approved for use by the Town of Basalt the following will help minimize impacts to wildlife:

1. Construction should occur from June 1 – Oct 15; no construction outside of this time period
2. All disturbed areas should be revegetated immediately upon completion with native, like vegetation with weed control measures. This should be monitored to ensure revegetation success and weed control
3. Basalt contribute to a mitigation fund for habitat improvement on Light Hill to compensate for loss of big game winter range. The BLM and DOW are conducting habitat improvement projects on Light Hill currently.
4. Contractors should not be allowed to bring dogs on site as the Division has had problems with construction dogs chasing wildlife

Sincerely,

Perry Will  
Area Wildlife Manager

Cc: R. Velarde, K. Wright, file

DEPARTMENT OF NATURAL RESOURCES, Harris D. Sherman, Executive Director  
WILDLIFE COMMISSION, Brad Coors, Chair • Tim Glenn, Vice Chair • Dennis Buechler, Secretary  
Members, Jeffrey Crawford • Dorothea Farris • Roy McAnally • John Singletary • Mark Smith • Robert Streeter  
Ex Officio Members, Harris Sherman and John Stulp