



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-N040-2010-0051-CX

A. Background

BLM Office: Glenwood Springs Field Office

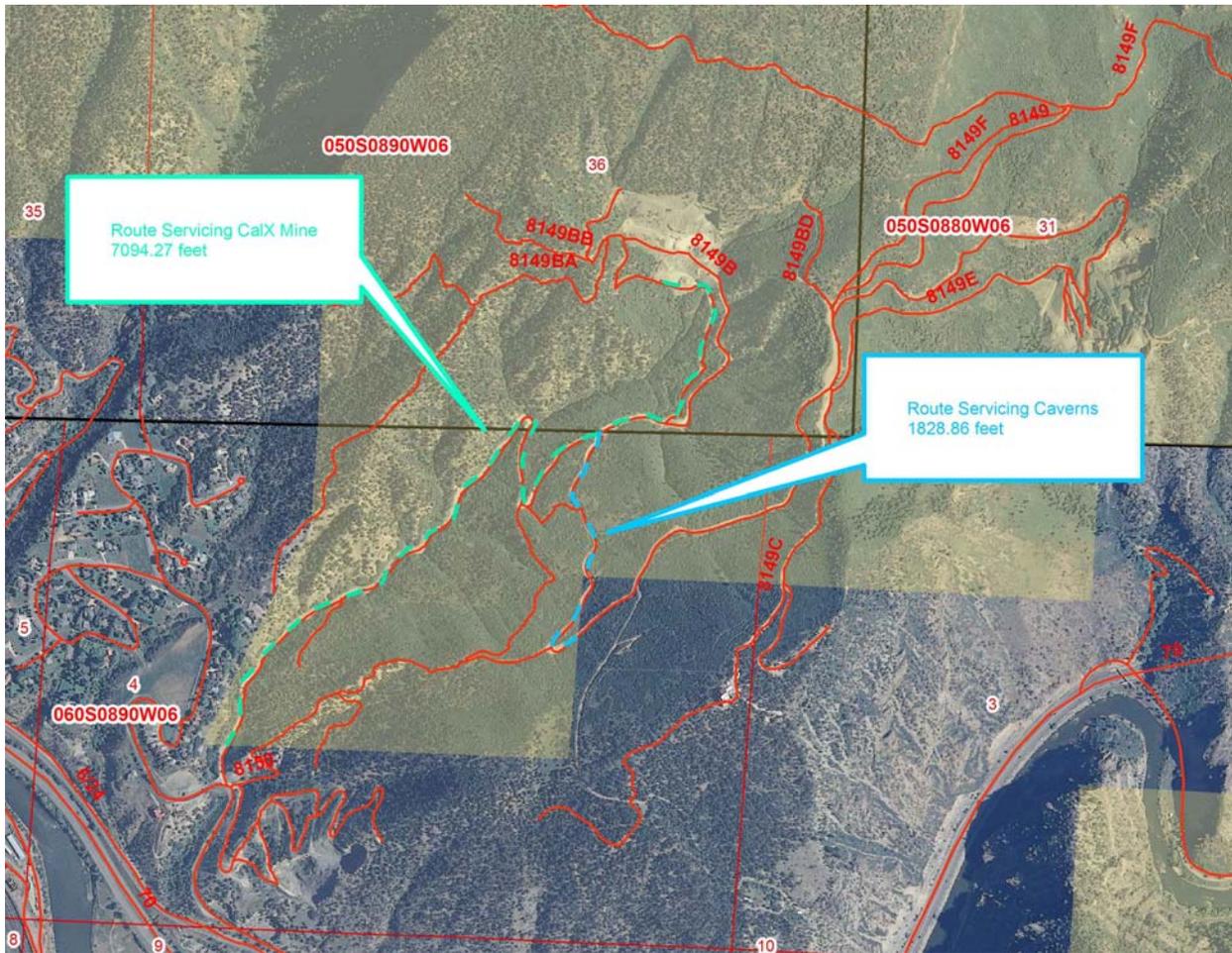
Lease/Serial/Case File No:
COC074438 / 285003

Proposed Action Title/Type:

CalX Minerals, LLC has applied for buried utilities from the City of Glenwood Springs (City) owned electric to provide power to their mining operation. The three-phased 15 kV buried utilities would allow the facility to operate without generators. In addition, the Glenwood Adventure Park (GAP), currently running on generators has requested the City to extend the buried lines to service the GAP as well. The CalX line within the Transfer Trail is approximately 7094 feet, while the proposed line servicing the GAP would be 1829 feet. The buried utility would be the same width as the road right-of-way because at certain locations the utility may need to cross over to the other side of the road due the slope.

The proposed action is to construct a 15 kV buried utility line originating near the intersection of Traver Trail and Transfer Trail and terminating at Mid-Continent Quarry's rock dust mill and GAP's amusement park service entrance (see map). The construction and operation of the project provides a replacement source of power for the current diesel-fired generators at both locations. Replacement of the generators will improve the air quality within the greater Glenwood Springs Area, and reduce the operating costs of CalX and GAP.

The proposed buried utility line would be designed as 15kV three-phase (three conductors) circuit. An additional conduit would be installed for future telephone service. Conductors will be individually encased by schedule 40 VC conduit. An additional conduit will be installed to allow for installation of communications lines in the future (Figure 2). Pulling vaults (Figure 3) will be installed along the line to allow for maintenance or repair of the lines. Approximate vault locations are shown on Figure 1. The span between vaults will range from 500 feet to 750 feet. Final locations will be determined base on site conditions such as road geometry, cable splice locations, and ground characteristics.



Pre-Ripping of the Roadway	1 person	Equipment: Komatsu 155 Dozer
Plowing of the CIC	2 people	Equipment: SpiderPlow Winch Crawler Service Truck
Cable Management	2 people	Equipment: Stringing Trailer Truck
Compaction of ROW	1 person	Equipment: Komatsu 155 Dozer
Road Maintenance	1 person	Equipment: Motor Grader
Wiring and Connection	4 people (Supplied by GSES)	Equipment: 2 service trucks (Supplied by GSES)

ACCESS ROADS

Utility line construction requires movement of vehicle along the ROW. For this project, existing roads will be utilized. No new access road construction is anticipated.

PRE-RIPPING OF ROADWAY

The approximate center of the existing Transfer Trail ROW will be ripped to allow for easier plowing of the CIC. A Komatsu 155 Dozer will be utilized. We anticipate, ripping to be generally easy with some areas of more competent ground. Pre-Ripping will take approximately 2 days and will be started one day in advance of the plowing activity.

PLOWING OF CIC

Plowing of the Cable in Conduit (CIC) is the principle activity of this proposed action, however it will only take up a small portion of the timeline. Plowing rates are anticipated at 7,000 feet per day or a total of less than 2 days. Plowing will be accomplished by the sub-contractor SpiderPlow. Their equipment is shown in Figure 4.



Figure 4. SpiderPlow and Winch Crawler

CABLE MANAGEMENT

Because of the weight of each individual spool of CIC, SpiderPlow will need to utilize a cable management system. Normally, the plow vehicle carries the spool. For the installation of the CIC an additional flatbed truck and spool carrier will be utilized to control the CIC.

COMPACTION OF ROW

Upon completion of the pre-ripping, the dozer will begin compaction of the plowed utility line. This activity should only take one day and will reach completion at nearly the same time as the plowing.

ROAD MAINTENANCE

Spring road maintenance has been postponed at the site. Normally, the maintenance is performed in the middle of April, however we have postponed it until after the installation of the utility. Each spring, road damage caused by the spring thaw is repaired. Also throughout the year regular road maintenance is performed to keep the roadway in a safe passable condition for the quarry, GAP, and recreation users. Spring maintenance is anticipated to take approximately 3 days.

WIRING AND CONNECTION

Wiring and connection of the lines and transformers will be undertaken by GSES. During plowing operations GSES personnel will make all of the splice connections. Once the lines are installed connection of the transformers and switch gear will occur. These activities will not affect the use of Transfer Trail. Total time to complete the connection is anticipated to be 2 weeks.

CLEANUP

The project area and access roads will be kept in an orderly condition throughout the construction period. Refuse and trash, including stakes and flags, will be removed from the sites and disposed of in an approved manner. No construction equipment oil or fuel will be drained on the ground. Oils or chemicals will be hauled to an approved site for disposal. No open burning of construction trash will occur on BLM-administered lands.

RECLAMATION

Following construction and cleanup, no reclamation will be needed. The buried utility will provide power to the quarry and the privately owned GAP. The only above ground appurtenances will be the transformers located on private land or within the building envelope of the rock dust mill.

OPERATION AND MAINTENANCE

GSES will regularly check the status and condition of the lines, transformers, and switch gear. Routine maintenance will include replacing damaged lines, transformers, or switch gear.

Construction is expected to take 2 – 3 days, For the safety of the public, the road would be closed during construction (gate closure). In the past, the Transfer Trail has a flexible 2 – 3 week window in May of when the gate remains open for the season, therefore, there would be minor inconveniences to the public.

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.

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:

<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
Mike Kinser	Rangeland Mgt Spec.	Riparian, Wetlands
Monte Senior	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.

Invasives, Non-Native Species Stipulations:

The BLM will inventory and treat noxious weeds prior to the start of the project.

- Remove mud, dirt, and plant parts from project equipment before moving it into a project area. Seeds and plant parts should be collected and incinerated when practical, or washed off in an approved containment area.
- Avoid acquiring water for road dust abatement where access to water is through weed-infested sites.
- Not blade or pull roadsides and ditches infested with noxious weeds unless doing so is required for public safety or protection of the roadway. If the ditch must be pulled, ensure weeds remain onsite. Blade from least infested to most infested areas.
- Monitor the project site for 5 years to detect the presence of any noxious weeds and will be responsible for promptly controlling any noxious weeds on the Colorado State List A or B (except redstem filaree) within the project area.
- 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.

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: Karl R. Mendonca Date: 5/19/2010
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 COC074438

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:

City of Glenwood Springs
101 West 8th Street
Glenwood Springs, CO 81601

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. 5 S., R. 89 W., SE ¼ Section 36,
T. 6 S., R. 89 W., Section 4, lots 2 and 3, and
T. 6 S., R. 89 W., NESW, NWSE Section 4,
Garfield County, Colorado, 6th Principal Meridian.

And as shown on the attached map in Exhibit A.

b. The right-of-way area granted herein is 35' x 7094' for the two 2-inch buried utility conduits (within the Transfer Trail Road), and a 35' x 1829' 2-inch buried utility conduit (within the Traver Trail Road)

c. This instrument shall terminate on December 31, 2039, 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.
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.

Special Stipulations:

1. Cultural/Native American: 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.

2. Invasives, Non-Native Species:

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The Lessee shall be responsible for the following:

- Remove mud, dirt, and plant parts from project equipment before moving it into a project area. Seeds and plant parts should be collected and incinerated when practical, or washed off in an approved containment area.
- Avoid acquiring water for road dust abatement where access to water is through weed-infested sites.
- Not blade or pull roadsides and ditches infested with noxious weeds unless doing so is required for public safety or protection of the roadway. If the ditch must be pulled, ensure weeds remain onsite. Blade from least infested to most infested areas.
- Monitor the project site for 5 years to detect the presence of any noxious weeds and will be responsible for promptly controlling any noxious weeds on the Colorado State List A or B (except redstem filaree) within the project area.
- 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.

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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

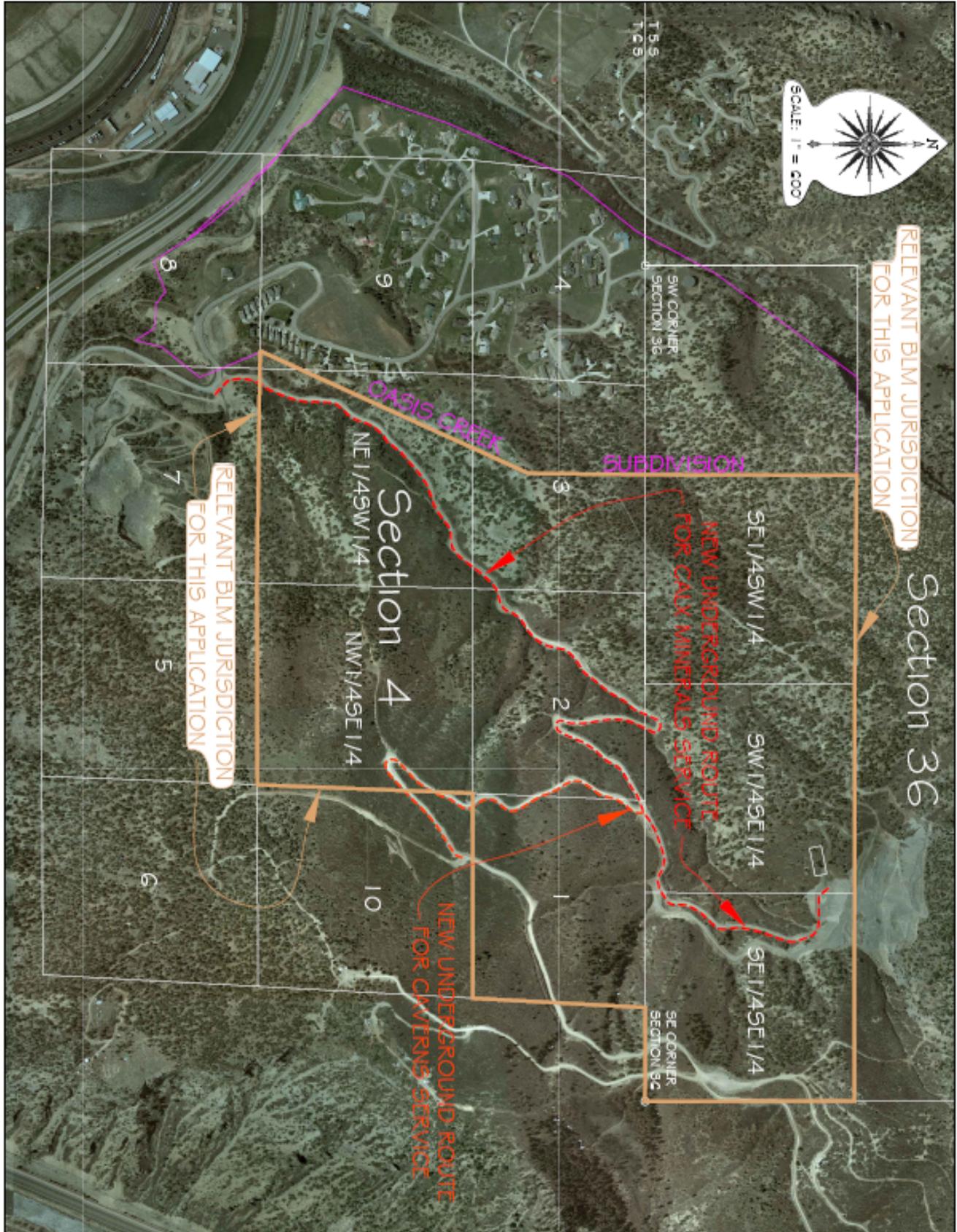
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Signature of Authorized Officer  
Karl R. Mendonca, Associate Field Manager

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Name and Title

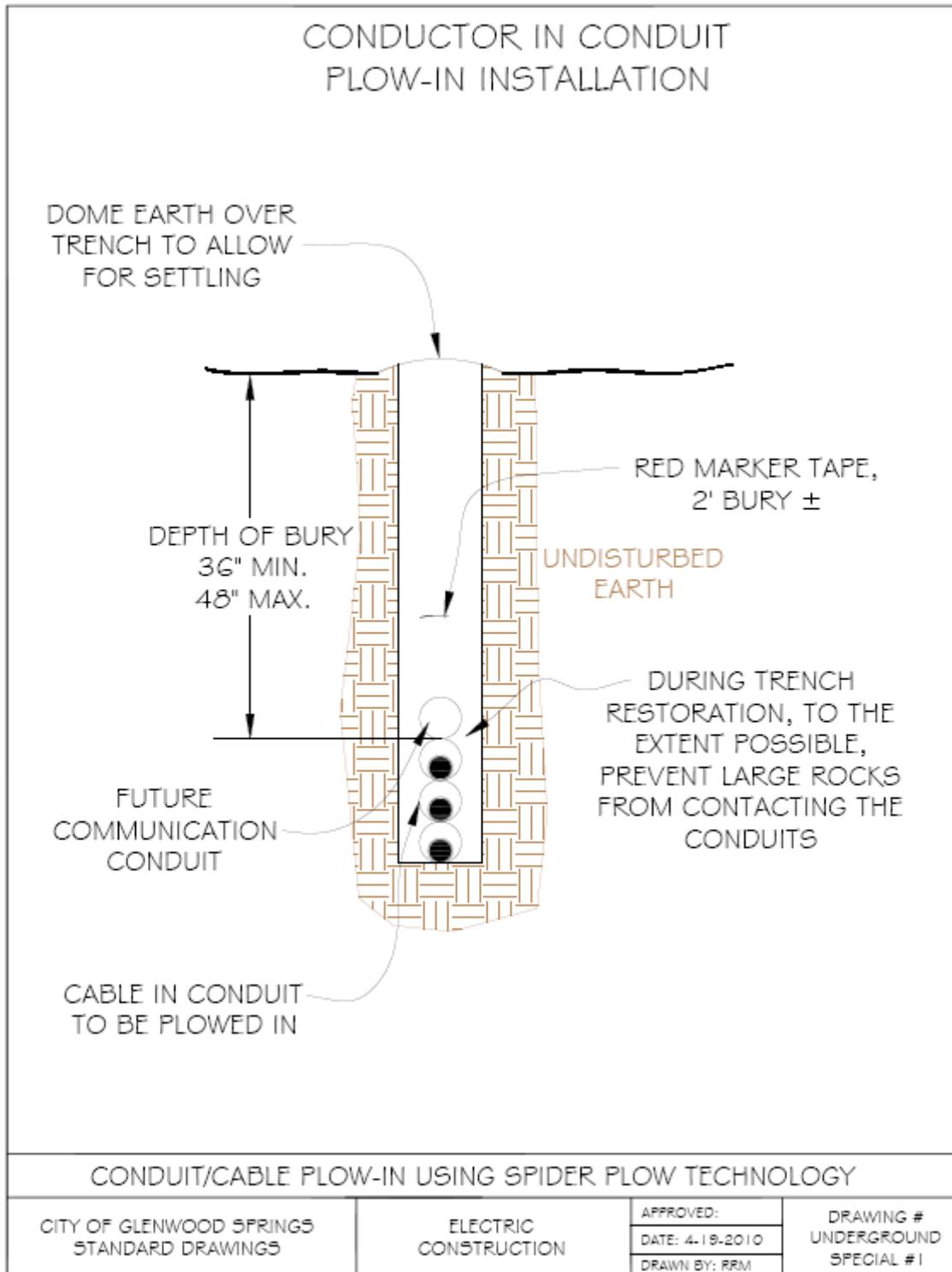
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(Effective date of Grant)

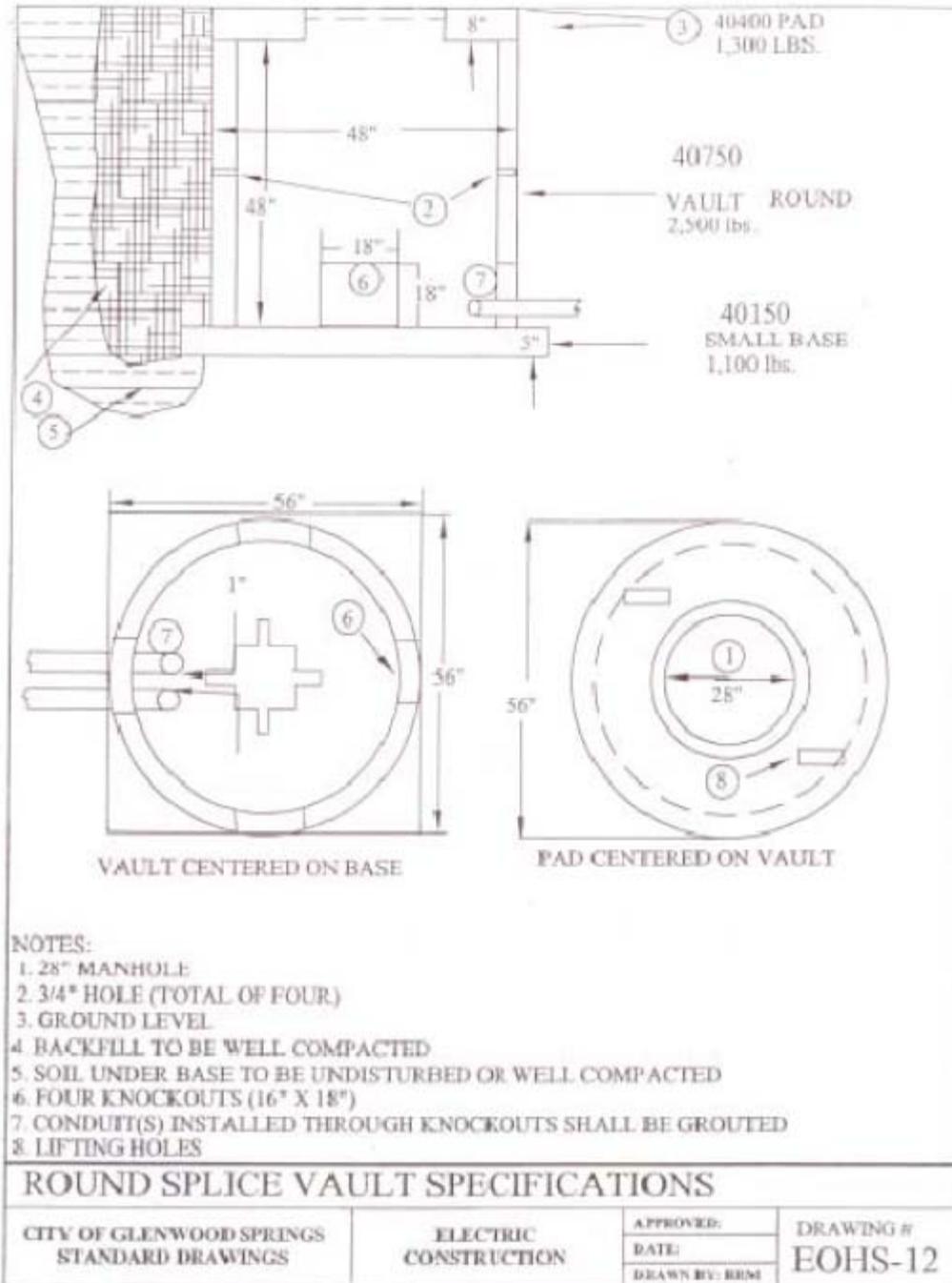
**EXHIBIT A: Map**



**EXHIBIT B: Designs**



Typical Utility Configuration



Typical Vault

**Table 1**  
**Typical Design Characteristics**

|                                 |                                                                                                                                                                                                       |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Line Length                     | Traver Trail Intersection to Scale House: 5330 feet<br>Scale House to Rock Dust Mill: 1980 feet<br>Scale House to GAP Service Entrance: 2740 feet1                                                    |
| Type of structure               | Buried Cable-in-Conduit (CIC):<br>Schedule 40 – 2”<br>Single Conductor 4/0 Aluminum 15kV<br>220 mil EPR                                                                                               |
| Burial Depth                    | Minimum 36”                                                                                                                                                                                           |
| Pulling Vault Spacing           | 500 feet to 750 feet                                                                                                                                                                                  |
| Right of Way width              | Consistent with Transfer Trail ROW                                                                                                                                                                    |
| Land disturbed (approx.)        |                                                                                                                                                                                                       |
| Temporary                       |                                                                                                                                                                                                       |
| Pre-Ripping of the Road Surface | Prior to plowing of the CIC approximate centerline of the road will be ripped 3’ wide for the entire length of the ROW. (0.7 acres) All disturbed areas will be within the existing road disturbance. |
| Vault Installation              | Road bed will be excavated to install pulling vaults. Vaults will be buried below road grade. (1300 sqft)                                                                                             |
| Permanent                       | None. All disturbed areas will remain within the road ROW. Road maintenance will occur immediately after installation to return road to full service.                                                 |
| Access Roads                    | Use existing Transfer Trail                                                                                                                                                                           |
| Voltage                         | 15,000 volts                                                                                                                                                                                          |
| Circuit configuration           | Three-phase                                                                                                                                                                                           |
| Conductor size                  | 4/0                                                                                                                                                                                                   |