



United States Department of the Interior



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

CATEGORICAL EXCLUSION DOI-BLM-CO-N040-2012-0089-CX

A. Background

BLM Office: Colorado River Valley Field Office

Proposed Action Title/Type: Maintenance of the dam on Middle King Mountain Reservoir (also known as Ligon Reservoir)

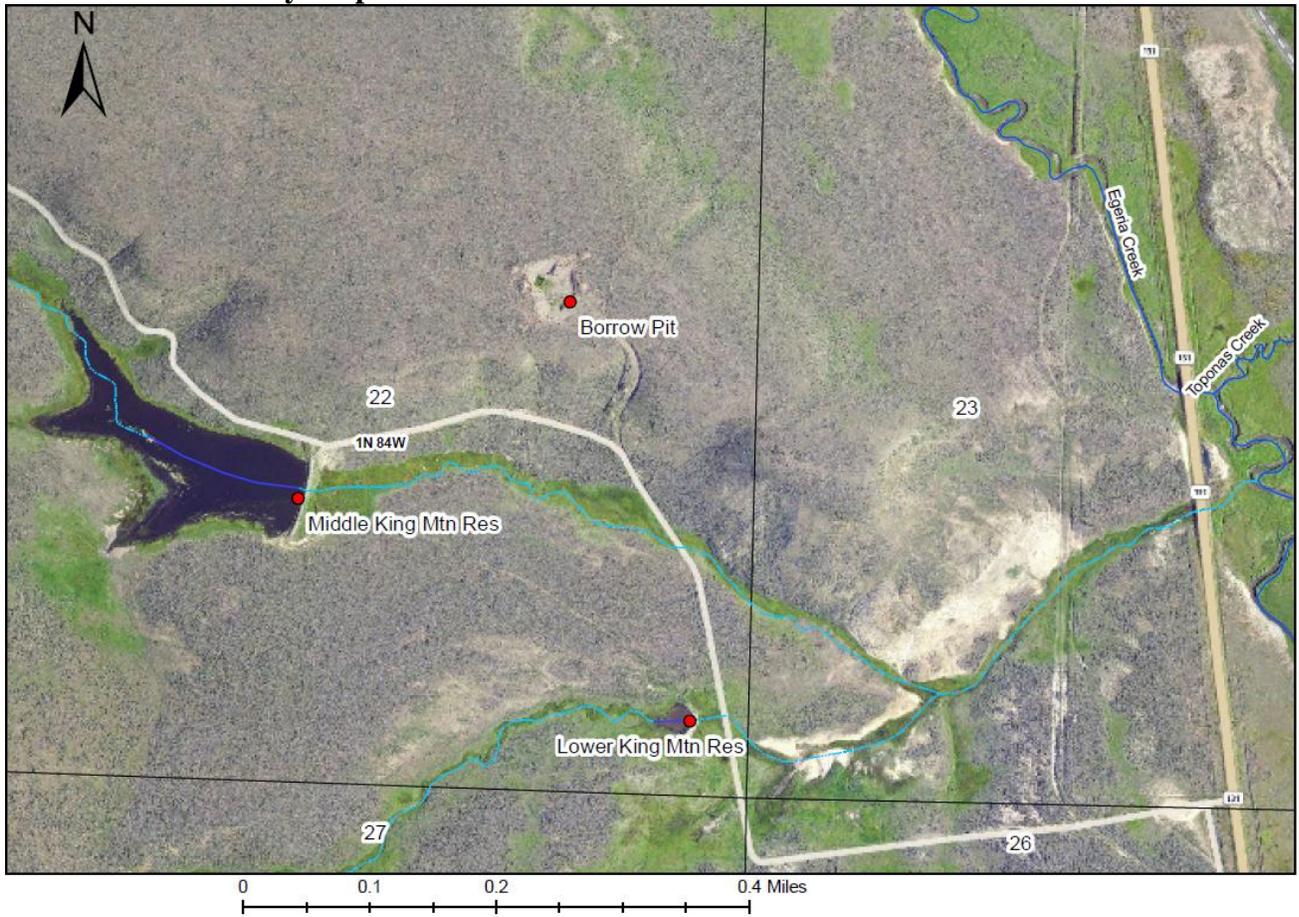
Location of Proposed Action:
T1N R84W Sec 22, Routt County

Description of Proposed Action:

The proposed action will stabilize the eroded dam on Middle King Mountain Reservoir (also known as Ligon Reservoir). Over the years, severe wind and wave action has compromised the dam and holding capacity of the reservoir. In order to maintain the decreed water right, livestock watering, riparian vegetation, waterfowl and other wildlife habitat, the dam will be reconstructed in its existing footprint. No new surface disturbance is expected and all work shall be according to BLM engineered specifications and drawings.

Dirt work is expected to begin mid-September 2012 and last for 2-3 weeks. Work includes grading, shaping, importing fill and riprap. The original borrow pit used to construct the reservoir will be utilized for fill material and riprap will be hauled on site. Approximately 85 cubic yards of fill material will be utilized along with 375 tons of riprap. The dam's upstream slope will be prepped and stabilized with a dozer and excavator.

B. Reservoir Vicinity Map



C. Photo of eroded dam



D. 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.

Decision Number/Page: The action is in conformance with Administrative Actions (pg. 5) and Livestock Grazing Management (pg. 20).

Decision Language: Administrative actions states, “Various types of actions will require special attention beyond the scope of this plan. Administrative actions are the day-to-day transactions required to serve the public and to provide optimal use of the resources. These actions are in conformance with the plan”. The livestock grazing management objective as amended states,

“To provide 56,885 animal unit months of livestock forage commensurate with meeting public land health standards.”

E. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR 46.210 (f):

Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).

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>
Erin Leifeld	Archaeologist	Cultural and Native American
Kimberly Miller	Outdoor Recreation Planner	Recreation, WSR, Wilderness
Greg Wolfgang	Outdoor Recreation Planner	Travel Management, VRM
Carla DeYoung	Ecologist	ACEC, T/E/S Plants, Vegetation
Brian Hopkins	Wildlife Biologist	Wildlife, T/E/S Wildlife, Migratory
Pauline Adams	Hydrologist	Soil, Air, Water
Monte Senor	Rangeland Mgt Spec.	Invasive Species, Noxious Weeds
Everett Bartz	Rangeland Mgt. Spec.	Range Management, Riparian

REMARKS/MITIGATION:

Cultural Resources

A records search of the general project area, and a Class III inventory of the Area of Potential Effect (APE), as defined in the National Historic Preservation Act (NHPA), was completed by a Colorado BLM permitted cultural resource contracting firm (CRVFO CRIR# 1097-3). No cultural resources are located within the area of potential effect and therefore the project will have no historic properties affected. The project inventory and evaluation is in compliance with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

Cultural Resource Stipulations:

If subsurface cultural values are uncovered during operations, all work in the vicinity of the resource will cease and the authorized officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the State Historic Preservation Officer (SHPO) and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected from further disturbance until mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.

Native American human remains:

Pursuant to 43 CFR 10.4(g), the holder must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first.

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.

F. Signature

Authorizing Official:  Date: 8/20/2012
Karl R. Mendonca
Associate Field Manager

Contact Person

For additional information concerning this CX review, contact Pauline Adams, Hydrologist, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652, (970) 876-9071.