

**Categorical Exclusion Documentation**  
**DOI-BLM-LLCON02000-2012-0034-CX**

**A. Background**

BLM Office: \_Kremmling

Lease/Serial/Case File #COC-72601

Project Title: Kremmling Area Chamber of Commerce, Land Use Permit Renewal

Location: T. 1N., R. 80W., Section 8, 6<sup>th</sup> P.M.

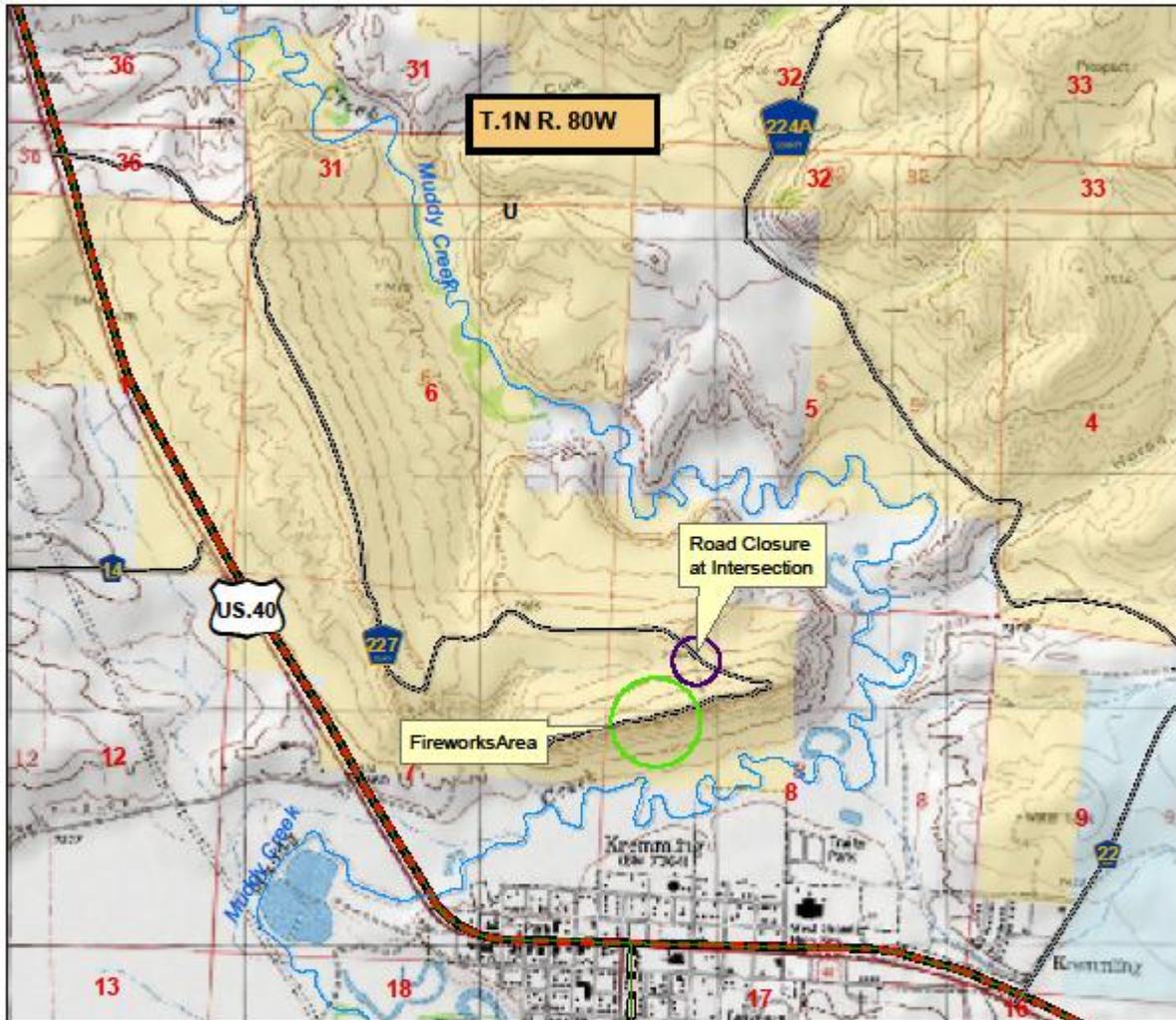
Description and Rationale, including any Stipulations:

The Kremmling Area Chamber of Commerce has applied for renewal of their land use permit for the July 4<sup>th</sup> fireworks display for the Town of Kremmling (see Attachment #1 for Special Conditions).

- The proposed size of the project area on BLM administered public land is approximately 50' X 300'.
- There would be one test date each year before July 4<sup>th</sup>.
- Setup for the display would begin July 3, 2012 and cleanup would conclude July 5, 2012. Up to eight people would be onsite on July 4, 2012 to produce the display.
- The ground disturbance would be limited to 4 trenches, approximately three feet deep and not to exceed 6 feet long and 2 feet wide. All holes would be back filled at the original grade level. A single backhoe would be needed for trenching.
- The only other equipment needed would be the mortars used for loading the fireworks. Some of the mortars would be placed in the trenches and some would be located on the ground surface.
- Grand County Road 227 would be the access to the site. The only restriction required would be closing GCR 227 at the intersection marked on the attached map on July 4, 2012.
- There would be constant radio communication with the Kremmling Fire Dept. and Grand County EMS and as part of the safety plan.
- Monitoring of sparks and possible ignitions would be confined to existing roads and trails as much as possible to reduce impacts to the riparian zone due to multiple routes and vegetation damage.
- Trench locations of approximately 10 feet by 6 feet each would be delineated to encourage repeated use each year and confinement of the disturbances to a general area.
- All trash would be removed from public land after each event.



# Kremmling Fireworks Display COC-72601



- Legend
- highways
  - Land Status
  - Land Status
  - Bureau of Land Mgt
  - Division of Wildlife
  - National Park
  - US Forest Service
  - National Wildlife Refuge
  - Private
  - State
  - State Forest

0 0.1 0.2 0.4 0.6 0.8 Miles

1:24,000

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

Annie Sperandio, 05-14-2012  
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## **B. Land Use Plan Conformance**

This action conforms to the Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

**Date Approved/Amended:** December 19, 1984; Updated February 1999

The approval of a right-of-way is clearly consistent with the RMP objectives and decisions as follows: Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.

## **C. Compliance with the National Environmental Policy Act**

The action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E., (9): Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

This categorical exclusion is appropriate for this action 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, Appendix 2 apply (see attached).

I considered the quality of the fireworks display and the reclamation after the construction and found no potential for significant impact.

## **D. Signature**

    /s/ Susan Cassel      
Susan Cassel  
Associate Field Manager

    6/5/12      
Date

## **E. Contact**

For more information, contact:

Annie Sperandio, Realty Specialist  
Bureau of Land Management  
P O Box 81  
Kremmling, CO 80459  
970-724-3062

## Review of Extraordinary Circumstances

The Department of the Interior Manual 516 2.3A (3) requires review of the following “extraordinary circumstances” (516 DM 2 Appendix 2) to determine if an otherwise categorically excluded action would require additional environmental analysis/documentation.

1) *Have significant impacts on public health or safety.*

Yes  No

Comments:

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.*

Yes  No

Comments:

3) *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

Yes  No

Comments:

4) *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

Yes  No

Comments:

5) *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

Yes  No

Comments:

6) *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

Yes  No

Comments:

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.*

Yes  No

Comments:

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.*

Yes  No

Comments:

9) *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

Yes  No

Comments:

10) *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

Yes  No

Comments:

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).*

Yes  No

Comments:

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).*

Yes  No

Comments:

**Reviewers:**

/s/ Paula Belcher  
Soil, Air, Water

May 14, 2012

/s/Bill B. Wyatt  
Cultural Resources

May 14, 2012

/s/Megan McGuire  
Wildlife

May 29, 2012

/s/Kelly Elliott  
Natural Resources

May 29, 2012

## **Decision Record for a Categorically Excluded Action**

### **Introduction and Background**

The Kremmling Fire Protection District has applied for a permit for the July 4<sup>th</sup> fireworks display for the Town of Kremmling (see Attachment #1 for Special Conditions).

- The proposed size of the project area on BLM administered public land is approximately 50' X 300'.
- There would be one test date each year before July 4<sup>th</sup>.
- Setup for the display would begin July 3, 2012 and cleanup would conclude July 5, 2012. Up to eight people would be onsite on July 4, 2012 to produce the display.
- The ground disturbance would be limited to 4 trenches, approximately three feet deep and not to exceed 6 feet long and 2 feet wide. All holes would be back filled in at the original grade level. A single backhoe would be needed for trenching.
- The only other equipment needed would be the mortars used for loading the fireworks. Some of the mortars would be placed in the trenches and some would be located on the ground surface.
- Grand County Road 227 would be the access to the site. The only restriction required would be closing GCR 227 at the intersection marked on the attached map on July 4, 2012.
- There would be constant radio communication with the Kremmling Fire Dept. and Grand County EMS and as part of the safety plan.
- Monitoring of sparks and possible ignitions would be confined to existing roads and trails as much as possible to reduce impacts to the riparian zone due to multiple routes and vegetation damage.
- Trench locations of approximately 10 feet by 6 feet each would be delineated to encourage repeated use each year and confinement of the disturbances to a general area.
- All trash would be removed from public land after each event.

No new ground disturbance would occur.

### **Decision and Rationale**

I have decided to implement the proposed action for the renewal of COC-72601. This action is needed to provide a recreational experience in the Kremmling area. In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

### **Compliance with Laws, Regulations, Policies and Land Use Plans**

The action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E., (9): Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

The Proposed Action is in conformance with the Record of Decision for the Kremmling Resource Management Plan approved in 1984 and updated in 1999, and with the land use plan terms and conditions as required by 43 CFR 1610.5-3(a).

**Administrative Remedies**

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Pacific Southwest Region, U.S. Department of Interior, 2800 Cottage Way, E-1712, Sacramento, CA 95825.

\_\_\_/s/ Susan Cassel\_\_\_\_\_  
Authorized Officer

\_\_\_6/5/12\_\_\_\_\_  
Date

## SPECIAL CONDITIONS

### Cultural & Paleontological:

- The holder shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The holder shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the holder shall bear the cost of the services of a non-Federal professional.
- Within five working days the Authorized Officer will inform the holder as to:
  - Whether the materials appear eligible for the National Register of Historic Places;
  - The mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
  - A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.
- If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the holder will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the holder will then be allowed to resume construction.
- Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.
- Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the holder's cost.
- Pursuant to 43 CFR 10.4(g), the holder of this authorization 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. 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.

Wetlands & Riparian Zones:

- Monitoring of sparks and possible ignitions must be confined to existing roads and trails as much as possible to reduce impacts to the riparian zone due to multiple routes and vegetation damage.

Soils:

- Trench locations of approximately 10 feet by 6 feet each must be delineated to encourage repeated use each year and confinement of the disturbances to a general area.

Wastes, Hazardous & Solids:

- All trash must be removed from public land after each event.