

**Categorical Exclusion Documentation**  
**DOI-BLM-LLCON02000-2012-0009-CX**

**A. Background**

BLM Office: \_Kremmling

Lease/Serial/Case File #COC-34262

Project Title: Diversified Operating Company, ROW Renewal

Location: T. 1 N., R. 80 W., Section 31: Lot 4, 6<sup>th</sup> P.M.  
T. 9 N., R. 81 W., Section 1: Lots 1-2, 6<sup>th</sup> P.M.

Description and Rationale, including any Stipulations: Diversified Operating Company was issued a road right-of-way (ROW) on December 24, 1981 which expires December 23, 2011. Diversified has applied for a renewal of this ROW for the road. This road accesses the Shock-Federal #1 Alkali Lake well. The ROW is 4,040 feet long by 30 feet wide. No new ground disturbance would occur.



**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 road and found no potential for significant impact.

**D. Signature**

\_/s/ Susan Cassel \_\_\_\_\_  
Susan Cassel  
Associate Field Manager

\_\_12/28/2011\_\_\_\_\_  
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/Bill B. Wyatt\_\_\_\_\_

Cultural Resources

\_\_\_\_12/20/11\_\_\_\_\_

\_\_\_\_\_/s/Megan McGuire\_\_\_\_\_

Wildlife

\_\_\_\_12/22/11\_\_\_\_\_

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

### **Introduction and Background**

Diversified Operating Company was issued a road right-of-way (ROW) on December 24, 1981 which expires December 23, 2011. Diversified has applied for a renewal of this ROW for the road. This road accesses the Shock-Federal #1 Alkali Lake well. The ROW is 4,040 feet long by 30 feet wide. No new ground disturbance would occur.

### **Decision and Rationale**

I have decided to implement the proposed action for the renewal of COC-34262. This action is needed to provide access the Alkali Lake well. 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/ Megan McGuire (Acting)  
Authorized Officer

12/28/2011  
Date