

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P O Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-LLCON02000-2014-034-CX-Walking Mountain Science Center SRP

CASEFILE/PROJECT NUMBER: N/A

PROJECT NAME: Walking Mountain Science Center SRP

LEGAL DESCRIPTION: T. 2 S, R. 83 W., Section 5, portions of Lots 14, 15, 21 and 24; 6th P.M., Eagle County.

APPLICANT: Walking Mountains Science Center

DESCRIPTION OF PROPOSED ACTION:

Walking Mountains Science Center has applied for a special recreation permit to lead hikes and educational activities on public lands in the McCoy Fossil Beds and vicinity. The permit would be for 10 years and renewable pending field office review.

Walking Mountains Science Center provides natural science education to adults and children on public lands. A maximum of 50 participants (most of the time there are 13 students) on a given day would visit the McCoy Fossil Beds. This particular site would be visited between 9-12 times per year. The groups would utilize existing trails and be in the area for 5-7 hours. Most trips occur in the summer and fall months, with the first trip proposed for October 3, 2014. Programs take place on established trails with some teaching activities happening just off the trail.

Walking Mountains prohibits the removal of any fossils and only uses them to teach how Colorado's landscape has changed and the geologic processes that caused these landscape changes.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

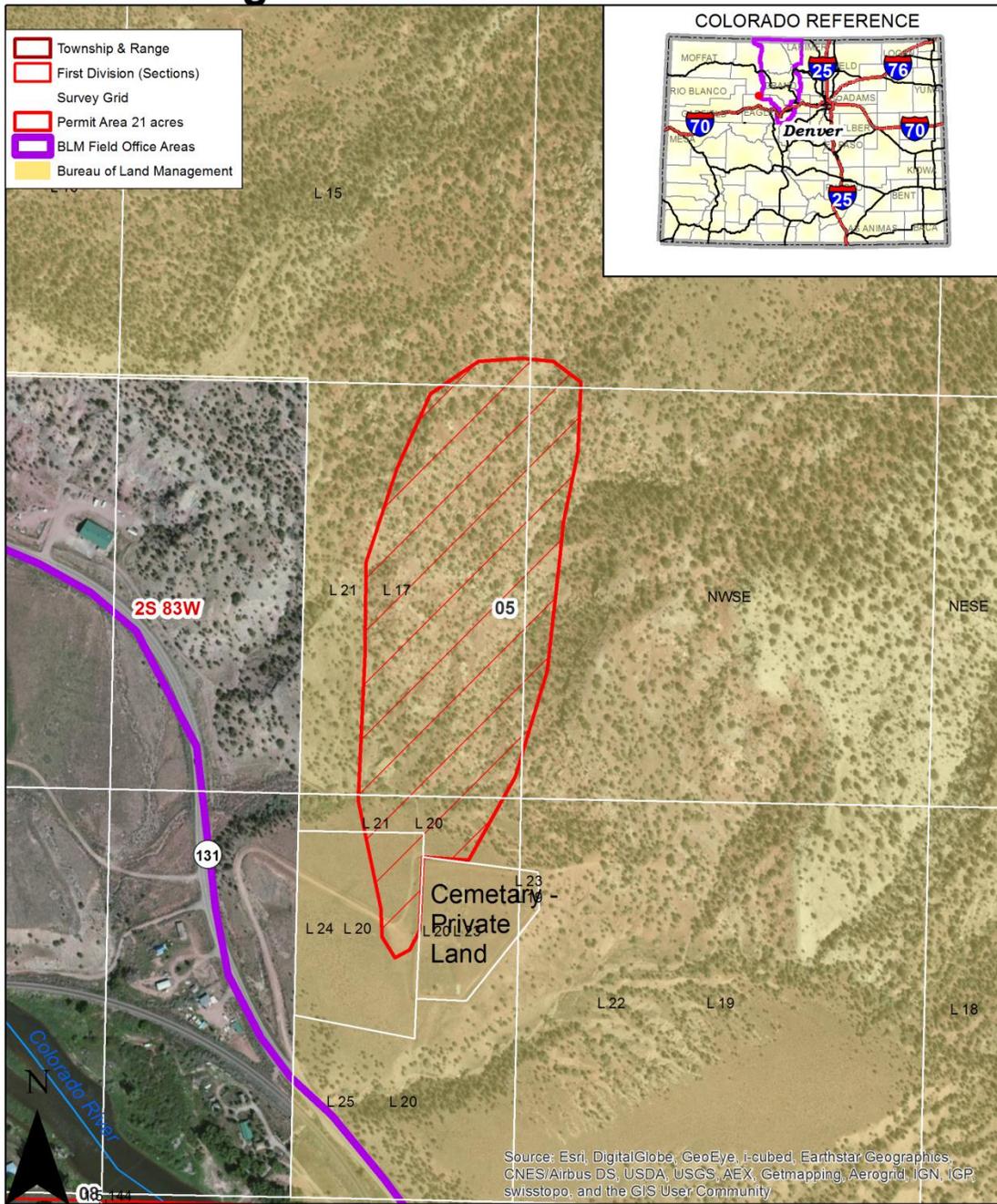
Decision Number/Page: Decision Number 11 B 7a, Page 9

Decision Language: "To ensure the continued availability of outdoor recreational opportunities which the public seeks and which are not readily available from other sources, to reduce the impacts of recreational use on fragile and unique resource values, and to provide for visitor safety, and resource interpretation."

The proposed action occurs within an area that has a wildlife priority land use. These are public lands committed to important wildlife habitat. The proposed action is compatible with the priority land use.



McCoy Fossil Beds Walking Mountains Science Center SRP



0 0.03 0.06 0.12 Miles
when page is printed at 8.5 x 11"

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data. For graphical purposes only and not for navigation. This map was intended to be printed in color. Last Edited: HS, 08122014

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM2, Appendix 1.

1.5 H. Recreation Management

(1) Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).

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 DM2 apply.

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) 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		X

Extraordinary Circumstance	YES	NO
promote the introduction, growth, or expansion of the range of such species.		

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 08/19/2014. A complete list of resource specialists who participated in this review is available upon request from the Kremmling Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Bill B. Wyatt	Archaeologist	Cultural Resources, Native American Religious Concerns, Paleontology	08/18/2014
Darren Long	Wildlife Biologist	Special Status Species	9/15/2014

REMARKS:

Cultural Resources: The undertaking is not a Section 106 action under the National Historic Preservation Act of 1966 (NHPA) as amended. State Historic Preservation Officer (SHPO) concurrence is not necessary.

Tribal Consultation: Tribal consultation was not carried out under NHPA because this is not a Section 106 undertaking.

Paleontology: Geologic formations sensitive for fossil resources are present, but will not be impacted by the proposed project. BLM standard “discovery” stipulation is part of the environmental assessment and is to be attached to any authorization allowing project to proceed.

Special Status Species: There are no documented occurrences of any special status species in the area. This area is located within the State Bridge Lynx Linkage Area; however the proposed SRP and its impacts would not limit lynx movement across the landscape.

It is also possible that Harrington’s Penstomen (*Penstomen harringtonii*), a BLM sensitive plant species, exists within the habitat associated with this this SRP. Penstomen species were observed on a 9/3/2014 site visit, but it was difficult to determine the specific species as the plants have gone dormant for the season. The area warrants a spring survey when the penstomen are flowering to determine if this sensitive species is present and would overlap with the area being utilized by the proposed permit. If Harrington’s penstomen or other rare plants are identified, the permit holder would be notified at least 30 prior (as in conformance plan) to identify areas to avoid conflicts with this species.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM Kremmling Field Office staff. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Hannah Schechter

NAME OF ENVIRONMENTAL COORDINATOR: Susan Valente

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM2, Appendix 1. 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

43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: _____/s/ Stephanie Odell_____
Field Manager

DATE SIGNED: 9/17/2014

DECISION RECORD

PROJECT NAME: WALKING MOUNTAIN SCIENC CENTER SRP

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-LLCON02000-2014-034-CX_Walking Mountain Science Center SRP

DECISION: It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-LLCON02000-2014-034 CX, authorizing a 10 year special recreation permit to lead hikes and educational activities on public lands in the McCoy Fossil Beds and vicinity.

Mitigation Measures

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

RATIONALE: The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM2, Appendix 1. 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 43 CFR 46.215 apply.

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, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

SIGNATURE OF AUTHORIZED OFFICIAL: _____/s/ Stephanie Odell
Field Manager

DATE SIGNED: 9/17/2014