

**U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129**

ENVIRONMENTAL ASSESSMENT

EA-NUMBER: CO-100-2006-086 EA REVISED

PERMIT/LEASE NUMBER: COC70123

PROJECT NAME: Moffat County Road 66 upgrade

LEGAL DESCRIPTION: T. 11N., R.97W., sections 1,12,13,25, T. 11N., R.96W., sections 18, 19, 6th PM, Moffat County, Colorado

APPLICANT: Moffat County Commissioners

PLAN CONFORMANCE REVIEW: The proposed action is subject to the following plan:

Name of Plans: Little Snake Resource Management Plan and Record of Decision

Date(s) Approved: April 26, 1989

Remarks: The proposed access road is located within Management Units 2 and 3 (Little Snake Resource Management Plan). One of the objectives of Management Unit 2 (Northern Central) is to provide for the development of the oil and gas resource. The development of other resource uses/values within this unit is allowed consistent with the management objectives for oil, gas, and forest resources. The objectives for Management Unit 3 (Little Snake River) are to improve soil and watershed values, increase forage production and enhance livestock grazing. Realty actions, such as rights-of-way, leases, and permits can occur, consistent with the management objectives of the units. The access road will be consistent with the objectives of Management Units 2 and 3.

Results: The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3).

NEED FOR PROPOSED ACTION: The purpose of the proposed right-of-way on the road is to allow widening and upgrading approximately 5.5 miles of the existing road to accommodate additional truck traffic for a new gravel pit opening on private land adjacent to MCR 66, 4 miles south of the MCR 4 intersection. Currently due to an incised roadway and dirt surface, access by heavy equipment is limited to seasonal use. Providing safe year-round access to the MCR 66

Gravel Pit for maintaining surrounding county roads is necessary. Currently the road surface averages around 13 feet wide, an insufficient width for passing vehicles, especially gravel hauling trucks. The upgrade will result in re vegetated borrow ditches and provide a solid road surface preventing additional erosion and fugitive dust. The upgrade will provide safe wintertime and mud-season access for public land users minimizing trespass and damage on adjacent public land. Since a segment of the road traverses public land, a right-of-way authorization is required.

PUBLIC SCOPING PROCESS: The NEPA log is posted on the Little Snake Field Office web site before the grant is issued to the applicant.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES: The proposed action is to issue a right-of-way grant for construction, operation, maintenance and termination of an existing access road located on public land in T. 11N., R.97W., sections 1,12,13,25, T. 11N., R.96W., sections 18, 19, 6th PM, Moffat County, Colorado. The Moffat County Commissioners filed a right-of-way application requesting authorization to upgrade a segment of an existing access road which has served as historical access on BLM. Moffat County requests to preserve R.S. 2477 rights through the FLPMA Title V process. Mitigation not incorporated in a Plan of Development would be attached by BLM as stipulations to the R/W grant.

The existing road departs Moffat County Road (MCR) 4 across public land in section 1, T.11N., R.97W., traveling south approximately 5.5 miles on MCR 66 to the intersection with MCR 75d. The proposed travel width of the road is approximately 24'. A 60' right-of-way is requested. The standard physical specifications requested are:

- Pit run base 4-8"
- Road-base/gravel finished surface 2-6"
- Shoulder width and borrow ditch, depending on topography and drainage 3'-20'
- Crown on road surface 2-4%
- Borrow ditches on each side of road ranging from 1:1 to 3:1 slope depending on terrain and erosion potential
- Water cut-outs as needed
- Disturbance beyond road surface will be reclaimed

The proposed R/W will consist of approximately 20 acres of new disturbance beyond the existing right-of-way on public lands.

The road will be upgraded to accommodate year-round public traffic. Moffat County will be using the road for hauling gravel from a new pit on private property. There is no plan for reclamation of the existing road.

A perpetual term is requested with a 20 year review period and 10 years thereafter.

The duration of construction anticipated is 45 days between October 2006 and April 2007.

No alternative routes were analyzed or considered since this proposal regards upgrading an existing county road across Federal land.

NO ACTION ALTERNATIVE: The no action alternative is that the road work would not be authorized and there would be a trespass situation, continued additional erosion and fugitive dust on public lands

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: There are no special designation air sheds or non-attainment areas nearby that would be affected by the proposed action.

Environmental Consequences: Short term, local impacts to air quality from dust would result during road construction. Construction equipment produces air emissions from the exhaust of diesel engines. Air pollutants could include nitrogen oxides, fine particulates, ozone and carbon monoxide. The proposed action will not adversely affect the regional air quality.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 7/31/06

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences: Not applicable.

Mitigative Measures: Not applicable

Name of specialist and date: Jim McBrayer – 2/2/07

CULTURAL RESOURCES

Affected Environment: Cultural resources, in this region of Colorado, range from late Paleo-Indian to Historic. For a general understanding of the cultural resources in this area of Colorado, see *An Overview of Prehistoric Cultural Resources, Little Snake Resource Area, Northwestern Colorado*, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, *An Isolated Empire, A History of Northwestern Colorado*, Bureau of

Land Management Colorado, Cultural Resource Series, Number 2 and *Colorado Prehistory: A Context for the Northern Colorado River Basin*, Colorado Council of Professional Archaeologists.

Environmental Consequences: The proposed project, Moffat County's 5.3 miles of Moffat County Road 66, has undergone a Class III cultural resource survey:

Piontkowski, Michael

2006 Moffat County, 5.3 miles of Moffat County Road 66, Class III Cultural Resource Inventory, BLM 145.1.06 Uncompahgre Archaeological Consultants, Grand Junction, Colorado.

The survey identified no eligible to the National Register of Historic Places prehistoric cultural resources. The proposed project may proceed as described in this EA with the following mitigative measures in place.

Mitigative Measures:

The following standard stipulations apply for this project:

1. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.

Name of specialist and date: Gary D. Collins July 13, 2006

ENVIRONMENTAL JUSTICE

Affected Environment: The project would not directly affect the social, cultural, or economic well being and health of Native American, minority or low-income populations. The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts from the project.

Environmental Consequences: None.

Mitigative Measures: None.

Name of Specialist and Date: Louise McMinn, Realty Specialist 07/17/2006

FLOOD PLAINS

Affected Environment: The road follows broad ridges and does not cross any floodplains.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen 7/31/06

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive species and noxious weeds occur within the affected area. Cheatgrass and halogeton are common along road disturbances and in areas which do not have adequate perennial plant communities to inhibit their annual establishment. Halogeton has become a very noticeable problem in the affected area, as well as other areas in the western portion of Moffat County. Canada thistle and other biennial thistles are fairly common and can be established in the affected area, especially in road ditches. Russian knapweed and hoary cress (whiteweed) have been found in the vicinity of the project and would also be capable of establishing in road ditches. Other species of noxious weeds are not known to be a problem in this area, but they can always be introduced by vehicle traffic, livestock and wildlife. The BLM, Moffat County, livestock operators, pipeline companies and oil and gas operators have formed the Northwest Colorado Weed Partnership to collaborate their efforts on controlling weeds and finding the best integrated approaches to achieve these results.

Environmental Consequences: The surface disturbing activities and associated traffic involved with improving Moffat County Road 66 will create an environment and provide a mode of transport for invasive species and other noxious weeds to become established. Construction equipment and any other vehicles and equipment brought onto the site can introduce these weed species. Wind, water, recreation vehicles, livestock and wildlife will also assist with the distribution of weed seed into the newly disturbed areas. Moffat County will control any invasive and/or noxious weeds that become established within the disturbed

areas of the road corridor.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 7/31/06

MIGRATORY BIRDS

Affected Environment: Brewers sparrows and sage sparrow are the only species listed on the USFWS 2002 Birds of Conservation Concern List that are likely to nest in the project area. Red-tailed hawk and golden eagle are likely to use the project area for foraging activities.

Environmental Consequences: The construction associated with upgrading the road could disturb or destroy Brewer and sage sparrow nests if conducted during the nesting period (May 1 – Aug 15). If construction is conducted outside of this period, there is little chance of take of either species to occur. Golden eagle and red tailed hawks are likely to avoid the project area for foraging activities. Surrounding undisturbed habitat should be capable of supporting these raptors foraging needs during the construction period.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 7/11/06

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council, and the Colorado Commission of Indian Affairs on January 21, 1999. The letter listed the projects that the BLM would notify them on and projects that would not require notification. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Gary D. Collins July 13, 2006

PRIME & UNIQUE FARMLANDS

Affected Environment: Not Present

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen 7/31/06

T&E SPECIES - SENSITIVE PLANTS

Affected Environment: There are no BLM sensitive plant species that would be impacted by the Proposed Action.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 7/11/06

T&E SPECIES – ANIMALS

Affected Environment: There are no threatened or endangered species or habitat for such species in or near the project area. The majority of the section of Moffat County Road 66 that will be upgraded is located within historic white-tailed prairie dogs colonies. White-tailed prairie dogs are a BLM special status species. The southern most portion of the road to be upgraded lies within mapped greater sage-grouse nesting habitat. Greater sage-grouse are a BLM special status species.

Environmental Consequences: Approximately 20 acres of land will be disturbed adjacent to the existing right of way for Moffat County Road 66. Approximately one acre of marginal sage grouse nesting habitat will be disturbed as a result of proposed action. This habitat is considered marginal nesting habitat because of its close proximity to the existing County Road 66. The proposed action will make this marginal habitat unsuitable for nesting for greater sage-grouse. This would be a minor negative impact to greater sage-grouse. Construction activities associated with the upgrading of this county road would disturb breeding and nesting sage-grouse over an area larger than that recognized by the right of way disturbance if they are conducted during the breeding and nesting period (March 1st to June 30th).

Approximately 5 acres of historical white-tailed prairie dog habitat will be disturbed as a result of the upgrading of Moffat County Road 66. Ground disturbance that removes native vegetation favors white-tailed prairie dogs. This disturbance would result in a short term disturbance to prairie dogs while construction was in progress. Once completed though, the disturbance would favor white-tailed prairie dogs by removing late seral vegetation along the road. This will improve existing habitat and create new habitat for white-tailed prairie dogs in disturbed areas. The newly created habitat may serve as a dispersal route for prairie dogs. This could result in a positive benefit to prairie dogs and an increase in colony numbers and size. The sage-grouse timing restriction would be sufficient to protect new born prairie dog pups from disturbance that might entrap them in burrows resulting in death.

Mitigative Measures: No surface disturbing activities between the hours of 6:00 pm and

9:00 am from March 1 through May 1. This timing restriction only applies to that portion of MC Rd 66 between the junctions of MC Rd 66b and MC Rd 75d in order to protect breeding and nesting greater sage-grouse.

Name of specialist and date: Timothy Novotny 7/11/06 Revised 11/06/06

T&E SPECIES – PLANTS

Affected Environment: There are no federally listed threatened or endangered plant species within or in the vicinity of the Proposed Action.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 7/11/06

WASTES, HAZARDOUS OR SOLID

Affected Environment: If a release does occur, the environment affected would be dependent on the nature and volume of material released. If there are no releases, there will be no environmental impact.

Environmental Consequences: Consequences will be dependent on the volume and nature of the material released. In most every situation involving hazardous materials, there are ways to remediate the area that has been contaminated. Short-term consequences will occur, but they can be remedied, and long-term impacts will be minimal.

Mitigative Measures: None

Name of specialist and date: D. Johnson 7/11/06

WATER QUALITY - GROUND

Affected Environment: Groundwater will not be impacted by this proposed action.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Robert Ernst 12 July 2006

WATER QUALITY - SURFACE

Affected Environment: The soil erosion that is currently occurring from Moffat County Road 66 and its unimproved drainage contributes to sediments and salts in downstream drainages and perennial waters. Runoff from the affected area where the county road is located will flow into Reservoir Draw or Horse Draw. These ephemeral drainages are tributary to Powder Wash, which is an ephemeral tributary to the Little Snake River. The Little Snake River at a point immediately above the confluence with Powder Wash to its confluence with the Yampa River has designated uses classified as Aquatic Life Warm 2, Recreation 1a and Agriculture. Tributaries to the Little Snake River in the affected environment, including Powder Wash need to have water quality that supports Aquatic Life Cold 2, Recreation 2 and Agriculture; these tributary waters are designated as Use Protected. The Little Snake River was listed as an impaired stream segment (1996:303d list), having elevated sediment levels and only partial supporting these designated uses. In 1998 this Little Snake River stream segment was not included on the list of impaired streams, but this was due to more stringent criteria or proof that impairment of uses is occurring and not a result of improving water quality.

Much of the reason for listing on the 303d list was because the Little Snake River segment was included in the original 1989 Colorado Nonpoint Assessment Report, November 1989 for having elevated sediments and nutrients and it remains on subsequent revisions.

Environmental Consequences: Crowning, ditching and gravelling the existing road will improve the water quality of surface runoff from the road area. Increased stability of the road and less potential soil erosion from the road ditches, water turnouts (water cut-outs) and from culvert outlets can be achieved by proper placement and spacing of the water turnouts, drainage culverts and by installing water energy dissipating materials at culvert outlets.

Mitigative Measures: Same as for Transportation

Name of specialist and date: Ole Olsen 7/31/06

WETLANDS/RIPARIAN ZONES

Affected Environment: Not Present

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen 7/31/06

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences: Not applicable.

Mitigative Measures: Not applicable

Name of specialist and date: Jim McBrayer – 2/2/07

WILDERNESS, WSAs

Affected Environment: Not present.

Environmental Consequences: Not applicable.

Mitigative Measures: Not applicable

Name of specialist and date: Jim McBrayer – 2/2/07

NON-CRITICAL ELEMENTS

PALEONTOLOGY

Affected Environment: The geologic formation at the surface is the Tertiary Age formation, Green River Formation, Laney Shale (Tgl). This is a soft light to medium-brown, tan, yellowish-tan, and light-yellow thin-bedded fissile oil shale, claystone, sandstone, marlstone, siltstone and limestone. Limestone beds locally contain agatized gastropods, pelecypods, and algal heads. Tgl is mapped in the Sand Wash Basin and Manila areas. Thickness is 50-250 meters except in Manila area where it is thinner and pinches out. This formation has been classified a Class II formation for the potential for occurrence of scientifically significant fossils. Scientifically significant fossils are occasionally found within this formation (Armstrong & Wolney, 1989). The potential for discovery of significant fossils on this location is considered to be moderate.

Environmental Consequences: If any such fossils are located here, construction activities could damage the fossils and the information that could have been gained from them would be lost. The significance of this impact would depend upon the significance of the fossil. This impact can be effectively mitigated by ceasing operations and notifying the Field Office Manager immediately upon discovery of a fossil during construction activities. An assessment of the significance is made and a plan to retrieve the fossil or the information from the fossil is developed.

The proposed action could also constitute a beneficial impact to paleontological resources by increasing the chances for discovery of scientifically significant fossils.

Mitigative Measures: "Standard Discovery Stip", i.e., "If fossils are discovered during

construction or other operations, all activity in the area will cease and the Field Office Manager will be notified immediately. An assessment of significance will be made within an agreed time frame. Operations will resume only upon written notification by the Authorized Officer."

References

Armstrong, Harley J. and Wolney, David G., 1989, Paleontological Resources of Northwest Colorado: A Regional Analysis, Museum of Western Colorado, Grand Junction, CO, prepared for Bur. Land Management, Vol. I of V.

Miller, A.E., 1977, Geology of Moffat County, Colorado, Colo. Geol. Surv. Map Series 3, 1:126,720.

Name of specialist and date: Robert Ernst 12 July 2006

SOILS

Affected Environment: The existing Moffat County Road 66 is unimproved and has problems associated with surface drainage and soil erosion. The location of the road follows upland ridges and does not require any relocation.

Environmental Consequences: Additional soil disturbance will result from widening Moffat County Road 66 and installing drainage improvements. In the long term this additional disturbance will be part of the road and its associated drainage system or it will be revegetated. The stability of the road will be directly related to the design of the drainage system and location of water turnouts (or water cut-outs) and/or drainage culverts. Interim measures for reducing erosion initially after construction and in the short term should include the use of silt fencing near drainages and installing water energy dissipating devices below culverts.

Mitigative Measures: Same as for Transportation

Name of specialist and date: Ole Olsen 7/31/06

TRANSPORTATION

Affected Environment: This road re-construction project will involve substantial earthmoving and will require the installation of numerous metal culverts. This will be a public road.

Environmental Consequences: Lack of erosion control and improper sizing and installation of culverts will have the potential to impact soil and water resources. Improper or lack of

necessary signing will put the public at risk and increase liability to the BLM and Moffat County.

Mitigative Measures: The design and construction of this road needs to comply with the road design and construction direction contained in the BLM publication: Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development – The Gold Book – Fourth Edition – 2006, for BLM Collector Roads. This will include requiring Moffat County to locate on the ground and in a plan and profile diagram all culvert locations and the size of the culverts prior to the BLM approving road construction activities. A pre-work field review of the culvert locations by BLM will be needed. All perennial and intermittent drainages must have erosion and sediment control filters or barriers installed below fill slopes on these drainages that will effectively trap eroded sediments from entering the water systems. These must function for a minimum of two years following construction or until re-vegetation is adequately established on cut and fill slopes. All drainage culvert outlets must have rock installed at the outlets of the culverts to provide water energy dissipation to reduce erosion at the culvert outlets, and sediment barriers installed below the rock to further trap sediments. After adequate re-vegetation is established, the county will be required to remove sediment fencing. All road signing, including any required safety signing, must comply with direction contained in the U.S. Department of Transportation Manual of Uniform Traffic Control Devices.

Name of specialist and date: Rob Schmitzer. July 13, 2006.

VEGETATION

Affected Environment: The Proposed Action lies within sagebrush-grass and saltbush plant communities. Dominant species include Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), green rabbitbrush (*Chrysothamnus viscidiflorus*), shadscale saltbush (*Atriplex confertifolia*), Nuttall's saltbush (*A. nuttallii*), winterfat (*Euphorbia lanata*), Hood's phlox (*Phlox hoodii*), Indian ricegrass (*Oryzopsis hymenoides*), needle-and-thread (*Stipa comata*), prairie junegrass (*Koeleria pyramidata*), and Sandberg bluegrass (*Poa sandbergii*).

Where Moffat County Road 66 intersects BLM road 2108, a rare plant association of Gardener's mat saltbush (*Atriplex gardneri*) and Indian ricegrass occurs. This particular association has a global rarity ranking of vulnerable and a statewide rarity ranking of imperiled as determined by the Colorado Natural Heritage Program. This rare association is characterized a sparse shrub layer dominated by Gardner's mat saltbush along with winterfat and budsage. Indian ricegrass dominates the grass component with moderate cover. Forbs are variable and sparse. Other species present include squirreltail (*Sitanion hystrix*), Hood's phlox, and Sandberg bluegrass.

Environmental Consequences: The widening and improvement of drainage of the existing road would completely eliminate approximately 20 acres of native vegetation along the entire length of the project area. Since this disturbance would be spread narrowly along the disturbance of the existing road, the overall impact to the surrounding plant communities would be minimal. Improved drainage and road surface integrity from crowning, ditching, and gravel surfacing the road would decrease uncontrolled runoff and erosion that could adversely affect the existing plant communities adjacent to the road.

Special concern would need to be paid to the impacts on the rare Gardner's saltbush/Indian ricegrass plant community. Based on current mapping, the proposed road improvement would cross this community for approximately 2,000 feet in the SW ¼ Sec. 19, T11N R96W. Overall, the Proposed Action would benefit this rare plant association in the same manner as described above. However, species seeded through this area would need to be those species that would specifically maintain this community, i.e., Gardner's saltbush and Indian ricegrass.

Mitigative Measures:

1) BLM will ground truth the portion of the road identified as crossing the Gardner's saltbush/Indian ricegrass plant association and mark the entry and exit points. Moffat County will use a specific seed mix for revegetation of disturbance outside of the road surface within this rare plant community. This seed mix will be listed in the Conditions of Approval.

2) BLM will prescribe seed mixes for the remainder of the road improvement and will include species appropriate to the surrounding plant communities. This seed mix will be listed in the Conditions of Approval.

Name of specialist and date: Hunter Seim 7/11/06

WILDLIFE, AQUATIC

Affected Environment: There is no aquatic wildlife habitat present on BLM lands within the project area.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 7/11/06

WILDLIFE, TERRESTRIAL

Affected Environment: The proposed project area provides year round habitat for elk, mule deer and pronghorn antelope. A variety of bird, small mammals, and reptiles use the area as

well.

Environmental Consequences: Construction work associated with upgrading Moffat County Road 66 will likely displace big game animals. It can be expected that any big game animals that are displaced would return to the project area once construction is complete. Traffic along County Road 66 will likely increase once the road is upgraded and used for transporting mined gravel. Increased traffic associated with this use will likely cause big game animals to avoid the area during periods of heavier traffic. Some level of increased mortality due to vehicle collisions can be expected although this should be fairly low and not likely to impact big game populations in the area.

Small mammals, birds and reptiles that are found in the project area would also likely avoid the area while construction is taking place. Many of the displaced animals would likely return to the area once construction is completed. Mortality of these animals is likely to increase due to collisions with vehicles as a result of increased traffic. Mortality of individuals is not likely to result in decreased wildlife populations in the area.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 7/11/06

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

| Non-Critical Element | NA or Not Present | Applicable or Present, No Impact | Applicable & Present and Brought Forward for Analysis |
|-------------------------|-------------------|----------------------------------|---|
| Fluid Minerals | | RE 7/12/06 | |
| Forest Management | LM 7/17/06 | | |
| Hydrology/Ground | | RE 7/12/06 | |
| Hydrology/Surface | | | OO 7/31/06 |
| Paleontology | | | See Paleontology |
| Range Management | | HS 07/11/06 | |
| Realty Authorizations | | LM 07/17/06 | |
| Recreation/Travel Mgmt | | | RS 7/13/06 |
| Socio-Economics | | LM 07/17/06 | |
| Solid Minerals | | RE 7/12/06 | |
| Visual Resources | | JM 7/11/06 | |
| Wild Horse & Burro Mgmt | LM 7/17/06 | | |

CUMULATIVE IMPACTS SUMMARY: Cumulative impacts may result from the construction and routine maintenance of the access road when added to non-project impacts that result from past, present, and reasonably foreseeable future actions. Other past or existing actions near the project area that have influence on the landscape are wildfire, recreation, hunting, grazing, mining, and ranching activities.

Surface disturbance associated with the project has the potential for an increase of erosion and sedimentation. Only a small reduction in forage would be anticipated. Some wildlife species may be temporarily displaced by construction, but should return upon completion of the project. Contrasts in line, form, color, and texture from the project would impact the visual qualities on the landscape.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD:

The proposed project is likely to temporarily displace wildlife from the area during the construction period. Some increased mortality can be expected as a result of increased traffic once the road is in use for hauling gravel. Approximately 20 acres of habitat will be destroyed as a result of the proposed action. Surrounding habitat should be sufficient to support productive wildlife populations in the future. This standard is currently being met and will continue to be met in the future.

Name of specialist and date: Timothy Novotny 7/11/06

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD:

There are no threatened or endangered animal species or habitat for such species in or near the project area. The proposed project area does contain habitat for greater sage-grouse and white-tailed prairie dogs, both are BLM special status species.

Approximately 1 acre of sage-grouse nesting habitat will be destroyed from the road improvement. Several more acres are likely to be avoided by nesting sage-grouse due to increased traffic. This should not have an impact on sage-grouse production in this region.

White-tailed prairie dogs are likely to benefit from the disturbance associated with the road improvement. It is possible that prairie dogs would be able to expand their colonies along the new disturbance into areas previously dominated by shrub vegetation.

This standard is currently being met and will continue to be met in the future.

Name of specialist and date: Timothy Novotny 7/11/06

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: The Proposed Action would improve uncontrolled runoff and erosion present on the existing road. It would also reduce widening of the existing disturbance as vehicles attempt to avoid mud holes and washouts. With increasing truck traffic on this road due to gravel pit operations, the Proposed Action would be the best option to limit adverse impacts to the surrounding plant community while still maintaining the existing vehicular access. The Proposed Action would meet this standard.

The No Action Alternative would also meet this standard in the short term. The adjacent plant communities are currently meeting this standard under the current situation with the more primitive road. However, the road would continue to deteriorate over time leading to increased erosion, runoff, and spread of weeds. Even more so with increased truck traffic. Over the long term, the No Action Alternative would not meet this standard.

Name of specialist and date: Hunter Seim 7/11/06

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species that would be affected by the Proposed Action. This standard does not apply.

Name of specialist and date: Hunter Seim 7/11/06

RIPARIAN SYSTEMS STANDARD: The proposed action will not affect the riparian standard for healthy rangelands. This standard does not apply.

Name of specialist and date: Ole Olsen 7/31/06

WATER QUALITY STANDARD: The water quality standard is met. Upgrading this portion of the access road and providing drainage of the road with crowning and ditching and other water management techniques (i.e.: culverts and water turnouts) will help stabilize the soils and reduce sediment runoff from this site. These improvements are considered Best Management Practices that help to control non point source contaminants. The Little Snake River is presently supporting classified beneficial uses.

Name of specialist and date: Ole Olsen 7/31/06

UPLAND SOILS STANDARD: That portion of the right-of-way that will be used as a road is not expected to, nor will it meet the upland soil standard. Soils will be compacted and infiltration rates will be greatly reduced. The graveled surface of the road will help to maintain soil stability and minimize offsite deposition of soil particles. Reclamation practices on disturbed areas adjacent to the improved road should restore upland soil properties or functions and vegetative cover to these areas, allowing the unused portions of the right of way to meet the upland soil standard in a few years.

Name of specialist and date: Ole Olsen 7/31/06

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office.

FONSI

The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. With the implementation of the attached mitigation measures there is a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Field Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time, there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

DECISION AND RATIONALE: I have determined that authorization of the access road upgrade is in conformance with the approved land use plan. It is my decision to issue the right-of-way grant with mitigation measures to Moffat County. The grant is for construction, operation, maintenance and termination of an existing access road located on public land in T. 11N., R.97W., sections 1,12,13,25, T. 11N., R.96W., sections 18, 19, 6th PM, Moffat County, Colorado. The access road R/W is 5.5 miles long and 60 feet wide. The R/W grant is issued for 20 years with the right of renewal. The access road R/W is rental exempt pursuant to 43 CFR 2806.14. The project will be monitored as stated in the Compliance Plan outlined below.

It is the policy of the Bureau of Land Management to grant R/W to occupy and use public land where such is consistent with resource values; the Bureau's planning system and local government concerns. To this effect, no conflicts were found; the action does not result in any undue or unnecessary environmental degradation. The action is consistent with the Little Snake Resource Management Plan. The proposed use, as planned and mitigated, is a suitable use of the land, which will not conflict, with the present or known future use of the area. The action is consistent with Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761) and the regulations authorizing use of federal land under 43 CFR 2800.

MITIGATION MEASURES: See Exhibit B, Stipulations.

COMPLIANCE PLAN(S):

Compliance Schedule: Compliance will be conducted during the construction phase and reclamation phase to insure that all terms and conditions specified in the right-of-way grants and stipulations are followed. The access road will be on a five-year compliance schedule after completion of the project.

Monitoring Plan: The access road will be monitored during the term of the right-of-way for compliance with the grants, stipulations, PODs and pertinent regulations until final reclamation is approved or the R/W's are relinquished; monitoring will help determine the effectiveness of mitigation and document the need for additional mitigative measures.

Assignment of Responsibility: Responsibility for implementation of the compliance schedules and monitoring plans will be assigned to the Realty staff in the Little Snake Field Office. The primary inspector will be the Realty Specialist.

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

ATTACHMENTS: Exhibit A, Map
Exhibit B, Stipulations

EXHIBIT B
Stipulations
COC70123

1. The holder shall construct, operate, and maintain the facilities, improvements, and structures within the right-of-way in strict conformity with the plan(s) of development identified with the application. Any relocation, additional construction, or use that is not in accord with the approved plan(s) of development, shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all stipulations and approved plan(s) of development, shall be made available on the right-of-way area during construction, operation, and termination to the authorized officer. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health and safety or the environment.
2. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and the authorized officer will make any decision as to proper mitigation measures after consulting with the holder.
3. The operator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) (970) 826-5087. Within five working days the AO will inform the operator as to:
 - Whether the materials appear eligible for the National Register of Historic Places;
 - The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
 - Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.
4. 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.

5. If fossils are discovered during construction or other operations, all activity in the area will cease and the Field Office Manager will be notified immediately. An assessment of significance will be made within an agreed time frame. Operations will resume only upon written notification by the Authorized Officer."
6. No surface disturbing activities between the hours of 6:00 pm and 9:00 am from March 1 through May 1. This timing restriction only applies to that portion of MC Rd 66 between the junctions of MC Rd 66b and MC Rd 75d in order to protect breeding and nesting greater sage-grouse.
7. The design and construction of this road needs to comply with the road design and construction direction contained in the BLM publication: Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development – The Gold Book – Fourth Edition – 2006, for BLM Collector Roads. This will include requiring Moffat County to locate on the ground and in a plan and profile diagram all culvert locations and the size of the culverts prior to the BLM approving road construction activities. A pre-work field review of the culvert locations by BLM will be needed. All perennial and intermittent drainages must have erosion and sediment control filters or barriers installed below fill slopes on these drainages that will effectively trap eroded sediments from entering the water systems. These must function for a minimum of two years following construction or until re-vegetation is adequately established on cut and fill slopes. All drainage culvert outlets must have rock installed at the outlets of the culverts to provide water energy dissipation to reduce erosion at the culvert outlets, and sediment barriers installed below the rock to further trap sediments. After adequate re-vegetation is established, the county will be required to remove sediment fencing.
8. All road signing, including any required safety signing, must comply with direction contained in the U.S. Department of Transportation Manual of Uniform Traffic Control Devices.
9. The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the holder shall secure the

services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.

10. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) With regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) In excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
11. Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer. (A regular maintenance program shall include, but is not limited to, blading, ditching, culvert installation and surfacing).
12. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. 'Waste' means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
13. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way.
14. A portion of the project is located within a rare plant community (Gardner's saltbush-Indian ricegrass plant community). Provide 1 week notification to Hunter Seim at (970) 826-5074 prior to seeding to allow for flagging of the plant community. The following seed mix shall be used:

- That portion within the Gardner's saltbush-Indian ricegrass plant community

| | |
|---------------------------|--|
| Gardner's saltbush | 2 lbs./ac (Ideally drilled to a depth of 1/4 to 3/4 inches) |
| Indian ricegrass (Nezpar) | 5 lbs./ac (Ideally mechanically scarified OR older seed stock, otherwise drill up to 3") |
| Bottlebrush squirreltail | 2 lbs./ac (Broadcast or shallowly drilled, i.e. 1/4 inch) |

Winterfat (Hatch) 1 lb./ac (May be broadcast)

- The remainder of the project area outside of the rare plant community

| | |
|---------------------------------|--|
| Gardner's saltbush | 2 lbs./ac (Ideally drilled to a depth of 1/4 to 3/4 inches) |
| Indian ricegrass (Nezpar) | 5 lbs./ac (Ideally mechanically scarified OR older seed stock, otherwise drill up to 3") |
| Needle-and-thread | 2 lbs./ac (May be broadcast) |
| Thickspike wheatgrass (Critana) | 5 lbs./ac (May be broadcast) |
| Winterfat (Hatch) | Increase to 2 lbs./ac |

All seeding needs to be conducted in the fall as close to the first snowfall as possible. Establishment of Indian ricegrass will take the longest (2 or more years). If any of the above species cannot be secured prior to seeding, Moffat County will contact Louise McMinn at (970) 826-5070, and provide the reason for that species omission.

15. Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a pretermination conference. This conference will be held to review the termination provisions of the grant.