

**U.S. Department of the Interior
Bureau of Land Management
Royal Gorge Field Office
3028 E. Main Street
Canon City, CO 81212**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-200-2013-0064 CX

CASEFILE/PROJECT NUMBER (optional):

PROJECT NAME: Fremont County Mineral Materials Testing

PLANNING UNIT: Gold Belt Subregion #5

LEGAL DESCRIPTION: Colorado, Fremont County,
Sixth Principle Meridian,
T. 17 S., R. 70 W., sec. 30, NE1/4NW1/4.

APPLICANT: Fremont County

DESCRIPTION OF PROPOSED ACTION Fremont County is requesting to conduct mineral materials testing at a location along CR 69 north of the Patton Ranch. The test area consists of Permian and Pennsylvanian Fountain Formation.

The test area is located off of county Road 69 north of the Patton Ranch. Access to the property requires crossing through a locked gate on BLM property on a well maintained road used by Summit Brick Quarry and then following the first drainage north onto BLM lands. A new 2 track will be created to handle a loader with rubber tires and trucks. The area is visible from CR 69, but does not appear to be visible from any residences.

The test site will be approximately 10' long by 10' wide by 10' deep and have minimal topsoil that would need to be stockpiled. Approximately 500 tons of material will be removed and used to test for use as roadbase for county road maintenance within the Fremont County Road and Bridge Department. This testing is to be conducted during the summer on real road surfaces, to determine if the quality of the material is suitable for this application. Immediately after the trenches are dug and the material is removed, the test areas will be collapsed and backfilled so that they do not create a hazard. Final backfilling of the test trenches will not occur until after the road tests are complete.

Results of the testing will determine if a gravel pit would be proposed at the location, which would be addressed in a future environmental analysis, county conditional use permit, free use permit and a State of Colorado special 111 operation permit through the Colorado Division of Reclamation, Mining and Safety.

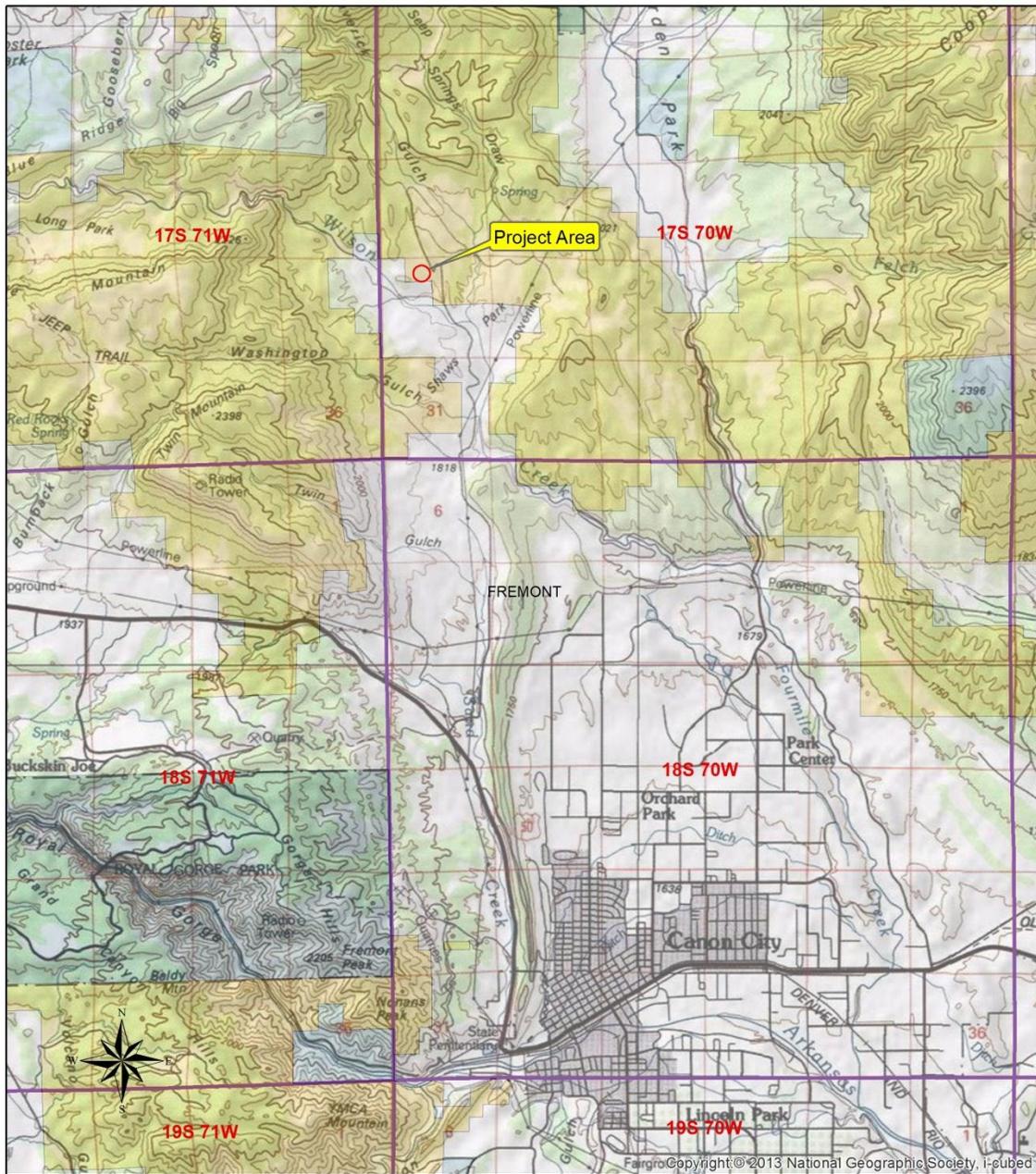
Photo 1. Photo of proposed CR 69 Test Area, looking east.



Photo 2 and 3. Access route to the test pit.
Photo 2 looking northwest from old sediment dam.
Photo 3. Looking south from old sediment dam.



Map 1. Project area overview map



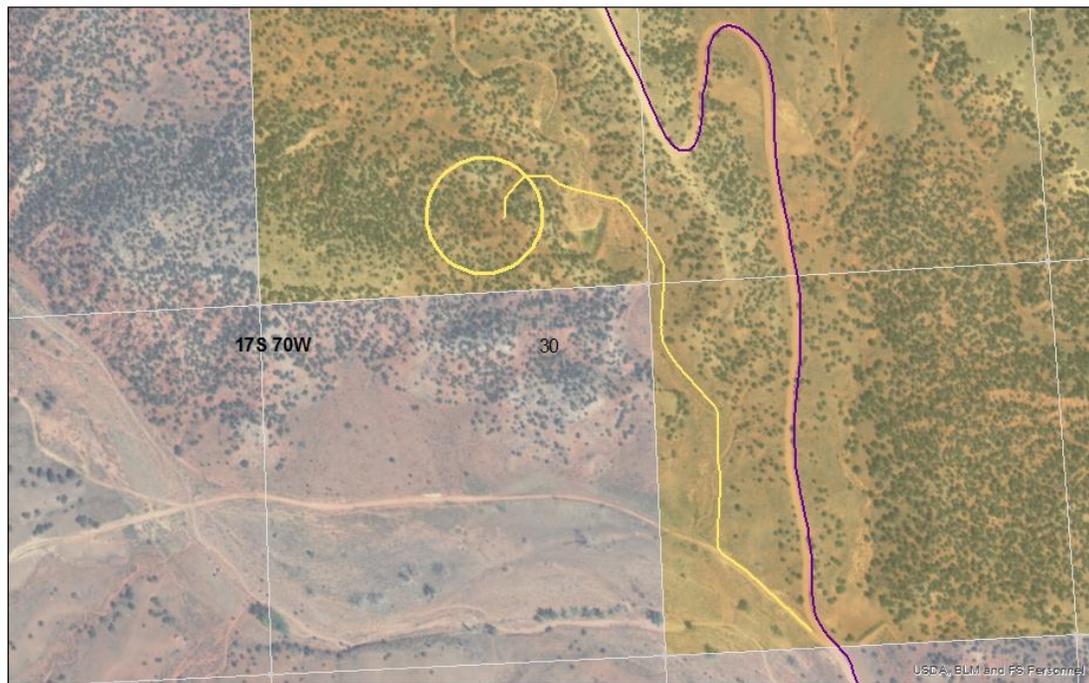
Fremont County - C.R. 69 Materials Exploration

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NOTE TO MAP USERS
 No warrantee is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked or current status on any specific tract of land.

Map 2. Map showing location of CR 69 test area.



Fremont County - C.R. 69 Exploration Map
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6PM, T17S R70W Sec. 30

Legend

- 2013FremontCR69_ExplorationAccess
- 2013FremontCR69_ExplorationSite
- Bureau of Land Management
- Private

0 0.05 0.1 0.2 Miles

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PLAN CONFORMANCE REVIEW:

Name of Plan: Royal Gorge Resource Management Plan

Date Approved: 05/13/1996

Decision Number: 5-42

Decision Language: Areas will be open to mineral entry and available for mineral materials development: administered under existing regulations, limited by closure if necessary, special mitigation will be developed to protect values on a case-by-case basis.

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11.5 F (9). None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion Criteria	YES	NO
1. Have significant impacts on public health or safety.		X
2. Have significant impacts on such natural resources and unique		X

geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; lands with wilderness characteristics; 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.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		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.		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.		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.		X

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 5/1/2013
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	-----
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	CC, 5/6/2013
John Lamman	Range Management Spec.	Weeds	JL, 05/03/2013
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 5/1/2013

Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	SC 5/22/2013
Melissa Smeins	Geologist	Minerals, Paleontology	-----
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 5/2/2013
Ty Webb	Prescribed Fire Specialist	Air Quality	TW, 5/3/2013
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 4/29/2013
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	KL, 4/29/2013
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	-----
Ken Reed	Forester	Forestry	KR, 5/7/13
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 6/19/13
Monica Weimer	Archaeologist	Cultural, Native American	-----
Michael Troyer	Archaeologist	Cultural, Native American	MT 5/10/2013
Vera Matthews	Realty Specialist	Realty	vm, 5/7/2013
Steve Craddock	Realty Specialist	Realty	-----
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	N/A
Bob Hurley	Fire Management Officer	Fire	N/A

REMARKS:

Cadastral: Section 30 of T. 17 S., R. 70 W., 6th P.M. was dependently resurveyed in 1982. The GCDB point reliability in the area is +/- 5 ft. The C-N 1/16 section corner of section 30 should be located and protected before any work begins.

Cultural Resources: No historic properties were found in the area of potential effect [see report CR-RG-13-80 (N) and CR-RG-13-144 (N)]. Therefore, the proposed undertaking will have no effect on any historic properties (those eligible for the NRHP).

Native American Religious Concerns: No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

Threatened and Endangered Species: There are no records of any federally listed or BLM sensitive species within or near the project area. The Proposed Action will not result in impacts to TES species.

Migratory Birds: To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a "take" of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado

migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

Forest Management: Any tree needing to be cleared for the proposed activity shall be stock piled in a central location on site to be used for future site reclamation. Any forest product removal requires a special forest product permit.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within the proposed disturbed area. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

Visual Resources: The project is located within a VRM Class III area where the management goal is to partially retain the existing character of the landscape and the level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer and changes should repeat the basic elements found in the predominant natural features of the characteristic landscape. This project would meet the VRM management objectives as proposed but future development would warrant further visual analysis.

Recreation Resources: The project is located $\frac{3}{4}$ miles from the Seep Springs Off-Highway Vehicle trailhead that is a popular recreation destination within the Gold Belt Special Recreation Management Area. Anticipated future gravel pit development would have to analyze impacts to recreation resources.

Realty: The lands where the proposed project will be located have never left federal ownership. The County Road 69 is authorized pursuant to RS-2477, and serialized COC-44142. The road has not been serialized for the adjoining acquired parcel and has prescriptive rights.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Carissa D. Snyder

SUPERVISORY REVIEW: Jay Raiford

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Martin Weimer

DATE: 6/19/13

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does

not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:

/s/ Keith E. Berger
Keith E. Berger, Field Manager

DATE SIGNED: 6/19/13