

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion Not Established By Statute
DOI-BLM-CO-S010-2014-0013-CX**

June, 2014

Grouse Gulch Trespass Road Rehabilitation

Location: New Mexico Principle Meridian, Colorado
T. 42 N., R. 6 W.
Sec. 8
A tract of land containing .3 acre

Applicant/Address: *Tres Rios Field Office, BLM*
29211 Hwy 184
Dolores, CO 81323

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Dolores, CO 81323
970-385-1224
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**CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING
CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE**

A. Background

BLM Office: Tres Rios Field Office

Lease/Serial/Case File No: COC-76343

Proposed Action Title/Type: Grouse Gulch Trespass Road Rehabilitation

Location of Proposed Action: NMPM, T. 42 N., R. 6 W., sec. 8

Description of Proposed Action:

BLM proposes to reclaim the hillside of a trespass road along a private land/BLM boundary, summer 2014. Final reclamation is needed in order to restore the hillside to its pre disturbed condition, as much as possible. The reclamation work would consist of replacing all fill material back into the cut that it came from. Individual boulders that have rolled downhill would be left where they are, and not retrieved. An excavator with thumb would pull all material back and re-contour to the previous slope. A hand crew would be used to remove the straw wattles installed during the interim reclamation. Hand crews would re-plant sod clumps to help with re-vegetation. New wattles would then be installed by hand to make sure runoff is diverted off of the newly re-contoured slope. The area would then be re-seeded using a mix of native grasses and forbs as well as a "nurse crop" of sterile, non-native annual grass. The annual grass would not be able to reproduce past two growing seasons. It would be planted for two reasons, the first, is to help stabilize bare soils from anticipated heavy rain storms (monsoons) in July, and two, it would provide a desirable micro environment for native grasses and forbs to establish.

A private landowner constructed a road along a private land/BLM boundary, without authorization. This was a new road that switch-backs up a very steep hillside near Grouse Gulch drainage. The road constructed on BLM is approximately 1000 feet long by 12 feet wide. The road was built on alpine tundra vegetation type, with Thurber's fescue and forbs being the dominate vegetation. Interim stabilization work was conducted by hand in October 2013, in order to stabilize the soil before the winter season. Bar ditches were hand dug along the road and straw wattles were staked in. Straw mulch was also hand spread along the length of the road.

Straw mulch would then be spread and crimped in with shovels over the newly seeded soil to help protect the seed from animals, wind, sun and rain. The work would be performed when environmental conditions are optimal, which is expected to be by mid-June, 2014.

B. Land Use Plan Conformance

Land Use Plan Name: San Juan/San Miguel Planning Area Resource Management Plan

Date Approved/Amended: September 1985

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): San Juan/San Miguel Planning Area Resource Management Plan, Record of Decision, Page 20, states: "BLM will make every reasonable effort to provide primary access to

private landowners...However, BLM will not grant additional rights-of-way when reasonable access already exists unless there is a compelling public need.”

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E. Realty, 20. One-time issuance of short-term (3 years or less) rights-of-way or land use authorizations which authorize trespass action where no new use or construction is allowed, and where the proposal includes rehabilitation to restore the land to its natural or original condition.

I considered the proposed action with the appropriate design features to minimize effects to resources.

The final reclamation work is proposed by the BLM; the following design features will be adhered to:

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the BLM, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer (BLM archaeologist). The BLM 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 BLM is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts.
2. All seed must comply with BLM and Colorado weed seed guidelines. There should be no prohibited species seed, and no more than allowable levels of restricted species seed. In addition, there should be no more than 0.5% total weed seed, less than 2% other seed, and no trash larger than ¼” in length. Seed shall not be stored in burlap bags.
3. The BLM Tres Rios Field Office places additional local restrictions on seed to minimize cheatgrass spread. If seed tests show any *Bromus tectorum* or *Bromus japonicus*, the BLM should be consulted with for approval. No mix placed on BLM shall contain more than 150 *Bromus tectorum* and/or *Bromus japonicus* seeds per pound.
4. BLM will need copies of seed tags and test results for all seed applied regardless of project size. The following seed mix is approved for use as part of the reclamation:

Species	Scientific name	Variety	Pure Live Seed Lbs./acre
Quickguard sterile triticale			12.0
Thurber fescue	<i>Festuca thurberbiana</i>		12.0
Slender wheatgrass	<i>Elymus trachycaulus</i>	San Luis	3.0
Nodding brome	<i>Bromus anomalus</i>		3.0

Categorical Exclusion Review Record

Resource	Yes/No
Air Quality	No
Areas of Critical Environmental Concern	No
Cultural Resources	No
Environmental Justice	No
Farm Lands (prime or unique)	No
Floodplains	No
Invasive Species/Noxious Weeds	No
Migratory Birds	No
Native American Religious Concerns	No
Threatened, Endangered, or Candidate Species	No
Wastes (hazardous or solid)	No
Water Quality (drinking or ground)	No
Wetlands / Riparian Zones	No
Wild and Scenic Rivers	No
Wilderness	No
Other:	No

*Extraordinary Circumstances apply?

Exceptions to Categorical Exclusion Documentation

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No X	Rationale: <i>There would be no effect to health or safety, concern is not present.</i>
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;		

Extraordinary Circumstances

wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

Yes	No X	<i>Rationale: The above concerns are not present in the impact area.</i>
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3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

Yes	No X	<i>Rationale: Controversy over environmental effects pertains specifically to disagreement over the nature of the impacts among those with special expertise. The impacts of the action are well-known and demonstrated in other projects that have been implemented and monitored.</i>
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4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes	No X	<i>Rationale: Categorically excluded actions generally have very predictable consequences well established as insignificant.</i>
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5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.

Yes	No X	<i>Rationale: The action is not connected to another action that would require further environmental analysis or would not set a precedent for future actions that would normally require environmental analysis.</i>
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6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Yes	No X	<i>Rationale: There would be no direct relationship to other actions with individually insignificant but cumulative significant environmental effects.</i>
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7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Yes	No X	<i>Rationale: Confirm that cultural surveys have been completed; the appropriate data bases have been reviewed; and appropriate concurrence from SHPO and tribes have been received indicating that significant impacts are not expected.</i>
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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.

Extraordinary Circumstances

Yes	No X	Rationale: <i>The appropriate level of Threatened and Endangered Species review, surveys, and coordination and any required consultation, conformance, or concurrence from the U.S. Fish and Wildlife Service has been received indicating that impacts would not be significant. The proposed action is covered under the programmatic Lynx Consultation Screen.</i>
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9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Yes	No X	Rationale: <i>There would be no violation of a Federal law, state or local tribal law.</i>
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10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes	No X	Rationale: <i>No low income or minority populations would be affected, concern is not present the area.</i>
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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 X	Rationale: <i>There would be no affect to sacred sites, no known sites are present.</i>
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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 X	Rationale: <i>Introduction as well as spread within the area is considered.</i>
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